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House of Representatives

The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. BARRETT of South Carolina).

DESIGNATION OF SPEAKER PRO TEMPORE

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

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES
Washington, DC, April 12, 2005.

I hereby appoint the Honorable J. GRESHAM BARRETT to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member, except the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

EXPRESSING DEEP SADNESS AT THE TRAGIC DEATH OF MEGHAN AGNES BECK AND THANKING THE BECK FAMILY FOR THEIR EFFORTS ON BEHALF OF CHILDREN'S SAFETY

Mr. MCGOVERN. Mr. Speaker, I rise today with deep sadness at the tragic death of Meghan Agnes Beck of Sterling, Massachusetts. Meghan died on December 18, 2004, at the young age of 3 years old. She died from injuries sustained as a result of her dresser falling on top of her in the early morning while the rest of her family was sleeping.

Meghan was a beautiful young girl full of confidence and life. She leaves behind her twin brother Ryan, older brother Kyle, and her parents Ralph and Kimberly. Despite their sadness and pain, Meghan's parents are moving forward, spreading a message to other parents around the country. They are raising awareness about the importance of preventing furniture tip-overs that can result in injury or death to children.

Sadly, Meghan is not the first child to die from falling furniture, but the Becks hope that they can help prevent this tragedy from happening to another child. The Consumer Product Safety Commission estimates that 8,000 to 10,000 children are injured each year from furniture that falls or tips or from items on top of furniture or shelves that fall off onto the child. An average of six children tragically die each year, as Meghan did.

Through a Web site titled Meghan's Hope, her parents are bringing together fellow American families who have suffered pain from the loss or injury of a child to spread the word about furniture safety. The mission of Meghan's Hope is to make available resources and information regarding furniture safety.

Via the Web site, parents from around the country have a place to share stories, thoughts and ideas with one another. Thanks to Ralph and Kimberly Beck's efforts, awareness is rising; and more parents are taking note of the importance of securing furniture around the house.

The Web site offers several helpful suggestions for families. These include:

Securing furniture to the walls to prevent tip-overs. This includes dressers, bookcases, entertainment cabinets, TVs, toy boxes, large appliances, or any piece of furniture with shelves or drawers that can be climbed on;

Purchasing furniture ties or brackets. These should be screwed into both the wall, into a beam, and the furniture itself. If a wood beam is not accessible, use mollies or toggle bolts to give added strength;

Placing TVs on low, stable units with large bases and as far back as possible in the shelf. Secure all TV sets to the wall. Devices are sold for this purpose;

Anchoring freestanding bookcases, no matter how large or small, to the walls;

Not placing heavy or other items of interest to a child on top of the furniture or higher than a comfortable reach for the smallest child so as not to entice them to climb for it;

Putting heavy items on the lowest shelf or drawer;

And sharing this information with everyone you know.

In addition, there are things the furniture and retail industries can do, and the Becks have developed some excellent ideas. They include:

Encouraging all stores that sell furniture to also provide literature on furniture safety and to sell the safety straps;

Encouraging all furniture manufacturers to voluntarily include warning labels on furniture and information on the dangers of furniture tip-overs, recommending that the buyer secure the piece to the wall with the proper restraining devices. Ideally, the manufacturer would provide this information with the furniture until safety standard legislation is developed;

Encouraging stores that sell child safety products to also sell furniture safety straps. Many do not carry them, including large department stores and home improvement stores;

And encouraging physicians and child safety instructors to discuss furniture safety with parents.

Mr. Speaker, through this terrible loss, the Beck family has shown great strength and determination to spread

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their message. As parents we have an awesome responsibility to protect our children, and we must not take this responsibility lightly. While I am deeply saddened by the loss of Meghan Beck, I commend the entire family for their efforts in spreading their message.

I urge my colleagues to visit the Becks' Web site at www.meghanshope.org. There they can learn more about the important issue of furniture safety and what can be done to prevent more tragedies from occurring.

I know that our colleague, the gentlewoman from Pennsylvania (Ms. SCHWARTZ), is also concerned about this issue; and I look forward to working with her closely to see what Congress can do to help.

I am certain that the entire House of Representatives joins me in sending their deepest condolences to the Beck family and in thanking them for their effort on behalf of our children's safety.

FIGHTING CARGO THEFT

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I rise today to tell my colleagues and the country about a problem that has plagued our country for some 30 years, but continues unabated today. It is a problem that travels our highways and threatens our interstate commerce. It is a problem that affects our entire country and demands a Federal response. The problem is the crime of cargo theft.

Every year, tens of billions of dollars are lost due to cargo theft, by one estimate, up to $60 billion a year in losses. But there are indirect costs as well. This huge amount of business and profit translates into the loss of at least 300,000 mid-level manufacturing jobs. Prices are increasing due to higher insurance premiums. People are losing their jobs and consumers are paying higher prices because of cargo theft. Making matters worse, law enforcement officials estimate 60 percent of cargo theft incidents go unreported, so these costs could be even greater.

Typical targets for cargo theft often include shipments of clothing, prescription drugs, computers, and jewelry. A truckload of computer microprocessors can be worth millions of dollars. A truckload of cigarettes, just another common target, can be worth up to $2 million.

Cargo thieves employ creative and highly efficient means to prey on cargo carriers and have managed to stay one step ahead of our authorities. Thieves know what they want, where they can find it, and how they can get it.

And let us not forget that cargo theft is a national security issue. We know that terrorists can make a lot of money stealing and selling cargo, not to mention the fact that terrorists have a proven record of using trucks to either smuggle weapons of mass destruction or as an instrument of delivery.

Make no mistake about it, cargo theft is a big business, and business is booming.

But despite the incredible costs and high stakes involved, we still have not been able to come up with an effective way to fight cargo theft. The trouble is, cargo theft is not well-known or a high-profile issue. And one of the reasons that cargo theft does not receive the attention it deserves is because very little information exists concerning the problem. For example, there currently is no all-inclusive database that collects, contains, or processes distinct information and data regarding cargo theft.

In order to combat the growing problem of cargo theft, I have introduced legislation, the Cargo Theft Prevention Act, which proposes commonsense solutions to this widespread crime. My legislation would require the creation of just such a database, providing a valuable source of information that would allow State and local law enforcement officials to coordinate reports of cargo theft. This information could then be used to help fight this theft in everyday law enforcement and estimating, and very importantly, estimating the exact cost of this crime.

My act, the Cargo Theft Prevention Act, proposes that cargo theft reports be reflected as a separate category in the Uniform Crime Reporting System, or the UCR, the data collection system that is used by the FBI today. Currently, no such category exists in the UCR, resulting in ambiguous data and the inability to track and monitor trends.

The last thing my bill does is have the United States Sentencing Commission take a look at whether criminals who commit cargo theft deserve stiffer penalties. This needs to be done because the high value-to-volume ratio of hi-tech and high-profit goods cargo theft has encouraged criminals previously involved in drug dealing to move into this area of activity, where they run less risk of detection and suffer less penalties if they are caught.

As it now stands, Mr. Speaker, punishment for cargo theft is a relative slap on the wrist. Throw in the fact that cargo thieves are tough to catch, and what we have here is a low-risk, high-reward crime that easily entices potential criminals. We need to determine what sentencing enhancements and increases must be made, if at all.

Members in this Chamber need to be made aware of this problem, a problem not only specific to the large port cities of this country, but a problem specific to all of our congressional districts. Billions of dollars are being sapped from our economy and this body is doing little to stop it. It is time that we get aggressive and make our highways again safe for commerce.

The Cargo Theft Prevention Act proposes to finally give law enforcement officials and lawmakers the commonsense tools they need to combat the costly and growing crime of cargo theft. I urge my colleagues to support this legislation.

THE WASHINGTON LOBBYISTS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, it is springtime, and Major League Baseball is coming to Washington. The thing is, though, I am not sure they got the name right. They are calling the team the Washington Nationals. Not a bad name, but I always thought the name should reflect the true character of a city. The right choice is obvious: the new team's name should be the Washington Lobbyists.

The Washington Lobbyists and their Republican allies would play under new rules of the game.

Rule number one: pay to play. You cannot step on the field unless you ante up. But in the land where cash is king, that is just the start. For a modest added contribution, a batter can shrink the strike zone, replace the traditional hardball with a more responsive tennis ball, or move the pitcher back 10 feet.

Rule number two: no errors. Missed the ball, say, by $800 billion on your Medicare cost estimate? No worries. With enough money, enough spin and enough citizen education, the Lobbyists can make those errors vanish overnight, or at least until election day.

Rule number three: it ain't over until its over, unless we are losing. Soccer ends after a set period of time. But do you know who plays soccer? Old Europe, that is who. Well, none of that in ''reformed'' baseball. At home games, the Lobbyists can hold the game open, adding extra innings if they are losing at the end of an arbitrary nine innings.

And the Washington Lobbyists would create a whole new fan experience too. Instead of the oh-so-boring Ball Day Or Bat Day, the Lobbyists and their corporate partners could offer U.S. Chamber of Commerce Blanket Day: Fans get blanket product-liability waivers.

Or the Washington Lobbyists baseball team could offer Golf Junket Getaway Giveaways: one lucky fan gets an all-expense sweet golf trip to Scotland, all expenses paid by the Indian gaming industry.

Or the Washington Lobbyists could give away at the ball park Timber Industry Bat Night: every bat is made from 100 percent old-growth forest.

Or Pressroom Sweepstakes: the winning fan gets White House press credentials for a day, but only if he is affiliated with an on-line escort service.

Or maybe Burger Night: free burgers for the first 5,000 fans, made with 100 percent caribou from the Arctic National Wildlife Refuge.

Maybe they could have Wal-Mart Kids Day, where kids would not get to actually watch the game, because somebody has got to work the concessions.

Or Mug Night: the lucky fan gets to keep his swank Republican leadership job, even if his mugshot is taped to his grand jury's dart board.

Or we could even have at the Washington Nationals baseball game starting Thursday night, we could have Halliburton Gasoline Night: a tank of gas for the first 1,000 fans at the patriotic Halliburton price of $8.95 a gallon.

Or the Enron Doubleheader: Fans get in early with promises of a big win, but then the team kicks you out and takes your pension away.

In the spirit of Republican Washington, the Washington Lobbyists will not care much about public opinion, making decisions in secret and ignoring criticism from the fans. And to avoid unpatriotic dissent, games will be played in the middle of the night, after sports writers have gone to bed.

□ 1245

If we want to change things and change how things really work in Washington, Mr. Speaker, we are going to have to change pitchers. Until we do, the Washington lobbyists and their friends here in Congress will always win.

MILITARY READINESS NEEDS

The SPEAKER pro tempore (Mr. BARRETT of South Carolina). Pursuant to the order of the House of January 4, 2005, the gentleman from Rhode Island (Mr. LANGEVIN) is recognized during morning hour debates for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, I join my friend and colleague, the gentleman from North Carolina (Mr. BUTTERFIELD), this afternoon to address matters of importance to Democrats on the House Committee on Armed Services.

I was fortunate enough to visit our men and women overseas in Iraq about a year-and-a-half ago, and I appreciate the amazing job that they are doing. Despite the complexity of their mission, our troops have performed ably and professionally; and they are, without doubt, the strongest and best-trained fighting force in the world.

However, we must ensure that they have the appropriate equipment to continue their record of success. We often overlook the impact that the high operations tempo in Iraq and Afghanistan have had on our equipment. Though the military has accomplished a great deal with what they have, we have clear indications that we are wearing down our equipment perhaps faster than we can replace it. The frequent use of Humvees, trucks, and aircraft, coupled with the harsh climate conditions, has caused them to wear down faster than expected.

The Army estimates that trucks are being degraded at three to five times the normal peacetime rate, with the Congressional Budget Office suggesting that it could be as much as 10 times the recent average. We see similar trends in our aircraft and tanks, with wear rates ranging from two to five times the normal. Meanwhile, National Guard and Reserve units that deploy with their own equipment have left it in theater when they return, creating shortages in the United States for training and other purposes.

Mr. Speaker, we simply cannot ignore the potential impact of this trend on the long-term readiness of our military. Our worldwide prepositioned stocks, which are intended to give our troops rapid access to equipment when needed, are severely depleted, with the Army estimating that we would need 3 years to fully restore them. Also, the Department of Defense estimates that it has $12.8 billion in unfunded maintenance costs, with the CBO projecting the numbers could be as high as $13 billion to $18 billion. At the current rate of operations, it will take years to reset the force to where it needs to be.

Now, we make these points, Mr. Speaker, not to be alarmists but to raise awareness of the state of our military and to emphasize that Congress must remain committed to our troops, both in theater now and in the future. We must pledge not to send our men and women into harm's way with substandard equipment, while actively seeking to rebuild our forces to meet future needs.

Mr. Speaker, furthermore, our commitment to our troops does not end when they return home. There is growing evidence that the combat stresses on our troops may contribute to higher rates of post-traumatic stress disorder. We must improve our PTSD counseling programs as well as our veterans' health care system.

I was disappointed that, during consideration of the emergency supplemental appropriations bill, the House voted down the Democratic motion to recommit, which would have provided more funding for veterans' health programs. Mr. Speaker, our veterans' health system is strained as it is, and I can think of no greater disservice to those men and women serving now than having them return to a nation that refuses to provide appropriate support for their needs.

I know many members of our committee have fought to meet our obligations to our service members and our veterans, and I would particularly like to thank and recognize the efforts of our Ranking Member, the gentleman from Missouri (Mr. SKELTON), as well as the leadership of the gentleman from Illinois (Mr. EVANS). Again, Mr. Speaker, I thank the gentleman from North Carolina (Mr. BUTTERFIELD) for his dedication, and I urge all of my colleagues to remain committed to guaranteeing sufficient military readiness and veterans' services.

SOLEMN DUTY OF CONGRESS TO PROVIDE FOR MILITARY NEEDS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from North Carolina (Mr. BUTTERFIELD) is recognized during morning hour debates for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, I rise today to join my colleague, the gentleman from Rhode Island (Mr. LANGEVIN), to talk about the position of House Democrats, particularly those of us on the Committee on Armed Services, regarding an issue of importance to our national defense.

As a new member of the Subcommittee on Readiness, I have been privy to briefings from our combatant commanders and from the Department of Defense. The testimonies provided by these great Americans have led me to the conclusion that our military equipment located in Iraq and Afghanistan has become severely worn and damaged.

The Congress of the United States has a solemn constitutional duty to provide for our military, and the Democratic Members of the Congress take this responsibility very seriously. A sufficient part of our duty is to make sure that our troops have the equipment they need to be successful when they are engaged in war. Whether it is MREs or canteens or desert uniforms or personal protective vests or up-armored Humvees, our troops deserve to have enough equipment in good working condition to get the job done. Mr. Speaker, I am concerned that our troops are on the verge of not having the equipment they need to win these wars, and that is not good.

Many of our briefings, Mr. Speaker, are top secret, and I would not dare to breach that confidence. But, Mr. Speaker, it is not classified that the pace of military operations in Iraq and Afghanistan is taking its toll on our equipment. We are simply wearing out the equipment at a fast pace.

By the Army's own estimates, trucks are wearing out at three to five times the rate as they would during peacetime operations. The Congressional Budget Office estimates that the truck usage is as much as 10 times higher than average during the last 7 years. Our aircraft are aging and wearing out at twice the rate as in peacetime. The Marine Corps reports its CH–46 helicopters are being used at 230 percent of the peacetime rate.

It is not just that our equipment is wearing out, Mr. Speaker; it is that so much of our equipment is wearing out.

Forty percent of the Army's equipment has been deployed since the start of Iraqi Freedom and Enduring Freedom. Thirty percent of the Marine Corps' equipment is deployed, and 2,300 items require depot maintenance. Twelve percent of the wheeled vehicles in Iraq are so broken down that they will have to be replaced.

We have also depleted a high percentage of our prepositioned equipment.

The Army says that our stocks will not be reset for at least 3 years after the end of the conflicts.

Equipment casualties are significant. During the war in Iraq, the Army has lost 503 pieces of major equipment, including 51 helicopters, 76 heavy trucks, 217 Humvees, and 97 combat vehicle-like tanks, Bradley fighting vehicles and Strykers.

The Marine Corps reports that 1,800 pieces of equipment valued at over $94 million have been destroyed.

Why do I mention all of these statistics? I want my colleagues and the American people to understand that we are coming dangerously close to weakening our military, and we must understand the enormity of the problem. And it must be known that it is going to take a lot of money to fix the problem.

The 2005 supplemental appropriation passed by the House earlier this year includes $554 million to replace 800 worn out or damaged pieces of equipment. The CBO estimates that the Department of Defense already needs between $13 billion and $18 billion to fund maintenance costs not covered in the budget. And the Army will require at least 2 years of supplemental appropriations after the end of the conflict in order to reset the force. I regret that the President's 2006 budget request does not include the money we need to replace and modernize our worn and lost equipment.

Mr. Speaker, the Democratic Members of the Committee on Armed Services deeply care about our troops and about our military. We must fulfill our constitutional duty to ensure that our troops have what they need to succeed wherever they are deployed. They can only succeed and we can only carry out our duty if we provide them sufficient equipment to complete their mission. That is going to be a long and expensive process.

Congress, therefore, needs to take prompt action, and I call on all of my colleagues to provide the needed support to make that happen.

REPUBLICAN BANKRUPTCY BILL MEANS FALSE HOPE AND ENDLESS DEBT BURDEN FOR AMERICANS

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentleman from Washington (Mr. McDERMOTT) is recognized during morning hour debates for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, the Republican majority today or tomorrow will put before this House and the American people a WMD, a Weapon of Mass Debt. They call it the Bankruptcy Abuse and Consumer Prevention Act of 2005. This legislation is as far away from protecting consumers as a snake oil salesman pitching an elixir to cure all of your ills.

This legislation should be called the Credit Card Company Enslavement Act of 2005. It does not help the American people. It was conceived by the credit card people for the credit card people and packaged by their Republican surrogates for one reason and one reason only: to entrap low- and middle-income Americans.

As always with this Republican majority, if you are rich, do not worry, they have your back covered. But for every other American, you are the payoff for special interests and corporate greed. Disguise legislation with a phony name and let them clean your clock over and over and over again.

Debt, and pain and suffering associated with economic enslavement, has been a major concern throughout recorded history. The Bible speaks about debt in the books of Exodus, Micah, Amos, Nehemiah, Romans, Kings, and Deuteronomy, among others. I could go on all day long with that. That is a lot of spiritual guidance.

So what is this all about? Economic justice is what the Bible preached, knowing full well that debt bound a person tighter than any chain, enslaving hope as it extracted money. For thousands of years, spiritual leaders, including John Paul, have preached a gospel of economic justice for people throughout the world. Instead, today we are expected to pander to corporate greed while we deny social responsibility.

I personally am not going to go for it. The legislation before us is about grinding people into the dirt. It is not a fresh start, but false hope and an endless debt burden.

The Republican majority today would like us to condone stripping people of all of their worldly possessions and then denying them the right to hope to make a new life for themselves and their loved ones.

Here are some facts behind the fraud the Republican majority has in front of us: Ninety percent of those filing for bankruptcy protection are doing so because of losing a job, a medical emergency, or the breakup of a family. Half the personal bankruptcies in America today are because of illness or unpaid medical bills.

What are the President and Republican majority doing about health care? Nothing, nada, zippo. They have not touched it for the last 4 years, and they will pander to the special interests over the next 4 years. After all, people without health care do not go to those fancy Republican fund-raisers. They go to the emergency room when they cannot avoid illness any longer.

Mr. Speaker, 45 million Americans have no health care and no hope from this administration, and 1.6 million American households filed for bankruptcy last year. That is one measure of the President's economic program he is not talking much about. The rich get richer and the poor get outed.

Divorced women are 300 percent more likely than a single or married woman to file for bankruptcy because of the consequences of divorce, from lower wages to the financial strain of raising children alone. So much for Republican family values.

African American and Hispanics are 500 percent more likely than white homeowners to end up in bankruptcy court because of discrimination in everything from mortgage costs, to hiring, to wages. It is real, and the Republican majority would like us to look the other way.

More older Americans are filing for bankruptcy because they are being forced out of their jobs, cannot find new ones that pay when they were earning, and they are victims of runaway health costs.

□ 1300

But wait, there is even more. Credit card companies are an equal-opportunity scourge. This environment inundates students, the working poor and middle America with dozen of offers for more credit cards and more debt every week. How many offers have you received in the mail or on the phone this week, 3, 4, 5? The marketing is not aggressive. It is predatory. They tempt you with offers that promise anything and everything. Pre-approved, pre-authorized, platinum, gold, silver. The truth is, the credit cards are not made of plastic. They are made out of lead, and they are hung around your neck like a yoke.

Does this so-called consumer protection action do anything to address predatory credit card marketing? Nothing, nada, zippo.

So what exactly are the Republicans proposing? This bill allows millionaires to shelter their assets in bankruptcy by protecting an unlimited amount of value in their residences.

What about child support?

Well, the Republicans have a real deal for you. This bill, their bill, would force women and children who are owed child support to fight with the credit card companies in court for the money. Given the Republican knack for words, they will probably call this a social safety net. And on and on it goes. Vote ''no'' on this bankruptcy bill. It is bankrupt.

RECESS

The SPEAKER pro tempore (Mr. BARRETT of South Carolina). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m.

Accordingly (at 1 o'clock and 1 minute p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order at 2 p.m.

PRAYER

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

Lord God, author of truth and creator of beauty, cherry blossoms in Washington usher in spring to the Nation.

May new life be made manifest in Congress this term, bringing glory to Your holy name and peace and prosperity to the cities and fields of the land.

Lord, as You inspire creativity in artists, engineers and scientists, also stir aspirations of hopeful negotiations in troublesome areas of the world and in the corridors of government.

May the seeds of peace and the beginnings of deeper understanding grow in the hearts and minds of Your people.

This we ask, now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. MCNULTY) come forward and lead the House in the Pledge of Allegiance.

Mr. MCNULTY led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

S. Con. Res. 25. Concurrent resolution expressing the sense of Congress regarding the application of Airbus for launch aid.

RIDICULOUS, WASTEFUL SPENDING AT THE FEDERAL LEVEL

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

Mr. DUNCAN. Mr. Speaker, the Scripps-Howard News Service recently ran a story about what it describes as ''Capitol Hill's extravagant new visitors center.''

The story said: ''Another year and another $37 million in unforeseen cost increases'' in what is becoming an annual sad joke.

There have been so many examples of ridiculous, wasteful spending at the Federal level over the last 30 or 40 years that it seems the Federal Government cannot do anything in an economical, efficient manner.

The Scripps-Howard story said: ''Originally estimated to cost $40 million, the project has grown into a 5-story Taj Mahal that so far has cost taxpayers $454 million.''

The current final cost is estimated to be $559 million, and Citizens Against Government Waste describes it as ''monumental waste.''

Apparently, if we want something to cost about 10 times more than it should, just let the Federal Government do it.

Those who are in charge of managing this project should be ashamed and embarrassed, but all they will probably do is laugh at these comments, since the money is not coming out of their pockets.

LATINOS AND SOCIAL SECURITY

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

Ms. SOLIS. Madam Speaker, today I rise to voice my concerns regarding Social Security privatization and how it is going to affect hardworking Hispanics and Latino families and especially the women Latinas.

About 46 percent of older Latinas depend entirely on Social Security in retirement. In fact, 60 percent of Latinas over the age of 65 would live in poverty if they did not receive Social Security.

If President Bush privatizes Social Security, young Latinas in their 20s and 30s will see their benefits cut by at least 30 percent.

Latina moms rely on Social Security also if their husbands become injured or die. The work injury rate for Hispanics in the year 2000 was 16 percent compared to 11 percent of the overall population. Therefore, Social Security disability benefits are particularly important for Latinas and their families.

The President's plan will not help Latinos or our families. Let us start talking about real solutions, helping our families that work very hard day in and day out.

SOCIAL SECURITY

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

Mr. PRICE of Georgia. Madam Speaker, we have heard all about the problems with Social Security many times here on the House floor: looming deficits, benefit cuts, payroll tax hikes. These problems are very real, and they are just around the corner if we do not act.

With that being said, my colleagues across the aisle continue to criticize, continue to say to the American people that there is no problem when, in fact, the 2005 Trustees Report showed the problem to be crystal clear. Social Security will begin paying out more than it collects in 2017. By 2041, the Social Security system as we know it will be insolvent with not enough money to pay 100 percent of the promised benefits.

Raising payroll taxes is not a solution. Just look at our history. Payroll taxes have been increased over 20 times since Social Security began.

Madam Speaker, across the aisle we hear the same old rhetoric of why things will not work. The question I have for them is what are their proposals to fix Social Security?

The challenges with Social Security are not Republican, and they are not Democrat. This is a challenge for all Americans, and I call upon those across the aisle to help us find a solution. Let us put people above politics.

IT IS TIME TO END THE DEATH TAX NOW

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

Mr. SAM JOHNSON of Texas. Madam Speaker, the gibberish my colleagues just heard about is the President says everything's on the table. We can reform Social Security.

Madam Speaker, this week the United States House will vote to eliminate the unfair death tax.

Believe it or not, the government gives you a certificate at birth, a license when you marry and a tax bill when you die. Is that not a shame?

Taxing people when they die smacks of all the things that are wrong with the government and Washington.

The death tax was created to target people like the Vanderbilts and the Rockefellers, with the original intent of paying and winning World War I. This bill hits hardworking Americans. The death tax hurts the mom-and-pop shops on Main Street, and that is just not fair.

Sadly, now if a person saved for the future, put some money away, built a business, ran a farm or achieved the American Dream in other ways, the death tax punishes them.

That is just wrong, and it is time to end the death tax now.

ANNOUNCING 527 FAIRNESS ACT

(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, the summer of 2004 will be remembered for many years in American politics.

Groups organized on the left and the right under what was known as section 527 of the Internal Revenue Code and spent more than $300 million to support candidates, while the two major political parties and the Nation's most respected labor unions, associations, businesses, and constitutional groups watched in silence from the sidelines.

In response to this summer of 527s, some in Washington will bring measures to rein in the 527 groups with greater government control and regulation, and that is certainly their right.

The gentleman from Maryland (Mr. WYNN), a Democratic Congressman,

and I have taken a different approach in introducing the 527 Fairness Act in the 109th Congress.

The 527 Fairness Act seeks to restore basic fairness to the political process for political parties and 501(c) organizations instead of attempting further regulation on political speech. More freedom is always the answer of the difficulties and challenges and the politics of a free society.

While this liberty may be a bit more chaotic and inconvenient for some in the political class, as Thomas Jefferson said, ''I would rather be exposed to the inconveniences attending too much liberty than those attending too small a degree of it.''

I join the gentleman from Maryland (Mr. WYNN), my colleague, in urging cosponsorship and swift passage of the 527 Fairness Act.

WINE INDUSTRY IN NORTH CAROLINA

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

Ms. FOXX. Madam Speaker, I rise today to recognize the flourishing viticulture industry located in North Carolina's 5th District.

The Yadkin Valley is North Carolina's first federally recognized American viticultural area. Located in northwestern North Carolina, it includes all of Surry, Wilkes and Yadkin counties, as well as portions of Stokes, Davie, and Forsyth counties. There are currently 14 wineries and more than 400 acres devoted to vineyards in the Yadkin Valley.

These vineyards and wineries create jobs and attract tourist dollars to rural communities, while generating revenue for the State. They also offer an opportunity for farm diversification and farmland preservation.

Vineyards in North Carolina produce an average of nearly 3 tons per acre, valued at $1,180 per ton. That is an average gross income of $3,481 per acre. The average price per ton is among the highest in America.

The North Carolina Grape Council estimates that North Carolina vineyards and wineries bring in $100 million in revenue per year.

Congratulations to the Yadkin Valley vineyards and wineries, and I thank them for everything they contribute to our State and region.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

TWENTY-FIRST CENTURY WATER COMMISSION ACT OF 2005

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 135) to establish the ''Twenty-First Century Water Commission'' to study and develop recommendations for a comprehensive water strategy to address future water needs.

The Clerk read as follows:

H.R. 135

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Twenty-First Century Water Commission Act of 2005''.

SEC. 2. FINDINGS.

Congress finds that—

(1) the Nation's water resources will be under increasing stress and pressure in the coming decades;

(2) a thorough assessment of technological and economic advances that can be employed to increase water supplies or otherwise meet water needs in every region of the country is important and long overdue; and

(3) a comprehensive strategy to increase water availability and ensure safe, adequate, reliable, and sustainable water supplies is vital to the economic and environmental future of the Nation.

SEC. 3. ESTABLISHMENT.

There is established a commission to be known as the ''Twenty-First Century Water Commission'' (in this Act referred to as the ''Commission'').

SEC. 4. DUTIES.

The duties of the Commission shall be to—

(1) use existing water assessments and conduct such additional assessments as may be necessary to project future water supply and demand;

(2) study current water management programs of Federal, Interstate, State, and local agencies, and private sector entities directed at increasing water supplies and improving the availability, reliability, and quality of freshwater resources; and

(3) consult with representatives of such agencies and entities to develop recommendations consistent with laws, treaties, decrees, and interstate compacts for a comprehensive water strategy which—

(A) respects the primary role of States in adjudicating, administering, and regulating water rights and water uses;

(B) identifies incentives intended to ensure an adequate and dependable supply of water to meet the needs of the United States for the next 50 years;

(C) suggests strategies that avoid increased mandates on State and local governments;

(D) eliminates duplication and conflict among Federal governmental programs;

(E) considers all available technologies and other methods to optimize water supply reliability, availability, and quality, while safeguarding the environment;

(F) recommends means of capturing excess water and flood water for conservation and use in the event of a drought;

(G) suggests financing options for comprehensive water management projects and for appropriate public works projects;

(H) suggests strategies to conserve existing water supplies, including recommendations for repairing aging infrastructure; and

(I) includes other objectives related to the effective management of the water supply to ensure reliability, availability, and quality, which the Commission shall consider appropriate.

SEC. 5. MEMBERSHIP.

(a) NUMBER AND APPOINTMENT.—The Commission shall be composed of 9 members who shall be appointed not later than 90 days after the date of enactment of this Act. Member shall be appointed as follows:

(1) 5 members appointed by the President;

(2) 2 members appointed by the Speaker of the House of Representatives, in consultation with the Minority Leader of the House of Representatives; and

(3) 2 members appointed by the Majority Leader of the Senate, in consultation with the Minority Leader of the Senate.

(b) QUALIFICATIONS.—Members shall be appointed to the Commission from among individuals who—

(1) are of recognized standing and distinction in water policy issues; and

(2) while serving on the Commission, do not hold any other position as an officer or employee of the United States, except as a retired officer or retired civilian employee of the United States.

(c) OTHER CONSIDERATIONS.—In appointing members of the Commission, every effort shall be made to ensure that the members represent a broad cross section of regional and geographical perspectives in the United States.

(d) CHAIRPERSON.—The Chairperson of the Commission shall be designated by the President.

(e) TERMS.—Members of the Commission shall be appointed not later than 90 days after the date of enactment of this Act and shall serve for the life of the Commission.

(f) VACANCIES.—A vacancy on the Commission shall not affect its operation, and shall be filled in the same manner as the original appointment provided under subsection (a).

(g) COMPENSATION AND TRAVEL EXPENSES.—Members of the Commission shall serve without compensation, except members shall receive travel expenses, including per diem in lieu of subsistence, in accordance with applicable provisions under subchapter I of chapter 57, United States Code.

SEC. 6. MEETINGS AND QUORUM.

(a) MEETINGS.—The Commission shall hold its first meeting not later than 60 days after the date on which all members have been appointed under section 5, and shall hold additional meetings at the call of the Chairperson or a majority of its members.

(b) QUORUM.—A majority of the members of the Commission shall constitute a quorum for the transaction of business.

SEC. 7. DIRECTOR AND STAFF.

A Director shall be appointed by the Speaker of the House of Representatives and the Majority Leader of the Senate, in consultation with the Minority Leader and chairmen of the Resources and Transportation and Infrastructure Committees of the House of Representatives, and the Minority Leader and chairmen of the Energy and Natural Resources and Environment and Public Works Committees of the Senate. The Director and any staff reporting to the Director shall be paid a rate of pay not to exceed the maximum rate of basic pay for GS–15 of the General Schedule.

SEC. 8. POWERS AND PROCEEDINGS OF THE COMMISSION.

(a) HEARINGS.—The Commission shall hold no fewer than 10 hearings during the life of the Commission. Hearings may be held in conjunction with meetings of the Commission. The Commission may take such testimony and receive such evidence as the Commission considers appropriate to carry out this Act. At least 1 hearing shall be held in Washington, D.C., for the purpose of taking testimony of representatives of Federal agencies, national organizations, and Members of Congress. Other hearings shall be

scheduled in distinct geographical regions of the United States and should seek to ensure testimony from individuals with a diversity of experiences, including those who work on water issues at all levels of government and in the private sector.

(b) INFORMATION AND SUPPORT FROM FEDERAL AGENCIES.—Upon request of the Commission, any Federal agency shall—

(1) provide to the Commission, within 30 days of its request, such information as the Commission considers necessary to carry out the provisions of this Act; and

(2) detail to temporary duty with the Commission on a reimbursable basis such personnel as the Commission considers necessary to carry out the provisions of this Act, in accordance with section 5(b)(5), Appendix, title 5, United States Code.

SEC. 9. REPORTS.

(a) INTERIM REPORTS.—Not later than 6 months after the date of the first meeting of the Commission, and every 6 months thereafter, the Commission shall transmit an interim report containing a detailed summary of its progress, including meetings and hearings conducted in the interim period, to—

(1) the President;

(2) the Committee on Resources and the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) the Committee on Energy and Natural Resources and the Committee on the Environment and Public Works of the Senate.

(b) FINAL REPORT.—As soon as practicable, but not later than 3 years after the date of the first meeting of the Commission, the Commission shall transmit a final report containing a detailed statement of the findings and conclusions of the Commission, and recommendations for legislation and other policies to implement such findings and conclusions, to—

(1) the President;

(2) the Committee on Resources and the Committee on Transportation and Infrastructure of the House of Representatives; and

(3) the Committee on Energy and Natural Resources and the Committee on the Environment and Public Works of the Senate.

SEC. 10. TERMINATION.

The Commission shall terminate not later than 30 days after the date on which the Commission transmits a final report under section 9(b).

SEC. 11. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated $9,000,000 to carry out this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

Mr. DUNCAN. Madam 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. 135, the bill under consideration.

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

There was no objection.

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

H.R. 135, introduced be my good friend, the distinguished gentleman from Georgia (Mr. LINDER), and cosponsored by a wide range of Members from both parties, creates the 21st Century Water Commission to find ways to increase and conserve water supplies. The gentleman from Georgia and his colleagues have properly recognized that water shortages are a common problem throughout the United States.

The goal of this legislation is for a broad-based commission to recommend a comprehensive water strategy that recognizes and upholds the primary role of the States in administering our water laws. The commissioners, appointed by the President and the Congress, would look at ways to improve interagency coordination, eliminate government duplication, create new financing opportunities and improve our Nation's water infrastructure, among other things, all very important goals.

The commission is directed to hold no less than 10 public hearings around the Nation and submit a final report no later than 3 years after its first meeting so that this commission will not drag on forever. The legislation sunsets the commission within 30 days of the final report's submission.

Madam Speaker, there is, and should be, a limited Federal role in these matters since States and localities primarily administer water rights and know the most about them. This bill does not add Federal regulation to the books. It simply creates a mechanism for further dialogue and potential solutions for all levels of government.

This idea has come a long way since it was originally introduced over two Congresses ago. It has been subject to hearings and comprehensively vetted through both the Committee on Resources and the Committee on Transportation and Infrastructure, both of which I have the privilege to serve on.

In fact, last Congress I held a series of hearings on water supply issues, including a hearing on this legislation. The witnesses who testified before my Subcommittee on Water Resources and Environment strongly supported greater planning to meet future water needs, involving all levels of government, and supported the 21st Century Water Commission Act as a means to help start that process.

It, like the identical bill passed by the House in the 108th Congress, is the right solution for the right time. It respects the primary role that States play in addressing water resources issues.

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I urge my colleagues to adopt this bipartisan bill.

Madam Speaker, I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Speaker, I yield myself such time as I may consume.

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

Mrs. NAPOLITANO. Madam Speaker, I rise in support of H.R. 135. This legislation, as explained by my colleague, would establish the 21st Century Water Policy Commission to study Federal, State, local and private water management programs in order to develop recommendations for a comprehensive national water strategy.

The objectives of H.R. 135 are not only worthwhile but a necessity for the country, and we appreciation the cooperation we have received from the sponsor of the bill. I urge my colleagues to support the legislation.

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

Mr. DUNCAN. Madam Speaker, I yield such time as he may consume to the gentleman from Georgia (Mr. LINDER), probably the Member of this body who was the first to recognize the grave importance of water issues in this Nation, the distinguished primary sponsor of this bill. I commend the gentleman for his steadfast and yeoman's work on this legislation, and it should be noted that one of our leading national newspapers just a few years ago wrote a series of articles saying that water would be the oil of the 21st century.

Mr. LINDER. Madam Speaker, as the bill's sponsor, I rise to support H.R. 135, the 21st Century Water Commission Act. H.R. 135 will bring together our Nation's premier water experts to recommend strategies for meeting our water challenges in the 21st century.

I would like to thank several Members who have worked with me to bring this proposal to the floor today. First, the gentleman from California (Mr. POMBO), chairman of the Committee on Resources; the gentleman from California (Mr. RADANOVICH), chairman of the Subcommittee on Water and Power; the gentleman from Alaska (Mr. YOUNG), chairman of the Committee on Transportation and Infrastructure; and the gentleman from Tennessee (Mr. DUNCAN), chairman of the Subcommittee on Water Resources and Environment.

I thank the gentleman from Florida (Mr. KELLER), the former chairman of the subcommittee and the ranking member, and the gentlewoman from California (Mrs. NAPOLITANO), who worked so hard in getting this bill to the floor in the past Congress.

H.R. 135 was approved in the 108th Congress by a voice vote on November 21, 2003. Unfortunately, the Senate failed to act on the legislation before the Congress adjourned. Creating a comprehensive water policy to meet the needs of the 21st century is a matter of human survival and quality of life for the United States. I am excited about continuing to move this bill through the legislative process early in this Congress.

Water-related issues have been of interest to me for many years. I wrote an article in 1978 that predicted that one of the two major challenges for our country during the next century would be providing enough fresh water for a growing population.

Since that time, about 25 years ago, America still does not have an integrated or comprehensive water policy, even with the hundreds of thousands of Federal, State, local and private sector employees working to solve water problems. The difficulty is that there is little communication and coordination among these experts. If we wait another 10 or 20 years to get serious about meeting the demand for clean water, it will be too late. We must act now to meet these challenges.

As my colleagues are aware, many States across the Nation are currently facing a water crisis or have in the last few years. Once thought to be a problem only in the arid West, severe droughts a few years ago caused water shortages up and down the East Coast. States once accustomed to unlimited access to water realized they were not immune to the problems that the West has experienced for decades.

In addition to drought, aquifers are being challenged by salt water intrusion, crops are being threatened, and our aging water pipes leak billions of gallons of freshwater in cities all over the Nation. For example, New York City loses 36 million gallons per day, Philadelphia loses 85 million gallons per day through leaky pipes.

Let me be clear about one thing. My bill does not give the Federal Government more direct authority or control over water. Rather, this Commission will make recommendations about how we can both coordinate water management issues on all levels so that localities, States, and the Federal Government can work together to enact a comprehensive water policy to avoid future shortages.

The 21st Century Water Commission would be an advisory body, and its recommendations would be nonbinding.

Some of the highlights are these: The Commission will look for ways to ensure fresh water for the next 50 years. The Commission will be composed of nine members appointed by the President and key leaders in the House and Senate. The Commission will look for ways to eliminate duplication and conflict among Federal agencies and will consider new and all available technologies to optimize water supply reliability. The Commission will hold hearings in distinct geographical regions of the United States and in Washington, D.C., to seek a diversity of views, comments and inputs. Not later than 6 months after the first meeting and every 6 months thereafter, the Commission will transmit an interim report to the Congress and to the President.

A final report will be due within 3 years of the Commission's inception. The report will include a detailed statement of findings and conclusions of the Commission, as well as recommendations for legislation and other policies.

The United States cannot afford to reevaluate its water policies every time a crisis hits. Now is the time to get ahead of the issue, and I believe the Commission can serve as a channel for sharing the successful strategies and ideas that will allow us to do so. I ask my colleagues to join me in voting for H.R. 135.

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

Mrs. NAPOLITANO. Madam Speaker, will the gentleman yield?

Mr. DUNCAN. I yield to the gentlewoman from California.

Mrs. NAPOLITANO. Madam Speaker, I could not agree more with the intent of the bill. I certainly hope it takes less than the 12 years it took to do the Southern California Water Study. We do have a time frame for this to happen. It is critical for us to recognize that all areas of our country have water needs, and we need to consolidate how we address them and be together with the suppliers so we can move ahead with a comprehensive plan.

Mr. DUNCAN. Madam Speaker, let me just close by saying that although this bill is not controversial and has not received a lot of publicity, that should not denigrate its significance. Because of our aging clean water infrastructure, because of water supply problems in many parts of this Nation, and for all of the other reasons that our colleague, the gentleman from Georgia (Mr. LINDER), just mentioned, this is a very important bill. I urge all of my colleagues to support it.

Madam Speaker, I submit the following exchange of letters on H.R. 135 for the RECORD.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, April 5, 2005.

Hon. DON YOUNG,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR MR. CHAIRMAN: I request your assistance in scheduling H.R. 135, the Twenty-First Century Water Commission Act of 2005, for consideration by the House of Representatives. This bill was referred primarily to the Committee on resources and additionally to your committee.

As the text of this bill is identical to what passed the House of Representatives under suspension of the rules last Congress, I ask that you allow your committee to be discharged from further consideration of the bill to allow us to pass it again. Perhaps with more time, the Senate will be able to give it due consideration.

By allowing the Transportation and Infrastructure Committee to be discharged, you are not waiving any jurisdiction you may have over the bill. I also agree that in the unlikely event that this bill becomes the focus of a conference committee that I will support your request to be represented on that conference. Finally, I agree that this discharge will not serve as precedent for future referrals.

Thank you for your consideration of my request. I look forward to another Congress of extraordinary cooperation between our committees on matters of mutual interest.

Sincerely,

RICHARD W. POMBO,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC, April 5, 2005.

Hon. RICHARD W. POMBO,
Chairman, Committee on Resources, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning the jurisdictional interest of the Transportation and Infrastructure Committee in matters being considered in H.R. 135, the Twenty-First Century Water Commission Act of 2005. As you know, this legislation was also referred to the Transportation Committee.

Our Committee recognizes the importance of H.R. 135 and the need for the legislation to move expeditiously to the House floor. Therefore, I am willing to have the Transportation Committee discharged from consideration of the bill. I would appreciate it if you would include a copy of this letter and your response in the Congressional Record.

The Committee on Transportation and Infrastructure also asks that you support our request to be conferees on the provisions over which we have jurisdiction during any House-Senate conference.

Thank you for your cooperation in this matter.

Sincerely,

DON YOUNG,
Chairman.

Mr. OBERSTAR. Madam Speaker, I rise today in support of H.R. 135, a bill to establish a commission to examine the issue of clean, safe, and reliable water supplies for this generation and for generations to come.

Madam Speaker, water may well be the most precious resource on Earth. The existence of water set the stage for the evolution of life and is an essential ingredient of all life today.

Recognizing the importance of this vital resource, the United Nations designated 2003 as the "International Year of Freshwater." According to the U.N., throughout the world roughly one person in six lives without regular access to safe drinking water, and over twice that number—or 2.4 billion—lack access to adequate sanitation. In addition, water-related diseases kill a child every eight seconds.

In the United States, we have avoided many of these concerns through careful planning and decades of investment in our water infrastructure. Nationally, a combination of Federal, state, and local funds have built 16,024 wastewater treatment facilities that provide service to 190 million people, or 73 percent of the total population.

In addition, 268 million people in the United States—or 92 percent of the total population—are currently served by public drinking water systems, which provide a safe and reliable source of drinking water for much of the nation.

As I noted earlier, clean, safe, and reliable sources of water are critical to this nation's health and livelihood. However, in the past few decades, a series of natural events, as well as, human-induced events have demonstrated that our nation remains vulnerable to shortages of water.

In my own State, we have experienced shortages of snowfall and rain which have had an adverse impact on local water supplies, agriculture, and recreation and tourism, and have contributed to historically low water levels in the Great Lakes. One thing is certain: no area of this country is immune to the threat of diminished water supplies. We must be vigilant in preparing for such occurrences.

This bill is a part of the debate on the very important issue of water resource planning in this country. The gentleman from Georgia, Mr. LINDER, has taken an important step in encouraging this debate, calling for the creation of a Federal commission to examine issues related to national water resource planning, and to report its findings on potential ways to insure against large-scale water shortages in the future.

While I believe that the legislation introduced by our colleague is a good starting point, we must be sure to examine fully all of the relevant issues for ensuring adequate supplies of clean and safe water to meet current and future needs.

For example, water resource planning should work toward increasing the efficiency of water consumption as well as increasing the supply of water. Simply increasing the supply of water can be a more costly approach to meeting future water needs, and in any case, merely postpones any potential water resource crisis.

In addition, it is important to remember that issues of water supply are closely related to water quality. Contaminated sources of freshwater are of little use to the Nation's health or livelihood; removing contaminants drives up the overall cost of providing safe and reliable water resources to our people.

In addition, human activities, whether through the pollution of waterbodies from point or non-point sources, the elimination of natural filtration abilities of wetlands, or through the destruction and elimination of aquifer recharge points, can have a significant impact on available supplies of usable water.

We cannot base our future water resource planning needs on the possibility of finding "new" sources of freshwater while, at the same time, tolerating practices that destroy or contaminate existing sources. All the water there ever was or ever will be on this planet is with us now; we must spare no effort to be vigilant and careful stewards of that water.

I urge my colleagues to support the bill.

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

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 135.

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. DUNCAN. 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.

PINE SPRINGS LAND EXCHANGE ACT

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 482) to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico, and for other purposes.

The Clerk read as follows:

H.R. 482

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pine Springs Land Exchange Act".

SEC. 2. LAND EXCHANGE, LINCOLN NATIONAL FOREST, NEW MEXICO.

(a) DEFINITIONS.—In this section:

(1) FEDERAL LAND.—The term "Federal land" means the three parcels of land, and any improvements thereon, comprising approximately 80 acres in the Lincoln National Forest, New Mexico, as depicted on the map entitled "Pine Springs Land Exchange" and dated May 25, 2004, and more particularly described as S1/2SE1/4NW1/4, SW1/4SW1/4, W1/2E1/2NW1/4SW1/4, and E1/2W1/2NW1/4SW1/4 of section 32 of township 17 south, range 13 east, New Mexico Principal Meridian.

(2) NON-FEDERAL LAND.—The term "non-Federal land" means the parcel of land owned by Lubbock Christian University comprising approximately 80 acres, as depicted on the map referred to in paragraph (1) and more particularly described as N1/2NW1/4 of section 24 of township 17 south, range 12 east, New Mexico Principal Meridian.

(b) LAND EXCHANGE REQUIRED.—

(1) EXCHANGE.—In exchange for the conveyance of the non-Federal land by Lubbock Christian University, the Secretary of Agriculture shall convey to Lubbock Christian University, by quit-claim deed, all right, title, and interest of the United States in and to the Federal land. The conveyance of the Federal land shall be subject to valid existing rights and such additional terms and conditions as the Secretary considers appropriate to protect the interests of the United States.

(2) ACCEPTABLE TITLE.—Title to the non-Federal land shall conform with the title approval standards of the Attorney General applicable to Federal land acquisitions and shall otherwise be acceptable to the Secretary.

(3) COSTS OF IMPLEMENTING THE EXCHANGE.—The costs of implementing the land exchange shall be shared equally by the Secretary and Lubbock Christian University.

(4) COMPLETION.—Subject to paragraph (2), the Secretary shall complete, to the extent practicable, the land exchange not later than 180 days after the date of the enactment of this Act.

(c) TREATMENT OF MAP AND LEGAL DESCRIPTIONS.—The Secretary and Lubbock Christian University may correct any minor error in the map referred to in subsection (a)(1) or the legal descriptions of the Federal land and non-Federal land. In the event of a discrepancy between the map and legal descriptions, the map shall prevail unless the Secretary and Lubbock Christian University otherwise agree. The map shall be on file and available for inspection in the Office of the Chief of the Forest Service and the Office of the Supervisor of Lincoln National Forest.

(d) EQUAL VALUE EXCHANGES.—The fair market values of the Federal land and non-Federal land exchanged under subsection (b) shall be equal or, if they are not equal, shall be equalized in the manner provided in section 206 of the Federal Land Policy Management Act of 1976 (43 U.S.C. 1716). The fair market value of the land shall be determined by appraisals acceptable to the Secretary and Lubbock Christian University. The appraisals shall be performed in conformance with subsection (d) of such section and the Uniform Appraisal Standards for Federal Land Acquisitions.

(e) REVOCATION AND WITHDRAWAL.—

(1) REVOCATION OF ORDERS.—Any public orders withdrawing any of the Federal land from appropriation or disposal under the public land laws are revoked to the extent necessary to permit disposal of the Federal land.

(2) WITHDRAWAL OF FEDERAL LAND.—Subject to valid existing rights, pending the completion of the land exchange, the Federal land is withdrawn from all forms of location, entry and patent under the public land laws, including the mining and mineral leasing laws and the Geothermal Steam Act of 1970 (30 U.S.C. 1001 et seq.).

(f) ADMINISTRATION OF LAND ACQUIRED BY UNITED STATES.—

(1) BOUNDARY ADJUSTMENT.—Upon acceptance of title by the Secretary of the non-Federal land, the acquired land shall become part of the Lincoln National Forest, and the boundaries of the Lincoln National Forest shall be adjusted to include the land. For purposes of section 7 of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460l–9), the boundaries of the Lincoln National Forest, as adjusted pursuant to this paragraph, shall be considered to be boundaries of the Lincoln National Forest as of January 1, 1965.

(2) MANAGEMENT.—The Secretary shall manage the acquired land in accordance with the Act of March 1, 1911 (commonly known as the Weeks Act; 16 U.S.C. 480, 500, 513–519, 521, 552, 563), and in accordance with the other laws and regulations applicable to National Forest System lands.

(g) RELATION TO OTHER LAWS.—Subchapters II and III of chapter 5 of title 40, United States Code, and the Agriculture Property Management Regulations shall not apply to any action taken pursuant to this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 482 would authorize a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico. This legislation would exchange 80 acres between the Lincoln National Forest and Lubbock Christian University for a much-needed expansion of the University's Pine Springs Camp. The camp is used in the summer for week-long camp sessions and utilized in the winter by college groups, youth groups, and churches for retreats.

In recent years, the camp has seen an increase in visitors and will soon run out of room, forcing the camp to turn visitors away. Both the camp and Lubbock Christian University are nonprofit. I urge all of my colleagues to support this important measure.

Madam Speaker, I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Speaker, I yield myself such time as I may consume.

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

Mrs. NAPOLITANO. Madam Speaker, the Lincoln National Forest land exchanges takes approximately 80 acres of forest land in the Lincoln National Forest and exchanges that for private land currently owned by Lubbock Christian University. I would hope that this is in perpetuity rather than to be put up for sale at some time in the future. This has been a very grave area for me.

Our committee worked hard in the 108th Congress to refine the language that would make this exchange fair to the American taxpayer. The bill we are considering today requires that the exchange be of equal value. If the land appraisers determine the parcels are not of equal value, the bill provides for equalization of values through cash payment.

We are aware that land exchanges can often be controversial and contrary to the public interest. However, in this case we have worked to ensure a fair deal which both improves the National Forest by consolidating land ownership and enables Lubbock Christian University to extend its summer camp.

Madam Speaker, I reserve the balance of my time.

Mr. DUNCAN. Madam Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. NEUGEBAUER), the author of this legislation.

Mr. NEUGEBAUER. Madam Speaker, H.R. 482 provides for a small land exchange between Lincoln National Forest in New Mexico and Lubbock Christian University in my district. This land exchange is a fair exchange and provides benefits for both parties.

One of the good things about this exchange is that we are exchanging 80 acres of pristine land that LCU currently controls that has National Forest all of the way around it, giving that 80 acres back so we do not have a doughnut in the middle of a National Forest, in consideration for 80 acres adjacent to a camp that is already up and going and has many facilities already on it and is serving many young people in the summertime. And in the fall and the winter, adult groups are able to utilize this facility.

I thank the gentleman from New Mexico (Mr. PEARCE). This land is in his district. The gentleman from New Mexico (Mr. PEARCE) has been very cooperative, and we appreciate that. I also thank the gentleman from California (Mr. POMBO) and the Committee on Resources for their work and thank them for getting this to the floor for a vote so that LCU can begin putting improvements on this land, and hopefully some of those improvements may be available for this summer.

This is a like-kind exchange between two pieces of property. This bill provides for if there is perceived to be some difference in compensation. This bill gets this off center. This request has been pending for a couple of years, and we are able to expedite this issue and get it in place. I think that is good public policy. I urge my colleagues to support and pass H.R. 482.

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

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

Madam Speaker, I simply want to close by commending the gentleman from Texas (Mr. NEUGEBAUER) for his very fine work on this legislation. This is a very worthwhile land exchange. I urge all of my colleagues to support it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 482.

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

A motion to reconsider was laid on the table.

DIRECTING CONVEYANCE OF CERTAIN LAND TO LANDER COUNTY, NEVADA, AND TO EUREKA COUNTY, NEVADA, FOR CONTINUED USE AS CEMETERIES

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 541) to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries.

The Clerk read as follows:

H.R. 541

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

SECTION 1. CONVEYANCE TO LANDER COUNTY, NEVADA.

(a) FINDINGS.—Congress finds that the following:

(1) The historical use by settlers and travelers since the late 1800's of the cemetery known as ''Kingston Cemetery'' in Kingston, Nevada, predates incorporation of the land within the jurisdiction of the Forest Service on which the cemetery is situated.

(2) It is appropriate that that use be continued through local public ownership of the parcel rather than through the permitting process of the Federal agency.

(3) In accordance with Public Law 85–569 (commonly known as the ''Townsite Act''; 16 U.S.C. 478a), the Forest Service has conveyed to the Town of Kingston 1.25 acres of the land on which historic gravesites have been identified.

(4) To ensure that all areas that may have unmarked gravesites are included, and to ensure the availability of adequate gravesite space in future years, an additional parcel consisting of approximately 8.75 acres should be conveyed to the county so as to include the total amount of the acreage included in the original permit issued by the Forest Service for the cemetery.

(b) CONVEYANCE ON CONDITION SUBSEQUENT.—Subject to valid existing rights and the condition stated in subsection (e), the Secretary of Agriculture, acting through the Chief of the Forest Service (referred to in this section as the ''Secretary''), not later than 90 days after the date of enactment of this Act, shall convey to Lander County, Nevada (referred to in this section as the ''county''), for no consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (c).

(c) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (b) is the parcel of National Forest System land (including any improvements on the land) known as ''Kingston Cemetery'', consisting of approximately 10 acres and more particularly described as SW1/4SE1/4SE1/4 of section 36, T. 16N., R. 43E., Mount Diablo Meridian.

(d) EASEMENT.—At the time of the conveyance under subsection (b), subject to subsection (e)(2), the Secretary shall grant the county an easement allowing access for persons desiring to visit the cemetery and other cemetery purposes over Forest Development Road #20307B, notwithstanding any future closing of the road for other use.

(e) CONDITION ON USE OF LAND.—

(1) IN GENERAL.—The county (including its successors) shall continue the use of the parcel conveyed under subsection (b) as a cemetery.

(2) REVERSION.—If the Secretary, after notice to the county and an opportunity for a hearing, makes a finding that the county has used or permitted the use of the parcel for any purpose other than the purpose specified in paragraph (1), and the county fails to discontinue that use—

(A) title to the parcel shall revert to the United States to be administered by the Secretary; and

(B) the easement granted to the county under subsection (d) shall be revoked.

(3) WAIVER.—The Secretary may waive the application of paragraph (2)(A) or (2)(B) if the Secretary determines that such a waiver would be in the best interests of the United States.

SEC. 2. CONVEYANCE TO EUREKA COUNTY, NEVADA.

(a) FINDINGS.—Congress finds the following:

(1) The historical use by settlers and travelers since the late 1800s of the cemetery known as ''Maiden's Grave Cemetery'' in Beowawe, Nevada, predates incorporation of the land within the jurisdiction of the Bureau of Land Management on which the cemetery is situated.

(2) It is appropriate that such use be continued through local public ownership of the parcel rather than through the permitting process of the Federal agency.

(b) CONVEYANCE ON CONDITION SUBSEQUENT.—Subject to valid existing rights and the condition stated in subsection (e), the Secretary of the Interior, acting through the Director of the Bureau of Land Management (referred to in this section as the ''Secretary''), not later than 90 days after the date of enactment of this Act, shall convey to Eureka County, Nevada (referred to in this section as the ''county''), for no consideration, all right, title, and interest of the United States in and to the parcel of land described in subsection (c).

(c) DESCRIPTION OF LAND.—The parcel of land referred to in subsection (b) is the parcel of public land (including any improvements on the land) known as ''Maiden's Grave Cemetery'', consisting of approximately 10 acres and more particularly described as S1/2NE1/4SW1/4SW1/4, N1/2SE1/4SW1/4SW1/4 of section 10, T.31N., R.49E., Mount Diablo Meridian.

(d) EASEMENT.—At the time of the conveyance under subsection (b), subject to subsection (e)(2), the Secretary shall grant the county an easement allowing access for persons desiring to visit the cemetery and other cemetery purposes over an appropriate access route consistent with current access.

(e) CONDITION ON USE OF LAND.—

(1) IN GENERAL.—The county (including its successors) shall continue the use of the parcel conveyed under subsection (b) as a cemetery.

(2) REVERSION.—If the Secretary, after notice to the county and an opportunity for a hearing, makes a finding that the county has used or permitted the use of the parcel for any purpose other than the purpose specified in paragraph (1), and the county fails to discontinue that use—

(A) title to the parcel shall revert to the United States to be administered by the Secretary; and

(B) the easement granted to the county under subsection (d) shall be revoked.

(3) WAIVER.—The Secretary may waive the application of paragraph (2)(A) or (2)(B) if the Secretary determines that such a waiver would be in the best interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

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

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

There was no objection.

□ 1430

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

H.R. 541 directs the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as public cemeteries. Specifically, the town of Kingston, Nevada, requires an additional 8.75 acres of Forest Service land to supplement the 1.25 acres of Forest Service land conveyed to it in 2000 for the town's cemetery. The additional acreage would ensure that areas of unmarked graves are included in the town's cemetery and that space is available for future graves in Kingston Cemetery. In addition, H.R. 541 would authorize the Bureau of Land Management to convey 10 acres of disposable land to Eureka County, Nevada, for continued use at Maiden's Grave Cemetery.

H.R. 541 is supported by the majority and the minority of the Committee on Resources and is identical to legislation that passed the House of Representatives by voice vote during the 108th Congress. I urge adoption of the bill.

Madam Speaker, I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Speaker, I yield myself such time as I may consume.

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

Mrs. NAPOLITANO. Madam Speaker, as a general rule, when Congress transfers Federal lands into other hands, the United States taxpayers should be compensated for the fair market value of the lands being transferred. In this instance, however, the locations of these parcels as well as the fact that they are currently in use as local cemeteries, and I have no idea how long it has been used as cemeteries but I am assuming it has been a while, justify the making of these transfers free of charge. As a result, we will not oppose H.R. 541.

Madam Speaker, I reserve the balance of my time.

Mr. DUNCAN. Madam Speaker, I yield such time as he may consume to the very distinguished gentleman from Nevada (Mr. GIBBONS).

Mr. GIBBONS. Madam Speaker, I thank my good friend and colleague from Tennessee (Mr. DUNCAN) for allowing me time to speak on this bill, and I would also like to thank my good friend from California (Mrs. NAPOLITANO) for her support of this bill as well.

Madam Speaker, I rise in strong support of H.R. 541, a bill I introduced in the 108th Congress. The purpose of H.R. 541 is to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use, as was said by my friend, for public cemeteries. This same legislation passed under suspension of the rules in the House in the 108th Congress. Unfortunately, the legislation was not acted upon in a timely manner by the other body; and I am pleased, Madam Speaker, to have the opportunity to revisit this issue now in the 109th Congress.

With over 90 percent of our State's land being owned by the Federal Government, Nevada has the highest percentage of public-land ownership of all the States in the Union. There are many challenges that come with such a high share of public lands. One that may surprise my colleagues is that even the burial of our loved ones and the preservation of the grave sites of our ancestors are impacted by Federal land ownership.

H.R. 541 authorizes the conveyance of public land to the respective control of Lander and Eureka counties for continued use as public cemeteries. My bill is designed to return these cemeteries to the local communities and eliminate the red tape and uncertainty associated with the Federal permitting process the cemeteries are currently required to go through in order to operate today.

Specifically, the town of Kingston, Nevada, needs an additional 8.75 acres to be added to the town's cemetery in order to protect unmarked graves and make space available for future grave sites. The bill also authorizes the conveyance of 10 acres of disposable land to Eureka County, Nevada, for continued use as the Maiden's Grave Cemetery.

Both of these parcels, Madam Speaker, have been historically used as cemeteries since the 1800s, well before either the Forest Service or the BLM was ever created. However, the land the cemeteries reside on is owned by the Federal Government today. Ninety percent of the land mass in both Eureka and Lander counties is owned by the Federal Government; 90 percent. To give my colleagues an idea of the scale of this conveyance, the acres requested by Lander County represent a mere two-thousandths of a percent of the total land owned by the Federal Government in just that county. In Eureka County, the size of the conveyance is four-thousandths of a percent of the Federal Government's holdings in that county.

As my colleagues can see, the size of the conveyance is minuscule, but the impact on the communities and those who have loved ones buried in these cemeteries is large. Relying on the Federal permitting process to ensure that these cemeteries remain used as cemeteries has been a source of uncertainty to the residents of these communities for many years. It is our intention through this bill to convey a small amount of Federal land to provide for the preservation and access to the residents of these communities with respect to the graves of their ancestors. These land conveyances to the local governments will preserve these historic sites that are not only a part of America's and Nevada's history but part of Nevada's families.

I urge my colleagues to unanimously support this legislation that means so much to these two communities. I want to again thank you, Madam Speaker, for the opportunity to speak in support of this important legislation, and I urge an ''aye'' vote on it.

Mrs. NAPOLITANO. Madam Speaker, I yield myself such time as I may consume.

I certainly want to add my support of the bill. My understanding is there were 1.2 acres allocated to the same group back in 2000 and now this additional land. I realize it is minuscule, but certainly be it far from us to be in denial of a proper respect of those who are buried there in the unmarked graves. I concur and urge support.

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

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

The land involved here is approximately 20 acres. Many of us believe that the Federal Government owns far too much land in the State of Nevada

already. Frankly, as our colleague from Nevada pointed out, this makes two one-thousandths of 1 percent, which is a minuscule part of the State of Nevada, and so I think this is very worthwhile legislation. I commend the gentleman from Nevada for bringing this to the attention of the House, and I urge the passage of this legislation.

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

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 541.

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. DUNCAN. 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.

SOUTHERN CALIFORNIA GROUNDWATER REMEDIATION ACT

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 18) to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California, and for other purposes, as amended.

The Clerk read as follows:

H.R. 18

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Southern California Groundwater Remediation Act''.

SEC. 2. DEFINITIONS.

For the purposes of this Act:

(1) GROUNDWATER REMEDIATION.—The term ''groundwater remediation'' means actions that are necessary to prevent, minimize, clean up, or mitigate damage to groundwater.

(2) LOCAL WATER AUTHORITY.—The term ''local water authority'' means a currently existing (on the date of the enactment of this Act) public water district, public water utility, public water planning agency, municipality, or Indian Tribe located within the natural watershed of the Santa Ana River in the State of California.

(3) REMEDIATION FUND.—The term ''Remediation Fund'' means the Southern California Groundwater Remediation Fund established pursuant to section 3(a).

(4) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 3. SOUTHERN CALIFORNIA GROUNDWATER REMEDIATION.

(a) SOUTHERN CALIFORNIA GROUNDWATER REMEDIATION.—

(1) ESTABLISHMENT OF REMEDIATION FUND.—There shall be established within the Treasury of the United States an interest bearing account to be known as the ''Southern California Groundwater Remediation Fund''.

(2) ADMINISTRATION OF REMEDIATION FUND.—The Remediation Fund shall be administered by the Secretary, acting through the Bureau of Reclamation. The Secretary shall administer the Remediation Fund in cooperation with the local water authority.

(3) PURPOSES OF REMEDIATION FUND.—

(A) IN GENERAL.—Subject to subparagraph (B), the amounts in the Remediation Fund, including interest accrued, shall be used by the Secretary to provide grants to the local water authority to reimburse the local water authority for the Federal share of the costs associated with designing and constructing groundwater remediation projects to be administered by the local water authority.

(B) COST-SHARING LIMITATION.—

(i) IN GENERAL.—The Secretary may not obligate any funds appropriated to the Remediation Fund in a fiscal year until the Secretary has deposited into the Remediation Fund an amount provided by non-Federal interests sufficient to ensure that at least 35 percent of any funds obligated by the Secretary for a groundwater remediation project are from funds provided to the Secretary for that project by the non-Federal interests.

(ii) NON-FEDERAL RESPONSIBILITY.—Each local water authority shall be responsible for providing the non-Federal amount required by clause (i) for projects under that local water authority. The State of California, local government agencies, and private entities may provide all or any portion of the non-Federal amount.

(iii) CREDITS TOWARD NON-FEDERAL SHARE.—For purposes of clause (ii), the Secretary shall credit the appropriate local water authority with the value of all prior expenditures by non-Federal interests made after January 1, 2000, that are compatible with the purposes of this section, including—

(I) all expenditures made by non-Federal interests to design and construct groundwater remediation projects, including expenditures associated with environmental analyses, and public involvement activities that were required to implement the groundwater remediation projects in compliance with applicable Federal and State laws; and

(II) all expenditures made by non-Federal interests to acquire lands, easements, rights-of-way, relocations, disposal areas, and water rights that were required to implement a groundwater remediation project.

(b) COMPLIANCE WITH APPLICABLE LAW.—In carrying out the activities described in this section, the Secretary shall comply with any applicable Federal and State laws.

(c) RELATIONSHIP TO OTHER ACTIVITIES.—Nothing in this section shall be construed to affect other Federal or State authorities that are being used or may be used to facilitate remediation and protection of the groundwater the natural watershed of the Santa Ana River in the State of California. In carrying out the activities described in this section, the Secretary shall integrate such activities with ongoing Federal and State projects and activities. None of the funds made available for such activities pursuant to this section shall be counted against any Federal authorization ceiling established for any previously authorized Federal projects or activities.

(d) FINANCIAL STATEMENTS AND AUDITS.—The Secretary shall ensure that all funds obligated and disbursed under this Act and expended by a local water authority, are accounted for in accordance with generally accepted accounting principles and are subjected to regular audits in accordance with applicable procedures, manuals, and circulars of the Department of the Interior and the Office of Management and Budget.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Remediation Fund $50,000,000. Such funds shall remain available until expended. Subject to the limitations in section 4, such funds shall remain available until expended.

SEC. 4. SUNSET OF AUTHORITY.

This Act—

(1) shall take effect on the date of the enactment of this Act; and

(2) is repealed effective as of the date that is 10 years after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentlewoman from California (Mrs. NAPOLITANO) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, H.R. 18, authored by the gentleman from California (Mr. BACA), authorizes the Secretary of the Interior to participate in the funding and implementation of a balanced, long-term groundwater remediation program. This bill establishes a limited Federal fund to resolve groundwater problems in the Santa Ana, California, watershed. This area has approximately 30 major water wells that are currently shut down or are out of production due to groundwater contamination from man-made and naturally-occurring chemicals. For example, a local perchlorate plume has impacted 250,000 residents in Rialto, California.

This bill is just one small, but very important, part of a comprehensive solution to resolve a water emergency. The House passed identical legislation in the 108th Congress. I urge my colleagues to once again adopt this measure.

Madam Speaker, I reserve the balance of my time.

Mrs. NAPOLITANO. Madam Speaker, I yield myself such time as I may consume.

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

Mrs. NAPOLITANO. Madam Speaker, we strongly support passage of H.R. 18 which will provide financial assistance for cleaning up contaminated drinking water supplies in the Santa Ana River watershed in Southern California. There have been many problems in Southern California as well as in other parts of the Nation that deal with perchlorate, and this is just but one of

them. We hope that we will be able to shed some light on how we can do a better job of assisting our communities in being able to put that water back to good use, and that is by working with the municipalities.

I commend the principal sponsor of H.R. 18, the gentleman from California (Mr. BACA), for his determination and hard work to get this legislation enacted. I also greatly appreciate the support and leadership demonstrated by the gentleman from California (Mr. POMBO) on this very critical and important matter.

Madam Speaker, I yield 5 minutes to my friend and colleague from Southern California (Mr. BACA) who has been very, very adamant about getting this addressed.

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

Mr. BACA. First of all, Madam Speaker, I would like to thank the gentleman from Tennessee (Mr. DUNCAN) for his support and his eloquent presentation of the legislation before us and as well the gentlewoman from California (Mrs. NAPOLITANO) in support of this legislation that impacts the State of California, especially Southern California, as it pertains to perchlorate.

Madam Speaker, I rise in support of H.R. 18, the Southern California Groundwater Remediation Act. This legislation passed the House in September 2004, and it was H.R. 4606. Today, I fight to protect Southern Californians from the growing crisis of perchlorate groundwater contamination. I reintroduced this legislation as a long-term solution to help cities in Southern California remove perchlorate from their drinking water and create safe drinking water.

This bill will authorize $50 million for groundwater remediation, including perchlorate cleanup, for most of San Bernardino, Riverside, and Orange counties in Southern California. The funds will be managed by the Department of the Interior through the Bureau of Reclamation. Perchlorate is a main ingredient in rocket fuel that has been found in drinking water supplies, lettuce, and even in the milk we drink.

Perchlorate in water supplies is left over from former military sites, defense contractors, and other industries. It has been found in 43 States, including California. Perchlorate has been linked to thyroid damage and may be harmful to infants, developing fetuses, and the elderly. There are 1.2 million women of childbearing age in San Bernardino, Riverside, and Orange counties who could be at risk from perchlorate, and we do not want them to be at risk. We want to make sure that there is good-quality drinking water. Perchlorate has been detected in 186 sources in the counties served by the Santa Ana River watershed and has jeopardized the water supplies of over 500,000 residents.

As indicated before, there are 30 wells that have been contaminated in the area. There is a perchlorate plume in the Inland Empire in California that is 10 miles long and is growing every day, and that includes my hometown, which I am a resident of, in Rialto. Perchlorate has impacted the daily lives of all of us, and we want to make sure that there is safe drinking water in the area. We have a legal and moral obligation to provide safe and healthy water to the families and children who drink this water every day.

But perchlorate contamination is more than just a health concern. The economic cost in providing safe drinking water is becoming more and more of a burden on our communities. Ninety percent of perchlorate in water comes from a Federal source. This includes DOD, NASA, and other Federal agencies. Innocent, hardworking families should not have to pay for federally created problems or problems for which no one will take the responsibility.

I urge my colleagues to support H.R. 18, which is a small price to pay for the crisis that has been forced on Southern Californians. I would like to thank the gentleman from California (Mr. POMBO) for his leadership and carrying legislation in the northern portion of California to deal with the problems that we have. I would like to thank the gentlewoman from California (Mrs. NAPOLITANO), the gentleman from California (Mr. CALVERT), the gentleman from California (Mr. GARY G. MILLER), and the gentleman from California (Mr. ROHRABACHER) for their support of this critical bill for the health of Southern California.

□ 1445

Mr. DUNCAN. Madam Speaker, I urge passage of this bill.

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

Mrs. NAPOLITANO. Madam Speaker, I yield myself such time as I may consume.

We have heard my colleague indicate how important the cleanup of water is, and I would urge my colleague from Georgia (Mr. LINDER), sponsor of H.R. 135, the Twenty-First Century Water Commission Act of 2005, to consider that as an issue because that is something that affects, like the gentleman stated, 40-some odd States that are beginning to understand the harshness of reality and that is that we have contaminated aquifers and water resources.

So, with that, I thank the gentleman from California (Mr. BACA) for bringing that to our attention. I do support the bill and hope my colleagues will do likewise.

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

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 18, as amended.

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

A motion to reconsider was laid on the table.

COLORADO RIVER INDIAN RESERVATION BOUNDARY CORRECTION ACT

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 794) to correct the south boundary of the Colorado River Indian Reservation in Arizona, and for other purposes.

The Clerk read as follows:

H.R. 794

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

SECTION 1. SHORT TITLE, FINDINGS, PURPOSES.

(a) SHORT TITLE.—This Act may be cited as the ''Colorado River Indian Reservation Boundary Correction Act''.

(b) FINDINGS.—Congress finds the following:

(1) The Act of March 3, 1865, created the Colorado River Indian Reservation (hereinafter ''Reservation'') along the Colorado River in Arizona and California for the ''Indians of said river and its tributaries''.

(2) In 1873 and 1874, President Grant issued Executive Orders to expand the Reservation southward and to secure its southern boundary at a clearly recognizable geographic location in order to forestall non-Indian encroachment and conflicts with the Indians of the Reservation.

(3) In 1875, Mr. Chandler Robbins surveyed the Reservation (hereinafter ''the Robbins Survey'') and delineated its new southern boundary, which included approximately 16,000 additional acres (hereinafter ''the La Paz lands''), as part of the Reservation.

(4) On May 15, 1876, President Grant issued an Executive Order that established the Reservation's boundaries as those delineated by the Robbins Survey.

(5) In 1907, as a result of increasingly frequent trespasses by miners and cattle and at the request of the Bureau of Indian Affairs, the General Land Office of the United States provided for a resurvey of the southern and southeastern areas of the Reservation.

(6) In 1914, the General Land Office accepted and approved a resurvey of the Reservation conducted by Mr. Guy Harrington in 1912 (hereinafter the ''Harrington Resurvey'') which confirmed the boundaries that were delineated by the Robbins Survey and established by Executive Order in 1876.

(7) On November 19, 1915, the Secretary of the Interior reversed the decision of the General Land Office to accept the Harrington Resurvey, and upon his recommendation on November 22, 1915, President Wilson issued Executive Order No. 2273 ''. . . to correct the error in location said southern boundary line . . .''—and thus effectively excluded the La Paz lands from the Reservation.

(8) Historical evidence compiled by the Department of the Interior supports the conclusion that the reason given by the Secretary in recommending that the President issue the 1915 Executive Order—''to correct an error in locating the southern boundary''—was itself in error and that the La Paz lands should not have been excluded from the Reservation.

(9) The La Paz lands continue to hold cultural and historical significance, as well as economic development potential, for the Colorado River Indian tribes, who have consistently sought to have such lands restored to their Reservation.

(c) PURPOSES.—The purposes of this Act are:

(1) To correct the south boundary of the Reservation by reestablishing such boundary as it was delineated by the Robbins Survey and affirmed by the Harrington Resurvey.

(2) To restore the La Paz lands to the Reservation, subject to valid existing rights under Federal law and to provide for continued reasonable public access for recreational purposes.

(3) To provide for the Secretary of the Interior to review and ensure that the corrected Reservation boundary is resurveyed and marked in conformance with the public system of surveys extended over such lands.

SEC. 2. BOUNDARY CORRECTION, RESTORATION, DESCRIPTION.

(a) BOUNDARY.—The boundaries of the Colorado River Indian Reservation are hereby declared to include those boundaries as were delineated by the Robbins Survey, affirmed by the Harrington Survey, and described as follows: The approximately 15,375 acres of Federal land described as ''Lands Identified for Transfer to Colorado River Indian Tribes'' on the map prepared by the Bureau of Land Management entitled ''Colorado River Indian Reservation Boundary Correction Act, and dated January 4, 2005'', (hereinafter referred to as the ''Map'').

(b) MAP.—The Map shall be available for review at the Bureau of Land Management.

(c) RESTORATION.—Subject to valid existing rights under Federal law, all right, title, and interest of the United States to those lands within the boundaries declared in subsection (a) that were excluded from the Colorado River Indian Reservation pursuant to Executive Order No. 2273 (November 22, 1915) are hereby restored to the Reservation and shall be held in trust by the United States on behalf of the Colorado River Indian Tribes.

(d) EXCLUSION.—Excluded from the lands restored to trust status on behalf of the Colorado River Indian Tribes that are described in subsection (a) are 2 parcels of Arizona State Lands identified on the Map as ''State Lands'' and totaling 320 acres and 520 acres.

SEC. 3. RESURVEY AND MARKING.

The Secretary of the Interior shall ensure that the boundary for the restored lands described in section 2(a) is surveyed and clearly marked in conformance with the public system of surveys extended over such lands.

SEC. 4. WATER RIGHTS.

The restored lands described in section 2(a) and shown on the Map shall have no Federal reserve water rights to surface water or ground water from any source.

SEC. 5. PUBLIC ACCESS.

Continued access to the restored lands described in section (2)(a) for hunting and other existing recreational purposes shall remain available to the public under reasonable rules and regulations promulgated by the Colorado River Indian Tribes.

SEC. 6. ECONOMIC ACTIVITY.

(a) IN GENERAL.—The restored lands described in section (2)(a) shall be subject to all rights-of-way, easements, leases, and mining claims existing on the date of the enactment of this Act. The United States reserves the right to continue all Reclamation projects, including the right to access and remove mineral materials for Colorado River maintenance on the restored lands described in section (2)(a).

(b) ADDITIONAL RIGHTS-OF-WAY.—Notwithstanding any other provision of law, the Secretary, in consultation with the Tribe, shall grant additional rights-of-way, expansions, or renewals of existing rights-of-way for roads, utilities, and other accommodations to adjoining landowners or existing right-of-way holders, or their successors and assigns, if—

(1) the proposed right-of-way is necessary to the needs of the applicant;

(2) the proposed right-of-way acquisition will not cause significant and substantial harm to the Colorado River Indian Tribes; and

(3) the proposed right-of-way complies with the procedures in part 169 of title 25, Code of Federal Regulations consistent with this subsection and other generally applicable Federal laws unrelated to the acquisition of interests on trust lands, except that section 169.3 of those regulations shall not be applicable to expansions or renewals of existing rights-of-way for roads and utilities.

(c) FEES.—The fees charged for the renewal of any valid lease, easement, or right-of-way subject to this section shall not be greater than the current Federal rate for such a lease, easement, or right-of-way at the time of renewal if the holder has been in substantial compliance with all terms of the lease, easement, or right-of-way.

SEC. 7. GAMING.

Land taken into trust under this Act shall neither be considered to have been taken into trust for gaming nor be used for gaming (as that term is used in the Indian Gaming Regulatory Act (25 U.S.C. 2701 et seq.)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from Arizona (Mr. GRIJALVA) each will control 20 minutes.

The Chair recognizes the gentleman from Tennessee (Mr. DUNCAN).

GENERAL LEAVE

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

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

There was no objection.

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

H.R. 794, which is sponsored by the gentleman from Arizona (Mr. GRIJALVA), corrects an historic injustice to the Colorado River Indian Tribes. It is substantially identical to H.R. 2941, legislation that was passed in the House last year but was not considered in the Senate.

Passage of this measure is long overdue. It restores 16,000 acres of public lands in Arizona to the Colorado River Indian Reservation wrongfully excluded from the reservation over 90 years ago.

Created by an Act of Congress in 1865, the reservation was expanded by President Grant in order to prevent encroachment by non-Indians. The expansion included a 16,000-acre area called the La Paz lands.

The La Paz expansion did not hold up for very long. The original surveys to affix the boundary of the La Paz addition were rescinded by President Wilson. A survey of dubious merit, apparently at the behest of people who coveted the Tribes' lands, was substituted for the valid surveys. As a result, the La Paz lands were excluded from the reservation.

All credible evidence indicates that the La Paz lands were wrongly deleted from the Tribes' reservation. Subsequent attempts to restore them a few times during the 1900s did not meet with success.

H.R. 794 finally restores the La Paz lands to its rightful owner, subject to valid, existing rights and interests and excluding certain parcels owned by the State of Arizona. The bill requires the boundary line of the reservation to reflect the addition of these lands.

As I explained, with one minor exception, this bill is exactly the same as H.R. 2941 that was passed by the House last year but went no further. The only difference is the title of the map has been changed to correct a typographical error.

Because this measure is unchanged from what the House approved last year, I urge my colleagues today to pass H.R. 794. With Congress' help, the Colorado River Indian Tribes can finally put this justice behind them. I urge adoption of the bill.

Madam Speaker, I reserve the balance of my time.

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

I want to thank the gentleman from Tennessee (Mr. DUNCAN) for his comments and his leadership on this very important issue to native peoples in my district.

The Colorado River Indian Reservation Boundary Correction Act, H.R. 794, will correct a long-standing injustice. In the early part of the 20th century, nearly 16,000 acres of land known as the La Paz lands were stripped from the Colorado River Indian Tribes' reservation by executive order in response to heavy lobbying from a private mining company that wanted to mine for silver on the land. The Tribes were never provided with an opportunity to challenge the decision, nor were they ever compensated for the loss of their land.

Subsequent reviews by the Department of Interior concluded the lands were inappropriately removed from the reservation and should be returned to the Tribes. Senator Barry Goldwater recognized this fact when he introduced similar legislation to restore those lands years ago. He stated during the hearing before the Senate Indian Affairs Committee that his grandfather, who had settled in the Ehrenberg area, had long recognized that the La Paz lands were Indian lands.

Madam Speaker, the lands that will be returned to the Tribes under this legislation were part of their reservation for almost 40 years prior to the 1915 executive order. This is not an expansion of the Tribes' reservation. It is a restoration of the original reservation based on accepted Department of Interior surveys.

H.R. 794 will return 15,375 acres of land to the Tribes. These lands hold cultural and spiritual value for the Tribes, as well as potential for economic development.

During the almost 90 years that the land has been under the jurisdiction of

the Bureau of Land Management, certain activities have taken place there. The legislation ensures that existing uses may continue. The Tribes have agreed to honor existing mining claims, right of way, utility corridors, hunting, and public access.

In addition, several provisions have been added related to water rights and prohibition of gaming on the lands. While I feel that these restrictions may impose upon tribal sovereignty, the Tribe itself has indicated its willingness to accept these provisions in order to achieve passage of the legislation, and I defer to them on that matter.

Madam Speaker, this bill honors our agreements and our commitments to the Native peoples of my district by returning what rightfully belongs to them. I am pleased to be joined by my colleagues from Arizona and California on both sides of the aisle in promoting this long-overdue legislation, and I particularly want to thank the leadership within the Committee on Resources for making this bill a priority for passage again in this Congress. It is my joy to see this important piece of legislation move to the House floor and come one step closer to resolution. The Colorado River Indian people have been waiting 90 years for return of their lands, and it is my hope that they will not wait much longer.

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

Mr. DUNCAN. Madam Speaker, I urge passage of this bill. 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 Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 794.

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

A motion to reconsider was laid on the table.

RECESS

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

Accordingly (at 2 o'clock and 53 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

□ 1831

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. KLINE) at 6 o'clock and 31 minutes p.m.

PRIVILEGED REPORT ON HOUSE RESOLUTION 134, REQUESTING THE PRESIDENT TO TRANSMIT CERTAIN INFORMATION RELATING TO PLAN ASSETS AND LIABILITIES OF SINGLE-EMPLOYER PENSION PLANS

Mr. BOEHNER, from the Committee on Education and the Workforce, submitted a privileged report (Rept. No. 109–34) on the resolution (H. Res. 134) requesting the President to transmit to the House of Representatives certain information relating to plan assets and liabilities of single-employer pension plans, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H.R. 135, by the yeas and nays.

H.R. 541, by the yeas and nays.

These will both be 15-minute votes.

TWENTY-FIRST CENTURY WATER COMMISSION ACT OF 2005

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 135.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 135, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 402, nays 22, not voting 10, as follows:

[Roll No. 96]

YEAS—402

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)
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
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Ehlers
Emanuel
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Gonzalez
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
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)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
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
Ros-Lehtinen
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)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller

Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—22

Blackburn
Coble
Cubin
Culberson
Davis, Jo Ann
Emerson
Flake
Foxx
Goode
Gutknecht
Hensarling
Istook
Johnson, Sam
Jones (NC)
LaHood
Manzullo
Miller (FL)
Miller (MI)
Myrick
Otter
Paul
Pence

NOT VOTING—10

Carter
Edwards
Fattah
Ford
Gillmor
Inglis (SC)
Jenkins
Lewis (KY)
Smith (WA)
Stark

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1900

Messrs. MANZULLO, PENCE, LAHOOD, ISTOOK, and Mrs. EMERSON changed their vote from ''yea'' to ''nay.''

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

So (two thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

LANDER COUNTY AND EUREKA COUNTY, NEVADA, LAND CONVEYANCE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 541.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and pass the bill, H.R. 541, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 11, as follows:

[Roll No. 97]

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
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
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
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
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
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
Ros-Lehtinen
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)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
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

Carter
Edwards
Ford
Gillmor
Inglis (SC)
Jenkins
Lewis (KY)
Miller, George
Smith (WA)
Stark
Thornberry

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KLINE) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1917

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. CARTER. Mr. Speaker, on April 12, 2005, during voting on H.R. 135, the Twenty-First Century Water Commission Act and H.R. 541, the Lander County and Eureka County, Nevada land conveyance, I was unavoidably detained due to matters in my Congressional District. If I had been present, I would have voted yea on both votes.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 8, DEATH TAX REPEAL PERMANENCY ACT OF 2005

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 109–35) on the resolution (H. Res. 202) providing for consideration of the bill (H.R. 8) to make the repeal of the estate tax permanent, which was referred to the House Calendar and ordered to be printed.

PAYING TRIBUTE AND HONORING THE MEMORY OF TRAVIS BRUCE

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

Mr. GUTKNECHT. Mr. Speaker, I rise to pay tribute and to honor the memory of Travis Bruce.

Mr. Speaker, it is perhaps ironic that, as the family of Specialist Travis Bruce was learning the tragic news, I was at the military hospital in Landstuhl, Germany.

We all ask ourselves the questions that have haunted leaders from Washington to Grant to this very day: Are

we doing the right thing? Is it worth the sacrifice?

I can think of no better place to ask those questions than at that hospital. So I asked those young heroes, and I can honestly report that they answered ''yes.'' A few said ''absolutely.''

For Specialist Bruce, the battle is now over. He now rests in the loving arms of the God of our fathers. He takes his place in that long line of patriots who have made the ultimate sacrifice, that long line that has never failed us. It is now left for us to carry on.

There are no words adequate to express our condolences. It is enough for us to say that on behalf of a grateful Nation, we will never forget. We will always be proud, so that we will always be free.

RESTORING DEDUCTIBILITY OF SALES TAX FOR TENNESSEE PROVES WORTHWHILE

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

Mrs. BLACKBURN. Mr. Speaker, today I was coming back to D.C. reading the Nashville Tennessean, the local news section, and my attention was drawn to a headline here: ''State's March Sales Tax Revenue up $14.8 Million Over Estimates.''

Mr. Speaker, there is a reason that the State sales tax revenues are up so much in the State of Tennessee, and it has to do with actions that this body took last year. Last year, we voted to restore the deductibility of sales tax to those of us from nonState income tax States. Tennessee, Texas, Washington State, several States are affected by this provision. It proves the point, you want more of something, you lower the taxes. Things that are taxed less are going to flourish.

I would like to say thank you to our Speaker, the gentleman from Illinois (Mr. HASTERT); to our leader, the gentleman from Texas (Mr. DELAY); and to our whip, the gentleman from Missouri (Mr. BLUNT), for their leadership and their support in restoring the deductibility of sales tax for my State, Tennessee, and the other States that fund their State governments by State sales tax.

VOTE TO REPEAL DEATH TAX ONCE AND FOR ALL

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

Mr. KELLER. Mr. Speaker, the death tax kills small family-owned businesses, it makes financial planning nearly impossible, and it is an unfair form of double taxation.

The death tax is itself the leading cause of death for over one-third of all small, family-owned businesses who cannot afford to pay a death tax rate of up to 55 percent in order to keep the family business alive. Under current law, there will be no death tax owed in the year 2010, but, in 2011, death taxes go up to 55 percent. Unfortunately, the only family-owned business in America who knows whether someone will die in the year 2010 is the Sopranos. The rest of us have to spend thousands of dollars each year on accountants, lawyers, and financial planners to make sure our family-owned business survives.

Mr. Speaker, I urge my colleagues to vote yes to completely repeal the death tax once and for all.

PROMOTING GOOD LEADERSHIP

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

Mr. WILSON of South Carolina. Mr. Speaker, under the leadership of the gentleman from Texas (Mr. DELAY), the House has provided tax relief, creating 3 million jobs, prescription drug coverage for needy citizens, and welfare reform, promoting independence, along with a strengthened military to protect American families.

Additionally, Majority Leader DELAY and his wife Christine play a valuable role in their home community. As foster parents, they have devoted themselves to improving the lives of abused and neglected children and are now focusing their efforts on creating homes for foster children who need them. Their work is a true sign of compassion that is rarely recognized.

The gentleman from Texas (Mr. DELAY) has been called one of the most effective leaders in the history of the House of Representatives, and it is his effectiveness that motivates his critics. Radical liberals, financed by a billionaire, are leading a desperate smear campaign against a decent man who has delivered remarkable results. His critics are inspired by bitterness, hatred, and partisanship, and their smears will fail as they failed against DICK CHENEY, Donald Rumsfeld, Condoleezza Rice, and John Ashcroft.

The gentleman from Texas (Mr. DELAY) will continue his success of effectiveness for the American people.

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

HOLDING FEMA TO HIGH STANDARDS

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to share my concern regarding continued abuses by the Federal Emergency Management Agency, or FEMA as we know it. As my colleagues know, Florida suffered devastating blows when an unprecedented four hurricanes struck down in our State last year.

My colleagues and I in the Florida delegation have been fighting with FEMA on its hurricane policies for the past few months. We have battled them about paying for debris removal in front of properties on a private road. These people pay taxes, too.

Now a new abuse has come to light. FEMA apparently paid funeral expenses for an estimated 315 deaths in Florida, although only 123 fatalities were actually recorded. Once again, it has a disregard for accuracy, efficiency, and its responsibility, I believe, to the citizens of Florida and the United States' taxpayers.

Mr. Speaker, I encourage my colleagues to join me in holding FEMA to the high standards that our citizens require.

THE PRESIDENT'S SOCIAL SECURITY PLAN

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

Mr. MCDERMOTT. Mr. Speaker, the President says he is going to change his tack; he is no longer going to scare the people. He is going to give them a solution.

This weekend, Gary Trudeau's renowned ''Doonesbury'' performed an important public service. It codified the recent words of the President describing his Social Security plan. Here it is. To ensure that every American has equal access to his remarks, let me enter ''Doonesbury'' into the RECORD and read some of the President's remarks.

This is a direct quote from the President of the United States. He is explaining the plan he has: ''There's a series of parts of the formula that are being considered. And when you couple that, those different cost drivers, affecting those, changing those with personal accounts, the idea is to get what has been promised more likely to be or closer delivered to what has been promised.''

Does anybody know what he is talking about? This President is halfway through his 60-day barnstorming tour to gain support for his Social Security plan. I personally hope he stays out for another 90 days.

I think when the American people get through with listening to this gibberish, they will recognize that it has all been a way to deflect our eyes from all the problems of this society. We are to get a bankruptcy bill out here tomorrow. We have done nothing about Social Security. We have done nothing about Medicare. Come on, Mr. President.

SEE . . . LOOK . . . COST DRIVERS! HELPS ON THE RED!

MAKE ANY SENSE?

THIS MUST BE SHARED!

HEY, FOLKS—CONFUSED ABOUT THE BUSH PLAN FOR SOCIAL SECURITY?

WELL, HELP IS ON THE WAY! HERE—IN HIS OWN WORDS*—THE PRESIDENT EXPLAINS!

*TAMPA, FL 2/04/05.

BECAUSE THE—ALL WHICH IS ON THE TABLE BEGINS TO ADDRESS THE BIG

COST DRIVERS. FOR EXAMPLE, HOW BENEFITS ARE CALCULATE, FOR EXAMPLE, IS ON THE TABLE; WHETHER OR NOT BENEFITS RISE BASED UPON WAGE INCREASES OR PRICE INCREASES . . .

THERE'S A SERIES OF PARTS OF THE FORMULA THAT ARE BEING CONSIDERED. AND WHEN YOU COUPLE THAT, THOSE DIFFERENT COST DRIVERS, AFFECTING THOSE—CHANGING THOSE WITH PERSONAL ACCOUNTS, THE IDEA IS TO GET WHAT HAS BEEN PROMISED MORE LIKELY TO BE—OR CLOSER DELIVERED TO WHAT HAS BEEN PROMISED.

DOES THAT MAKE ANY SENSE TO YOU? IT'S KIND OF MUDDLED.

LOOK, THERE'S A SERIES OF THINGS THAT CAUSE THE—LIKE, FOR EXAMPLE, BENEFITS ARE CALCULATED BASED UPON THE INCREASE OF WAGES, AS OPPOSED TO THE INCREASE OF PRICES. SOME HAVE SUGGESTED THAT WE CALCULATE—THE BENEFITS WILL RISE BASED UPON INFLATION, AS OPPOSED TO WAGE INCREASES . . .

THERE IS A REFORM THAT WOULD HELP SOLVE THE RED IF THAT WERE PUT INTO EFFECT. IN OTHER WORDS, HOW FAST BENEFITS GROW, HOW FAST THE PROMISED BENEFITS GROW, IF THOSE—IF THAT GROWTH IS AFFECTED . . .

. . . IT WILL HELP ON THE RED.

'NUFF SAID!

SPECIAL ORDERS

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

THE NO FLY NO BUY ACT

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

Mrs. MCCARTHY. Mr. Speaker, last month, the front pages of our Nation's newspapers contained chilling headlines: ''Terror Suspects Buying Firearms.''

At least 44 times in a 4-month period, people whom the FBI suspected of being members of terrorist groups tried to buy guns. In all but nine instances, the purchases were allowed to go through.

A background check of the would-be buyer found no automatic disqualification such as being a felon, an illegal immigrant, or deemed mentally defective. There certainly have been many more instances of suspected members of terrorist groups trying to buy these guns, but since the Justice Department destroys background check records after only 24 hours, we will never know.

So not only are we allowing suspected terrorists to arm themselves, we are destroying the records indicating how many guns they actually have bought. We are destroying critical intelligence in the war on terror, and suspected terrorists are exploiting our pre-9/11 gun laws.

The question many of my constituents ask me is, ''Why are these people allowed to be able to buy guns in the first place?''

It defies common sense. We are at war. We saw what these terrorists are capable of armed with only box cutters purchased at a hardware store. Then why do we make it so easy for our enemies to buy firearms and ammunition within our own borders?

Since 9/11, we have adopted a multitude of new laws in the wake of the war on terror. Just try to fly out of Reagan National Airport. No one is spared from the reach of these new laws. Senior citizens, children, and Members of the House have been subjected to routine inspection before boarding a commercial flight. It is an inconvenience perhaps for some, but if it prevents one terrorist from boarding a plane, it is a good law.

But our gun laws are dangerously out of step with the war on terror. The same people who are prevented from boarding a flight can walk into a gun store and purchase a hand-held weapon of mass destruction. This is absolutely ridiculous.

Let me set the record straight. I am not out to take away the right of any law-abiding citizen from being able to buy a gun.

We need common-sense gun safety regulations that protect law-abiding gun owners, while making it tougher for criminals and terrorists to obtain guns. That is why I have introduced a bill that would deny those on the Transportation Security Administration's No Fly List from purchasing firearms.

Why the No Fly List? Granted, the No Fly List includes some law-abiding citizens who are on the list in error. But it is the only Federal terrorist watch list with a procedure to get innocent people off the list, and the No Fly List is the only watch list to have public scrutiny. Other lists without practical application may be just as inaccurate but afford no due process to those wrongly listed.

My bill will ensure that these people incorrectly listed on the No Fly will be able to get their names off the list as quickly as possible. They would then be able to complete their gun purchase, no questions asked. Again, an inconvenience for some but necessary steps to ensure terrorists are not buying guns in our country.

The Federal Government charged with protecting us from terrorists should put at least as much effort into making sure terrorists and criminals are buying guns as what senior citizens and children might bring aboard a plane. We are at war, and the Federal Government has made it easier for our enemies to arm themselves.

I have written Attorney General Gonzales and asked him to endorse my bill. And if he cannot endorse it, I want to know why. I understand the Second Amendment concerns of law-abiding citizens and gun owners. But these laws can coexist with responsible people's rights to hunt and protect their families.

Responsible gun ownership is a right of all law-abiding Americans, but we also have to take the responsibility to protect law-abiding Americans from acts of terror and crime.

Mr. Speaker, we have seen, unfortunately, many, many acts of crime and gun violence in the last few weeks. Each week for the next several weeks now, I am going to bring this subject up. I know a lot of the American people think Democrats have given up on this issue. I promise the American people, I will continue with this issue. I will fight for good gun safety laws to make this country safer.

□ 1930

In SUPPORT OF LIEUTENANT PANTANO

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

Mr. JONES of North Carolina. Mr. Speaker, last Wednesday I spoke about Marine 2nd Lieutenant Ilario Pantano and his struggle to defend his actions in battle.

April of 2004 was a time of widespread violence from Iraqi insurgents. It was the deadliest month of the war.

On April 15, 2004, Lieutenant Pantano was faced with a very difficult decision. Just 3 days after he had witnessed a deadly ambush, his unit received a tip about a weapons stockpile. Leery of the tip, he led a unit of 40 men to the area and immediately noticed two Iraqis in a vehicle who appeared to be escaping the area.

After stopping the vehicle, he ordered the two Iraqis to search the vehicle themselves so as to avoid a booby trap for himself or the others under his command. Suddenly, he said, the two insurgents pivoted towards him after disobeying his command to stop, and in a split-second decision Lieutenant Pantano decided he had to fire his weapon to protect himself and his men.

It was not until 2½ months later that his radio operator mentioned the incident to another Marine, who then accused Lieutenant Pantano of murder. He now is facing charges of two counts of murder.

Mr. Speaker, I have met Lieutenant Pantano and his family. I have watched again and again the ''Dateline'' interview Stone Phillips conducted with Lieutenant Pantano, and I have researched this situation at length. I believe Lieutenant Pantano is truthful in his recounts of the events of April of 2004 and he was justified in his action while having to make a split-second battlefield decision.

I question why the radio operator would wait 2½ months to tell his report of the events if he really believed murder had taken place. Furthermore, as is noted in the ''Dateline'' video, the sergeant was never even present for the actual shooting. How can he make a

judgment call on something he did not see?

Mr. Speaker, I have put in a resolution, H. Res. 167, to support Lieutenant Pantano as he faces yet another difficult fight for his life. I hope that my colleagues in the House will take some time to read my resolution and look into this situation for themselves. I believe a great unfairness has occurred here; and as the United States House of Representatives, we stand by our brave men and women in uniform as they protect and serve our Nation.

Mr. Speaker, before closing, I would like to say that there is a Web site that his mother has established. It is called defendthedefenders.org, and may God continue to bless our men and women in uniform and bless America.

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

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

EXCHANGE OF SPECIAL ORDER TIME

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

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

There was no objection.

CAFTA

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. Mr. Speaker, a bowling ball weighs about 170 times the weight of a slice of sandwich bread. It does not take a physicist to see the mismatch between a bowling ball and a slice of bread. And it does not take a trade expert to see the economic mismatch between the United States and the nations that make up the Central American Free Trade Agreement: Honduras, Costa Rica, Nicaragua, Guatemala, and El Salvador.

The way that CAFTA, the Central American Free Trade Agreement, proponents talk, you would think Central America was one of the biggest economies in the Western Hemisphere. CAFTA nations are not only among the world's poorest countries, they are among its smallest economies.

Think about this: this big trade agreement that President Bush wants, CAFTA, the combined purchasing power of the CAFTA nations is almost identical to the purchasing power of Columbus, Ohio.

Tomorrow, the Senate will hold the first congressional hearing on CAFTA. Congress typically has voted within 55 days of President Bush signing a trade agreement. May 28 will mark the 1-year anniversary of when the President signed CAFTA.

The other trade agreements were all done within only about 2 months. Because CAFTA is so unpopular and trade policy in this country is so wrong-headed, the President still has not sent CAFTA here for a vote. Clearly, there is dissension in the ranks, and for good reason.

CAFTA is the dysfunctional cousin of NAFTA, the North American Free Trade Agreement, continuing a legacy of failed trade policies.

Look at NAFTA's record: one million United States manufacturing jobs lost to the North American Free Trade Agreement. One million. NAFTA did nothing. NAFTA: Mexico, Canada, the U.S. NAFTA did nothing for Mexican workers as promised. They continue to earn just about a dollar a day, while living in abject poverty. Not exactly a great market for U.S. products.

And yet the U.S. continues to push for more of the same, more of the same job hemorrhaging, income-lowering trade agreements, more trade agreements that ship U.S. jobs overseas, more trade agreements that neglect essential environmental standards, more trade agreements that keep foreign workers in poverty.

The only difference between CAFTA and NAFTA is the first letter. Madness is repeating the same action over and over and over and expecting a different result. We hear the same promises on every trade agreement. This Congress, somehow barely, in the middle of the night, passes them. We see the same bad results.

But do not just take my word for it. Look at the numbers. Numbers do not lie. The U.S. economy, with a $10 trillion GDP in 2002, is 170 times bigger than the economies of the CAFTA nations, at about $62 billion combined. It is like pairing a bowling ball with a slice of bread.

CAFTA is not about robust markets for the export of American goods. It is about outsourcing. It is about access to cheap labor. We send our jobs overseas. The workers overseas get paid almost nothing, not able to raise their living standard. U.S. corporations make more money, American workers lose their jobs. It is the same old story.

Again, the combined purchasing power of the CAFTA nations is about that of Orlando, Florida. Trade pacts like NAFTA and CAFTA enable companies to exploit cheap labor in other countries, then import their products back to the U.S. under favorable terms.

American companies outsource their jobs to Guatemala, outsource their jobs to China, outsource their jobs to Mexico. It costs American workers their jobs. It does almost nothing for the workers in those countries, yet profits at Wal-Mart and GM and those companies continue to rise.

CAFTA will do nothing to stop the bleeding of manufacturing jobs, except make it worse, will do nothing to stop the bleeding of manufacturing jobs in the U.S., and will do even less to create a strong Central American consumer market for American goods.

Throughout the developing world, workers do not share in the wealth they create. If you work at GM in the United States, if you work at a hardware store in the United States, you create wealth for your employer and you share some of that wealth. That is how you get a middle-class existence.

But in the developing world, workers do not share in the wealth they create. Nike workers in Vietnam cannot afford to buy the shoes they make. Disney workers in Costa Rica cannot afford to buy the toys for their children. Ford workers in Mexico cannot afford to buy the cars that they make. Motorola workers in Malaysia cannot afford to buy the cell phones they make.

The United States, with its unrivaled purchasing power and its enormous economic clout, we, in our country, are in a unique position to empower workers in the developing world while promoting prosperity at home.

When the world's poorest people can buy American products, rather than just make them, then we will know our trade policies finally are working. Vote ''no'' on the Central American Free Trade Agreement.

SUPPORTING THE GOALS AND IDEALS OF FINANCIAL LITERACY MONTH

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

Mr. DENT. Mr. Speaker, I would like to take a few minutes to talk about an issue that is very important to me as a Member of Congress and as a consumer: financial literacy.

Last week we passed a resolution I cosponsored with overwhelming bipartisan support, H. Res. 148. This resolution supports the goals and ideals of Financial Literacy Month.

Tonight, on the eve of the debate of our Nation's bankruptcy laws, I believe it is only fitting to support Financial Literacy Month and speak on the benefits of personal financial literacy.

In our Nation today, half of all Americans are living from paycheck to paycheck. The average college senior has approximately $7,000 in consumer debt, and only four out of every 10 workers is saving for retirement.

As individuals incur debt, they are less likely to be prepared for retirement and more likely to become dependent solely on the Social Security system to support them into retirement.

By encouraging informed choices and wise financial decisions, our Nation's consumers will have positive credit ratings, money management skills, and be on the road to a stable and prosperous life. They will be able to build homes, buy cars, finance educations, and start businesses. It is our goal to

educate the public about financial literacy.

In today's world, we must continue to expand access to financial institutions and provide all Americans with the tools they need to become productive members of society. These principles and goals are important to all of us.

The programs and seminars supported by the resolution will provide the guidance that is needed for so many Americans. I encourage those who supported this amendment and agree with these goals to work alongside us to educate Americans about finance and economics.

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

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

EXCHANGE OF SPECIAL ORDER TIME

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to assume the time of the gentleman from Washington (Mr. MCDERMOTT).

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

There was no objection.

THE UNITED STATES TRADE DEFICIT

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

Ms. KAPTUR. Mr. Speaker, I would like to agree with the gentleman from Ohio (Mr. BROWN). The Commerce Department just announced another record trade deficit for our country. As an avalanche of imports comes in here and a whimper of our exports go out, we do not have free trade. We have a free fall in trade.

This month the Commerce Department sent out a press release saying this past month had a record-breaking trade deficit. The U.S. trade deficit soared to an all time monthly high of $61 billion negative. The Commerce Department said that, in fact, the February imbalance was up 4.3 percent from the record gap in January of $58.5 billion.

It looks like the executive branch's promises are faltering again. When it was proposed, free trade for China was promoted as a boon to America's exporters. But if we look at what is happening here, every single year the trade deficit gets deeper and deeper and deeper. And this year it is going through the bottom of the chart.

Once again, month after month, we see our manufacturers taking a hit. America truly is losing its economic prowess and our economic independence. In fact, under President Bush's watch, America has lost another three million manufacturing jobs.

One of the hardest hit sectors is textiles. For February, imports of textiles and clothing from China rose by nearly 10 percent. One can honestly ask, Is anything made in America anymore, other than debt?

The Bush administration's so-called free trade agenda is on course to bankrupt our economy. For the first 2 months of this year, just the first 2 months, the annualized trade deficit is 3 quarters of a trillion dollars, a full 100 billion more than last year. And we are watching oil prices going up over $50 a barrel, and that is adding to this growing deficit.

Combined with our faltering dollar, soaring fuel costs and an expanding Federal deficit, America is anything but independent. We are in hock to foreign countries that hold nearly half of our public debt, and we are paying them hundreds of billions of dollars annually now in interest.

The President talks about his risky plans to try to overhaul Social Security by borrowing trillions more dollars. Have they got a printing machine for money over there at the back room of the White House?

This is not the American Dream. It is the American Nightmare. Tonight Congress should be taking a stand against this irresponsible fiscal policy. The golden rule of trade should be trade balances, not trade deficits; and we should operate by the golden rule, free trade among free people.

We should reject CAFTA and any other trade bills that keep pushing American jobs offshore and pushing the trade deficit further into red ink. We should only support trade that is responsible and creates a level playing field and, at a minimum, trade balances and hopefully trade surpluses like we used to have.

Until this President can give us a plan for a healthy economy based on security and economic independence, we should say no thank you. No more NAFTAs, no CAFTAs, no more trade agreements that do not produce a balance and a surplus.

In fact, for every agreement that is currently on the books that is in the red, we ought to go back and require renegotiation if it has been in the red for 3 years or more, because it is not operating in America's interest. It might be operating in some global corporation's interest; but we should be worried about the American people and jobs here at home, both in manufacturing and agriculture, in resource and mining, in the real muscle of this country.

We should be here to fight for America's future. It is time the President and the entire Congress did the same.

HONORING POPE JOHN PAUL II

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

Ms. ROS-LEHTINEN. Mr. Speaker, last week I was blessed to travel with a group of my colleagues to Rome to attend the funeral mass of his Holiness, Pope John Paul II, one of the greatest defenders of human life the world has ever known.

□ 1945

Pope John Paul II was a man of profound holiness, profound peace, and profound love. He not only served the Catholic Church as the Vicar of Christ on Earth, but also reached out and touched people of all faiths as he fought valiantly to liberate the oppressed, especially in his native Eastern Europe where he contributed significantly to the fall of communism.

Of all of his accomplishments, I am most appreciative of his unwavering commitments to the defense and protection of all human life, especially the most defenseless, the unborn.

The Pope came to Miami in September of 1987. I had just given birth to my youngest daughter, Patricia Marie, and so I wanted to be present to hear and see him at Tropical Park, which is located in my old State senate district, but the doctors told me I could not attend. However, as I watched on TV, I remember thinking how fitting it was that I would be holding my newborn baby in my arms while watching the staunchest defender of human life praying and saying mass in my hometown. It was a feeling I have never and I shall never forget.

The Holy Father can never imagine how he touched, in a most profound way, all those who heard and saw him wherever he traveled with his goodness and fierce protection for the sanctity of life.

In his letter, The Gospel of Life, John Paul II vigorously reaffirmed the value of human life and at the same time presents a pressing appeal addressed to each and every person to respect, protect, love and serve life, every human life.

He writes, ''Even in the midst of difficulties and uncertainties, every person sincerely open to truth and goodness can, by the light of reason and the hidden action of grace, come to recognize in the natural law the sacred value of human life from its very beginning until its end and can affirm the right of every human being to have this primary good respected to the highest degree.

''Upon the recognition of this right,'' he continued, ''every human community and the political community itself are founded.''

And as a wife and as a mother of two teenage daughters, I also seek to defend and protect the sanctity of an innocent human life; and to that end I have introduced the bill, House Resolution 748, the Child Interstate Abortion Notification Act, CIANA, which currently has 127 cosponsors and which will be marked up in the House Committee on the Judiciary tomorrow.

This legislation makes it a Federal offense to knowingly transport a minor across a State line with the intent that she obtain an abortion in circumvention of a State's parental consent or parental notification law. CIANA also requires that a parent or, if necessary, a legal guardian be notified pursuant to a default Federal parental notification rule when a minor crosses State lines to obtain an abortion unless one of several carefully drawn exceptions are met.

A minor who is forbidden to drink alcohol, to stay out past a certain hour or to get her ears pierced without a parental consent is certainly not prepared to make a life-altering, hazardous and potentially fatal decision such as an abortion without the consultation or consent of at least one parent.

My legislation will close a loophole that allows adults not only help minors break States' laws by obtaining an abortion without parental consent but also contributes to ending the life of an innocent child.

I am hopeful that in this 109th session of Congress we will be successful in securing the rights of parents. As an ardent advocate for human rights for all, especially those suffering political and religious persecution, I join our Holy Father in his desire to see a world where all may live and work together in a spirit of peace, mutual respect and solidarity and where the sanctity of human life is preserved at each and every level.

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

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

EXCHANGE OF SPECIAL ORDER TIME

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Minnesota (Mr. GUTKNECHT).

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

There was no objection.

IMMIGRATION REFORM

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

Mrs. BLACKBURN. Mr. Speaker, you know it should be no secret to anyone in this body that immigration reform is a top priority for millions of Americans, and I doubt that most of us have had a single town hall meeting during this past recess when we have not been asked by our constituents to address the concerns of illegal immigration. I can tell you, I have heard time and again from my constituents who want to know why it is so incredibly difficult and it seems so difficult for the Federal Government to enforce these immigration laws that are currently on the books. They absolutely cannot understand why some politicians in Washington seem to fail to understand that illegal immigrants are in fact breaking our laws and if they do indeed actually cause a security risk.

As our constituents are preparing to pay Federal income tax, as millions of Americans are preparing to pay their Federal income tax this week, I was asked time and again in town hall meetings this weekend if we did not consider the costs, the extra cost to the American taxpayer of illegal immigration. And I can tell you, Mr. Speaker, I certainly sympathize with my constituents and I empathize with their concerns and their consternation, and I truly share their frustration when I read some of the things I read about illegal immigration.

We have an obvious flouting of the laws, and yet there are some who think that we should actually ignore this problem. Thankfully, we have made some progress this year, and we should credit the gentleman from Wisconsin (Mr. SENSENBRENNER) for much of his hard work and the Committee on the Judiciary for much of their hard work when they worked on the Real ID Act. This body passed that, and certainly it will beef up the identification security measures, many dealing with our driver's license provisions. It will speed up the construction of border barriers, and it will make it tough for those with terrorist ties to gain asylum in the United States. But, Mr. Speaker, I think we all know that that is absolutely not enough.

Just yesterday morning, the Washington Post ran a story with the headline ''Probe Faults System For Monitoring U.S. Border.''

Now I have been working with my colleagues here in the House to target waste, fraud and abuse in government spending; and I have also been a proponent of tackling our enormous illegal immigration problem. The Washington Post story contains just an astounding level of waste, fraud, and abuse in spending; and it should be a wake-up call for those who do not think immigration reform is a priority. Clearly, the system we have got is not working.

According to a General Service Administration investigation, American taxpayers footed the bill for $239 million surveillance system across our borders. And what do we have to show for that, sir? A lot of broken equipment and lax border security. This is absolutely incredible.

You have got a bunch of concerned citizens who got tired of all the excuses so they have gone down to the Arizona border to observe illegal immigration and report to the border agents, and apparently they have been pretty effective. Meanwhile, the Federal government has a $239 million pile of useless equipment.

This is waste, fraud, and abuse; and this is lack of attention to border security. This is an issue that has my constituents talking at length in town halls, talking about how we are spending the tax money that they are writing the check for this very week.

This article is further confirmation of our belief that the borders are too open, our system is too easily abused and our government is not doing enough. I hope that my colleagues will join me in my effort to eliminate the seemingly endless examples of waste, fraud, and abuse of taxpayer dollars.

Mr. Speaker, to those who have been opposing immigration reform for years now, the time has come for America to address the growing problem of illegal immigration. Our constituents and our national security demand it.

SMART SECURITY AND NUCLEAR WEAPONS

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, last year the Subcommittee on Energy and Water Development of the Committee on Appropriations bravely stood up to the White House by rejecting the administration's request for new nuclear weapons funding.

The White House had requested over $70 million for research on the robust nuclear earth penetrator, also known as the ''bunker buster'' and other nuclear weapons initiatives.

The Subcommittee on Energy and Water Development of the Committee on Appropriations zeroed out the President's nuclear weapons initiative; and, just as importantly, they have boldly rejected all funding for the supremely misguided bunker buster nuclear bomb, labelling it provocative and unnecessary.

I credit the subcommittee's chairman, the gentleman from Ohio (Mr. HOBSON). He courageously stood up to the White House on this issue. But President Bush did not let that stop him from once again requesting funding for the bunker buster bomb in this year's 2006 budget proposal.

This year the President has requested $4 million to study the feasibility of constructing the bunker buster and another $4.5 billion for bunker buster testing in the Air Force budget. The President's budget also notes that he may request another $14 million for the bunker buster in fiscal year 2007.

What could the Bush administration possibly be thinking? The United States already possesses the most sophisticated and modern military ever created, yet sometimes it seems like President Bush and his allies still think we are fighting the Cold War. Fortunately, there are still many,

many in Congress who live with the rest of us in the 21st century.

The bunker buster's proponents claim that it is an important device needed in the post-9/11 world to enable our military to attack cave and hideouts with supreme precision, but we do not need a nuclear weapon to accomplish this. The U.S. already possesses the capability to target terrorists wherever they are hiding.

The Bush administration's repeated attempts to develop new nuclear weapons like the bunker buster epitomizes the hypocrisy that underscores President Bush's foreign policy. At the same time that he seeks to prevent countries like Iran and North Korea from developing nuclear weapons, the White House has demonstrated its own nuclear weapons ambitions with a vigorous intensity.

We must remember that the creation of the bunker buster would violate the nuclear non-proliferation treaty which the United States ratified in 1972. That is why later this week I will introduce a resolution calling on the United States to uphold its binding commitment to this vital international treaty.

But these nuclear ambitions should not come as a surprise. In fact, it is just the latest in a long line of instances that demonstrate the Bush administration's petulant double standard when it comes to interacting with the rest of the world.

Before the bunker buster came along, they rejected the Kyoto Protocol on global warming, claiming that it would hurt the United States economy. Before that, it was the rejection of the International Criminal Court which President Bush opposed because it would allow Americans who violated international laws to be tried for war crimes just like war criminals from other countries.

The policy of rejecting international treaties is bad for the United States. Instead of thumbing our nose in the face of international law, America, the world's largest democracy, needs to serve as the gold standard for global consensus and agreement. That is why I have worked to develop a SMART Security platform for the 21st century.

SMART Security is a Sensible Multilateral American Response to Terrorism. Instead of creating new nuclear weapons, SMART Security would work to control the spread of such weapons through aggressive diplomacy, global weapons inspections, and comprehensive non-proliferation efforts.

We need to lead the world's nations to end the era of nuclear weapons. We need to demonstrate that nuclear weapons will not protect the people of the world because if these weapons are actually used there will be nothing left to protect.

Think about the price we have paid to eliminate weapons of mass destruction in Iraq, weapons that actually do not exist. Over 1,500 American lives lost, more than 12,000 severely wounded American soldiers, tens of thousands of Iraqi civilians killed, and more than $200 billion spent.

Should we not invest our resources in addressing genuine nuclear threats?

Mr. Speaker, if we do not start working with the other nations in the world, there may come a time when other nations no longer want to work with us.

□ 2000

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

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

INTERNATIONAL VILLAINS AND INTERNATIONAL OUTLAWS

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

Mr. POE. Mr. Speaker, tonight I rise to speak about international villains, international outlaws. We need to know who they are and who they are not because these terrorists are not ministers of good, but they are ministers of evil.

The terrorists are not freedom fighters as some say, for they oppose all freedoms. Terrorists are not moral because they preach, praise, and practice immoral acts. Terrorists are not for children because they murder children. They murder their neighbor's children, and they murder their own. Terrorists are not for any peace, but are for any chaos. Terrorists are not for democracies, but proclaim the value of totalitarian dictatorships.

Terrorists are not for justice so we must bring them to justice. As related in Proverbs, when justice is done, it brings joy to the righteous and it brings terror to the evil doers. So I say let us bring terror to these evil doers.

I have dealt with local terrorists, street terrorists, all my life, first as a prosecutor and a judge in a criminal court in Texas for 22 years. These people are mean, they are violent, and you can deal with them one way. You do not ask them to try to do better. You do not blame their culture or their lack of culture for their conduct. You do not reason with them. You do not negotiate. You hold them accountable for their choices.

They live for crimes of violence, so you punish them. You make the price high, too high for them to pay so they stop it, so they leave us alone, for it is a right of all of us to be left alone. If they choose not to leave us alone, they must face quick, sudden, and decisive action.

We must continue to deal with international terrorists the same way we deal with local street terrorists. We seek them out and we hold them accountable for their choices. It is not rational to stop once we have them on the run.

In Iraq, for example, we must finish the job. The phrase ''cut and run'' may be in the vocabulary of the French Government, but it is not in our vocabulary.

I have been to Iraq. I was there on election day January 30; and the people I talked to, those Iraqis were afraid that we would leave before the job was done. The terrorists want to wait us out because of the comments that they hear on this very House floor, that we should leave the job before it is through. Well, they will not wait us out because we will finish the job. So we will stay the course. We will finish the job before us. For it is far better to fight terrorists on their soil than on American soil, and we will know of no retreat or defeat.

We must train the Iraqi security forces so that they can protect their own borders against the insurgents. We must continue to seek out the terrorists in Afghanistan as well, but we must also deal with the cocaine and heroin traffic that is there because it funds those terrorists.

We must also allow our local law enforcement to fight that same secondary terror, that is, the terror of drugs, that is here in the United States that affects many American families, because those drugs that the terrorist cartels market in our land, they fund their evil ways. We must protect our homeland and support our first responders. For as our troops in lands across the seas battle these evil villains, our first responders are the ones who battle them here on the homeland, and they are always counted faithful.

On September 11, we all remember what we were doing. I was driving my Jeep to the courthouse, and I heard on the radio about the first plane that hit the World Trade Center; second plane, World Trade Center; third plane, crashes in Pennsylvania because of some heroes; fourth plane, hits the Pentagon.

Later that day, as many Americans like myself were watching television, I noticed the phenomena. I noticed thousands and thousands of Americans in New York City when those terrorists hit those buildings. They were running as hard as they could to get away from that terror. But there was another group of people, not very many, but they were there. When that terror hit the World Trade Center, they were running as hard as they could to get to that terror. Who were they? They were emergency medical technicians, they were firefighters, and they were cops. Because these people responded, and these are the people who we count on first, the people responsible for the deaths of the 3,000 on that day will be held accountable.

So we will not waiver in our battle against these international villains. There is no substitute for victory. For we are a people committed to remaining and continuing for centuries to be the land of the free and the home of the brave.

THE RULES THAT GOVERN THE ETHICS PROCESS IN THE HOUSE OF REPRESENTATIVES

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

Mr. MOLLOHAN. Mr. Speaker, I am joined here tonight by three distinguished colleagues.

The gentleman from Maryland (Mr. CARDIN) was a member of the Committee on Standards of Official Conduct in the 101st, 103rd, and 104th Congresses. The gentleman from Maryland (Mr. CARDIN) cochaired with Congressman Bob Livingston at the time the 1997 ethics bipartisan task force created to review and propose changes to the Committee on Standards of Official Conduct rules and procedures and was the ranking minority member of the subcommittee that investigated the complaint against then-Speaker Newt Gingrich.

Second, I am joined by the gentleman from California (Mr. BERMAN), who was ranking minority member on the Committee on Standards of Official Conduct in the 105th, the 106th, and the 107th Congresses and for the first 2 months of the 108th Congress until my appointment as ranking member. Additionally, the gentleman from California (Mr. BERMAN) was the ex officio member of the 1997 bipartisan task force created to review and propose changes to the Committee on Standards of Official Conduct's rules and procedures.

Finally, Mr. Speaker, I am joined by the gentleman from Massachusetts (Mr. DELAHUNT), who prior to coming to Congress served as the Norfolk County District Attorney for a considerable period of time, from 1975 to 1996. In the 108th Congress, he was a member of the ethics pool appointed by the minority leader and was a member of the investigative subcommittee formed to look into the allegations made by then-Representative Nick Smith arising out of the events occurring during the Medicare vote taken on November 2, 2003.

Collectively, these gentlemen have a tremendous amount of experience serving the House of Representatives on the Committee on Standards of Official Conduct over a long period of time. Not surprisingly, Mr. Speaker, that is the topic of our Special Order tonight.

The subject that we will be discussing this evening under the Special Order concerns the rules that govern the ethics process in the House of Representatives. This discussion, I think, will highlight the clear need to repeal the changes in those rules that were included in the rules package that was adopted when the House convened in January of this year, a rules package that was adopted on a strict party line vote with all Republicans voting for and all Democrats voting against.

While a discussion of the rules of this nature necessarily involves a number of technical points, Mr. Speaker, there should be no mistaking the overriding importance of what we are talking about. Because of the ethics rules changes that were included in the rules package I mentioned, the House of Representatives is now at a crossroads in its ethics process.

The issue now before the House is, in fact, whether the House will continue to have a credible ethics process that can be effective in protecting the reputation and the integrity of this institution.

Mr. Speaker, this is my 9th year as a member of the Committee on Standards of Official Conduct and my third year as ranking minority member of that committee, and I have studied the ethics process carefully during that time. My firm conclusion is that the House will not and cannot have a credible ethics process unless the rules changes that were made earlier this year are repealed.

There are at least two reasons why this is so, Mr. Speaker. First, there cannot be a credible ethics process in the House of Representatives unless changes in the ethics rules are made, as they have always been made in the House, Mr. Speaker, in the past years, in an open, thoughtful and, most importantly, in a genuinely bipartisan manner. But these rules changes were the result of a closed, secret process in which no one from this side of the aisle was ever consulted; and the votes of the rules package were, as always, strictly party line votes.

Second, the fact is that, at a minimum, these rules changes, the specific changes that are attempting to be imposed by the Committee on Rules, will seriously undermine the ability of the Committee on Standards of Official Conduct to perform its key responsibilities of investigating and making decisions on allegations of wrongdoing.

It is for these reasons that I have introduced House Resolution 131, which would entirely repeal two of the three rules changes made earlier this year and would repeal as well the objectionable provisions of the third rules change.

Mr. Speaker, let me take a moment to elaborate on each of the reasons for the resolution that I have introduced, turning first to the closed, partisan manner in which these rules changes were adopted this past January.

Mr. Speaker, the ethics process in the House of Representatives dates back to the late 1960s, nearly 40 years ago. It was recognized at the very outset that there could not be a meaningful ethics process in this body unless it is a genuinely bipartisan one. This makes perfect sense because an ethics process that is dominated by the majority party in the House will become simply another tool of partisan warfare and will have no credibility whatsoever.

So both when the committee was created and the ethics rules were established in 1968, as well as when the rules changes were made in the rules in 1989 and again in 1997, those actions, those creation of the rules, fashioning of the rules, recommending the rules to the House, that whole process was the result of a thoughtful, deliberative process that was, in fact, genuinely bipartisan in nature.

The task force, created with an equal number of Democrats, an equal number of Republicans, whether the Republicans were in control of the House at the time or whether the Democrats were in control of the House at the time, all of the rules changes and their adoption and their recommendation to the House of Representatives came out of a genuinely bipartisan process.

The process that was used earlier this year stands in stark contrast to those earlier efforts. Those rules changes were drafted in secret, and their text was publicly released literally only hours before they were to be voted on on the House floor. At no time was anyone on this side, on the minority side, of the aisle ever consulted about those changes. Likewise, the Committee on Standards of Official Conduct itself was not consulted about those rules changes; and, indeed, it is not at all clear who was consulted about them or whether their proponents really fully understood the meaning and the implications of the changes which they wrought.

It will come as no surprise to anyone that the rules changes resulting from such a closed, summary process, it will come as no surprise that they are seriously flawed; and that leads me, Mr. Speaker, to the second reason why these changes must be repealed.

As I have mentioned, the rules changes were passed by the majority earlier this year. They fall into three categories. The first rules change relates to the automatic dismissal of complaints that are filed with the committee, automatic dismissal of complaints the first rule allows; the second rule granting certain so-called due process rights to Members, a cynical characterization of due process I might add; and the third so-called right to counsel provisions are contained in the last rules change.

Mr. Speaker, let me begin with the automatic dismissal rule. The automatic dismissal rule of the complaint, it constitutes a radical and particularly destructive change in the rules. Up until now, a complaint filed with the Committee on Standards of Official Conduct, and keep in mind that under the rules no one other than a Member of the House may file a complaint before the Committee on Standards of Official Conduct, but under the old rules a complaint could be dismissed only by a majority vote of the committee.

□ 2015

Under the automatic dismissal rule which the majority is trying to impose upon the Committee on Standards of Official Conduct in its rules passed earlier this year, a complaint can be dismissed just by the passage of time. A

period as brief as 45 days from the date of the complaint is deemed to satisfy the procedural requirements of the rule; and if it is not disposed of any other way, the passage of that 45 days will result in automatic dismissal of the complaint. Members of the committee could have during that period sat on their hands, or they may have been engaged in the August recess because it is not legislative days, it is calendar days.

One wonders if the drafters of this rule were even aware that in 1997, the House strongly rejected an automatic dismissal rule that was far less restrictive than this one. The proposal considered at that time applied where a motion before the committee to refer a complaint to an investigative committee did not pass, and it provided in that instance for automatic dismissal of the complaint after 180 days from the date of the vote, a lot longer than 45 days under this automatic dismissal rule. But even with the 180-day automatic dismissal, this House of Representatives in the only recorded vote in the full House on a bipartisan basis rejected the idea of a complaint being automatically dismissed that is pending before the Committee on Standards of Official Conduct simply by the passage of time.

Even that proposal was defeated on a bipartisan vote because it was recognized that any automatic dismissal rule simply promotes deadlock and partisanship on the committee. It promotes inaction. It encourages members not to fulfill their responsibility. This is especially so in those controversial, high-profile complaints that come before the committee, and it is in the handling of complaints of that kind that the committee's credibility is most at stake.

Mr. Speaker, if the Committee on Standards of Official Conduct is to be worthy of its name, its members must give thoughtful, reasoned consideration to every complaint that comes before it; and any rule that would truncate that responsibility, that would provide for an automatic dismissal of the complaint based on the inaction of the members cannot be allowed to stand if our credibility is going to remain intact.

The rules changes that grant certain so-called due process rights to Members apply whether the committee or an investigative subcommittee proposes to conclude a matter by issuing a letter or other statement that references the conduct of a particular Member. While statements of that kind do not constitute and are not characterized as a sanction, the committee has been very cautious about issuing them; and, of course, like any other committee action, such a statement cannot be issued without the bipartisan support of committee members.

It is also important that statements of this kind are issued only where the conduct involved has not been the subject of a formal investigation, and a determination has been made that the issuance of such a statement in an appropriate way to resolve a complaint or other allegation of misconduct is an appropriate disposition.

Where a Member is going to be the subject of such a letter or similar statement, it is not, I agree, unreasonable to grant that Member certain rights, such as prior notice and a meaningful opportunity to respond, but the rules changes go well beyond this for they also grant such a Member the right to demand that the committee create an adjudicatory, a trial, if you will, subcommittee that is to conduct an immediate hearing, an immediate trial, on the conduct in question. Where the committee proposes to resolve the complaint by issuance of a letter, this trial would take place without any formal investigation of the matter ever having been conducted, without a single subpoena ever having been issued or a single deposition ever been taken. It gives the Member the right to jump immediately to the trial stage.

No committee that is at all serious about conducting its business would allow itself to be put in such a situation. It emasculates that part of the committee's power and ability to, in proper due process order, develop the factual basis for a disposition perhaps involving a trial.

It may well be that this immediate trial provision was included in the rules in order to force the committee, whenever a complaint is filed, to decide between two alternatives: either dismiss the complaint without having any comment whatsoever on the conduct of the respondent, or refer the complaint to an investigative subcommittee for formal investigation. But there is no valid reason to hamstring the committee in this manner.

The resolution I have proposed would repeal the right to demand an immediate trial but would substitute instead the far more reasonable right to demand that the committee commission a formal investigation of the conduct in question.

Mr. Speaker, the third rules change, the so-called right to counsel provision, is particularly mischievous, and it might be better characterized as the ''right to orchestrate testimony provision.''

This rules change prohibits the Committee on Standards of Official Conduct from requiring in any circumstances that a respondent or witness in a case retain an attorney who does not represent someone else in the case. This change is particularly egregious in that two separate investigative subcommittees of the Committee on Standards of Official Conduct had raised the concern that an attorney's representation of multiple clients in a case may impair the fact-finding process, and those investigative subcommittees recommended to the full committee the adoption of a rule or policy under which multiple representation could be barred. In short, the ethics process in the House has been seriously damaged by both the substance of these rules changes and the summary partisan manner in which these changes were adopted.

In the case of the latter rule, imagine the lawyer that is representing the accused having the absolute right to represent all of the witnesses that are going to be interviewed in the case, certainly undermining the ability of the committee to do its job.

But we are still in the early months of this Congress, and it is not too late to undo the damage that has been done. We can once again have an ethics process in the House that commands the confidence and respect of both the Members of this body and the public.

The first step, Mr. Speaker, is to repeal those rules changes and to affirm that any changes in either the substantive ethics rules or the rules governing committee procedure will be made as they have always been made in the past, only in a deliberative, open and genuinely bipartisan manner.

Mr. Speaker, at this time I yield to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, I thank the gentleman from West Virginia (Mr. MOLLOHAN) for yielding me this time.

I had the opportunity to serve on the House Committee on Standards of Official Conduct for a little over 6 years during some very difficult times for this institution. I remember Speaker Foley calling me and asking me to serve on the Committee on Standards of Official Conduct. It was not a request. I was being drafted to carry out a very important responsibility that we all have. Under the Constitution, we must judge the conduct of our own Members. It is a solemn responsibility. How we go about doing that will reflect on the integrity of this institution, and that is why it is so important that we do it in the right manner and in a bipartisan manner.

Mr. Speaker, we are all human and we do make mistakes, and that is why we need a Committee on Standards of Official Conduct, to give guidance to Members as well as monitor the conduct so the public has confidence that in fact we are carrying out our Constitutional responsibility to judge the conduct of our Members.

For that reason, I thank the gentleman from West Virginia (Mr. MOLLOHAN) for his service on the Committee on Standards of Official Conduct, very distinguished service on behalf of this institution. And I also thank the gentleman from California (Mr. BERMAN), who has devoted much of his time to the ethics work, as has the gentleman from Massachusetts (Mr. DELAHUNT). I thank him for his work on ethics issues. We do not issue many press releases for this work. This is not something Members do because they want to do, it is something Members do because they have to.

Mr. Speaker, I was on the Committee on Standards of Official Conduct when

we had the charges brought against Speaker Gingrich and the so-called banking scandal. Both of those issues were highly publicized, received a lot of attention and were extremely difficult matters. I was one of the four members of this body that served on the investigative subcommittee on Speaker Gingrich. We spent hundreds of hours in deliberations and in preparations. We spent months in work, but we reached a conclusion. We reached a conclusion not because it was easy. We reached a conclusion because we were able to listen to each other. We worked not as Democrats or Republicans. We worked as Members of this body to do what we are required to do, and that is to judge the conduct of one of our own Members, and we reached a unanimous conclusion.

As a result of that particular case, this body thought that we should review the rules under which the Committee on Standards of Official Conduct operates. We thought it was appropriate to review the process that we use. So what did we do after the Gingrich investigation? The majority leader and the minority leader sat down and worked out a process that would maintain the bipartisan reputation of the ethics process and allow a fair, transparent, open process for looking at changes in our ethics rules.

I was named the co-chair of that task force along with Bob Livingston, a Republican, who was named the other co-chair, and we had an equal number of Democrats and Republicans on that task force. We held hearings, and we had witnesses who came before us. Members came before us, and we looked at the concerns that were expressed during the Gingrich investigation about trying to move in a more timely manner to give due process to each Member and looked at ways to streamline the process but still maintain the integrity of the ethics process. That was our charge. We came up with changes, and we did that in a bipartisan vote of our commission.

The only way the ethics process works is if it is bipartisan. We cannot do it just because one side has the votes in the majority. We must maintain the bipartisan manner of the ethics process, including the way we change the rules, if we are going to be able to maintain the integrity of the process and be able to look the public in the eye and say, yes, we are carrying out our constitutional responsibilities to judge conduct of our own Members.

The gentleman from West Virginia (Mr. MOLLOHAN) has gone through the three rules changes passed at the beginning of this Congress on a partisan vote. I want to talk about one, the automatic dismissal.

It was interesting, in 1997, a Member of this body offered an amendment to our rules package and suggested after 180 days there be an automatic dismissal of a complaint, a much more modest proposal than the one ultimately brought forward by the Republican leadership and passed by the membership on the first day of this session by this Congress. That 180-day automatic dismissal was rejected by a bipartisan vote in this body in 1997. The reason was quite simple: We thought it would just add or just bring us to partisan gridlock.

Unfortunately, I think that is exactly what is happening. The first day of this session we passed a rules change that says after 45 days there is an automatic dismissal of a complaint that is brought. So inaction becomes action. There have been many serious issues that have confronted this Nation that have taken us terms of Congress to deal with. For instance, in working on the welfare reauthorization bill, we have been working on that for three Congresses, and we have not been able to pass it. It has taken time. Inaction here becomes action. That is not what it should be and obviously will not have credibility with the public.

□ 2030

Partisanship is rewarded with a deadlock being dismissal. Each of us belongs to a political party. The pressure on us would be immense just to do nothing for 45 days. I think that is quite obvious. And that gets rewarded.

The ethics process must be bipartisan. We should not have a basic rule that rewards partisanship. And then delay is rewarded. Inaction is rewarded, as I indicated. And the complexity of the issues that you have to deal with on the Ethics Committee would give you a practical reason to say, Well, I'm sorry, we couldn't complete it in time and now there's an automatic dismissal.

I think about the Gingrich case that I had to investigate, and I think about the complexities and the documents and the depositions and all the work that we did in that case. You could not possibly have done that in 45 days and do justice to the Member who is accused or the institution that is being challenged as to whether we can, in fact, investigate a case fairly. Yet this rule change will say, if you cannot complete it in 45 days, there can be an automatic dismissal.

So, Mr. Speaker, for all the reasons that the gentleman from West Virginia has pointed out on substance, these rules changes were wrong; but I think the underlining point, the most important point here is the process must be bipartisan. It was violated in these rules changes that were passed at the beginning of this Congress. I urge my colleagues to listen to the gentleman from West Virginia. Let us repeal those three rules changes and go back to a process that has served this institution well over many, many Congresses, a bipartisan process, a true bipartisan process to look at rules of the committee and, if changes are needed, to do that in a bipartisan manner rather than by the strict votes of the majority. I would urge us to do that for the sake of the integrity of this institution.

Mr. MOLLOHAN. I thank my friend from Maryland.

I would like to invite our colleague from California (Mr. BERMAN) to join this discussion.

Mr. BERMAN. Mr. Speaker, I appreciate the gentleman yielding and to the ranking member of the committee, I thank him for involving me in what I think is a very important effort. I think both he and I are not prone to come to the floor on Special Orders, and I think our presence here tonight indicates just how strongly we feel about what is being done to a process that everyone participating in this Special Order has spent a great deal of time on.

If there is a member of the majority or a staff member of the majority watching this, I would hope they might sit back, get past the irritation over any particular action the committee has taken that they may not have liked and think what they have done and realize that what they have done in making these rules changes unilaterally and breaching the fundamental commitment to a bipartisan process, what that ultimately will do and how that will play out in terms of destroying the concept of an effective and meaningful bipartisan Ethics Committee process.

And that notwithstanding the constitutional mandate, we will be left with a situation where the rules of the House and the standards of conduct that we have promulgated and expect Members to adhere to will become essentially unenforceable because of the breach in the commitment to a bipartisan approach to these issues.

For me, that approach means the members of the committee throw aside the question of how the partisan implications of a particular action play out and search for the facts and apply the rules of official conduct and the appropriate standards that have been adopted by this body and apply those to those facts in a fair, objective, and independent way without focusing primarily on the political or partisan ramifications of that.

Both of the previous speakers have spent a great deal of time both talking about the process and developing the rule. When I was asked to become the ranking member of the Ethics Committee, Minority Leader Gephardt told me about this and after a little bit of depression at the thought that I would have to spend a serious amount of time doing this because, as the gentleman from Maryland mentioned, none of us relish this particular job, it is a great deal of time, its direct impact on our own constituents or on the substantive issues we care about is relatively minor. We are here and we have taken this position in the past because of our own commitment to the institution, a very important institution, the House of Representatives, and how the work of that House is going to be conducted.

But when Mr. Gephardt asked me to do it, I said, Dick, I don't want to fight

the political battles and the partisan battles in the Ethics Committee. He says, The reason I am asking you to take this position is because I want to end the Ethics Committee as a place where partisan battles will be carried out. It is my commitment to that process that causes me to ask you to take this position.

With that understanding, I did. And I had the great pleasure of working with three separate Republican chairmen, members of the majority, our former colleague Jim Hansen for the first 2 years, my friend and colleague LAMAR SMITH for the next 2 years, and in the last 2 years of the Congress for the recent chairman of the committee, JOEL HEFLEY. In those 6 years with three different chairmen and a number of different members of the committee, particularly on the majority side, if I can think of two votes, two times where in a disciplinary matter there was a division of the vote, that we did not reach a consensus that was accepted initially by the chair and the ranking member and then by the entire committee, I cannot think of more than two votes.

And on the two times when I remember there being some divided votes, they were not done on partisan grounds; they were done on individual members' interpretations of the facts applying the rules of conduct to those facts.

What has happened here would have been unthinkable during those 6 years, that the majority party would decide to embed fundamental changes in the rules inside the larger House rules package, thereby forcing those rules to be addressed in a partisan fashion and then, without consultation with the minority, without showing the minority what those rules changes were for there to be any possible give-and-take or effort to achieve a consensus, ramming through those changes in the Ethics Committee rules in a way that I will try to establish, as I think both of the colleagues preceding me have, hurt the process and hurt it very fundamentally.

So apart from anything else and even the substantive provisions of these rules changes, the fact that it would be done on a partisan basis, without consultation, without an effort to reach a consensus, without coming from the bipartisan Ethics Committee was a terrible, terrible mistake and shakes all of our confidence in whether this process is even a process we want to participate in.

I say all of that preliminarily just to say that I hope calmer minds and people who put their concern for the institution above their irritation with a particular case will think again about what they have done and convene some process by which we can bring back the comity that has existed, I think, during the gentleman from West Virginia's tenure as ranking member and certainly for the 6 years preceding that when I was ranking member, because I think we will all be better served by that.

I do want to make one other point. This is the only committee in the House that is equally divided between Democrats and Republicans. It was the intention of this committee at the creation of this committee and the formation of this committee that things be done on a bipartisan basis, staff hired on a bipartisan basis, disciplinary matters dealt with on a bipartisan basis, advise and consent. When people want to know interpretations, we approach it without regard to the political and partisan implications of the Member who is requesting or the individual who is the object of the disciplinary investigation.

Going to the rules changes, when former Congressman Tauzin offered an amendment to the ethics task force report which provided automatic dismissal for 180 days, as both my colleagues who preceded me have mentioned, a far more lenient provision than the one adopted at this particular time, our friend and colleague HENRY HYDE said, Why not adopt it? When juries deadlock, the case is dismissed.

But in saying so, he made our point. The judge does not tell the jury, if you don't decide in 2 days or 3 days or any number of days, if you are deadlocked at that point, the case is dismissed. You do not create incentives for people not to decide. With a rule like this in place, the respondent, the object of the complaint, knows that stonewalling ultimately leads to dismissal, that Members of the respondent's political party, be they Democrat or Republican, are now incentivized not to move ahead with the investigation because a certain result is predetermined after a certain number of days, and the kind of collaboration and coordination that takes place between the chair and the ranking member as they come to a determination of whether or not they should seek to create an investigative subcommittee or to ask the full committee to create an investigative subcommittee is over.

There can be many issues in these complaints. Some of them maybe should go forward. Some of them should not. There is a whole process by which staff and the Chair and the ranking member work together to investigate and try to come to a collaborative determination. Either one of them under the rules that have existed have a right to put the item on the agenda if they think there is no further chance at consensus. But the one thing I know is that when you set a time limit, especially a time limit as short as this one, for the automatic dismissal, you are incentivizing those who do not want the process to go forward without regard to what the facts are.

You are incentivizing them to make sure that nothing happens, because the result, the conclusion of dismissal is preordained. It is a terrible mistake. It is an assault on the collaborative process that this committee should operate under and just has to be changed if we are going to really move forward in a positive way.

The second rule that allows the demand of an immediate adjudication is also defective, because by doing so, the respondent can obviate the investigative process and it can be motivated by the same intent, to cut short the investigation, to take away the give-and-take between the parties so that they can come to an agreed-upon statement which should be sent by the full committee to the investigative subcommittee to pursue, weeding out the false complaints or the minor issues, the ones that do not raise substantial questions that the rules were violated, including the ones that do. It is just another way of undermining that process, because you cut short the whole investigation. That preliminary investigation is very important in making this whole process work.

Finally, my last comment is on the collusion rule, where you explicitly allow attorneys to represent more than one party in a matter. Not leaving it to the discretion of the committee, but saying that an attorney has a right to represent a number of the different people being investigated, you are essentially telling the Member of Congress who is the object of a complaint, Go out, hire the lawyer, pay for him to represent anybody on your staff or any of your friends who might be the subject of this investigation as well and approach a common defense which precludes the ability to really effectively ascertain the facts. It is truly a collusion rule. There may be times when it is appropriate for the attorney to represent more than one person involved in the matter, but to give it as a matter of right to the respondent in this kind of a case sets up a dynamic, again, that destroys the ability of the Ethics Committee to function effectively and efficiently.

With all of those comments, they all go to the overarching point: substantively, these rules are a mistake. The way they were done is intolerable. I do not know how one could continue to be part of a process when we have abandoned that kind of comity and bipartisanship that has been a hallmark of this process. The same leadership that decided to do this, I think, in a fit of anger and perhaps in a moment of unbridled passion has over and over again prior to this time reaffirmed their desire to have a bipartisan process as evidenced by the people they appointed and by the way those people proceeded and by the efforts to do everything on a collaborative basis.

And it worked. And it worked well. We did not go crazy going after Members on pointless grounds. We were not a runaway committee. We also, conversely, did not throw evidence of real violations into the trash can and ignore them. Why we would want to alter that fundamental process at this particular point to the damage of this institution, I do not know.

□ 2045

Mr. MOLLOHAN. Mr. Speaker, I want to thank the gentleman from

California and the gentleman from Maryland alike, who, based upon years of commitment to the Committee on Standards of Official Conduct process in the House and lots of experience with different cases and the fashioning of different rules, for their very insightful comments.

I now yield to the gentleman from Massachusetts (Mr. DELAHUNT), a Member who has a very long history, a distinguished career in law enforcement as a District Attorney in his home State of Massachusetts, who in the last Congress served extremely admirably the Committee on Standards of Official Conduct as he was called off the investigative subcommittee pool to review one of the most unusual cases that the Committee on Standards of Official Conduct has looked at. I thank the gentleman for joining us tonight.

Mr. DELAHUNT. Mr. Speaker, I thank the ranking member for yielding to me.

I have to say they have all served this institution well. They provided me with a real history lesson here this evening. I am probably, maybe with one exception, their senior in terms of age, but they carry a wealth of insight and experience in this issue.

What I found particularly interesting was that single experience I had serving on that subpanel in many ways reflected what they each individually came to a conclusion. What I discovered was that it worked. We worked hard, much harder than I anticipated. It was long hours. We brought before that subcommittee a significant number of Members of this House. They fully cooperated, each and every single one of them; and we worked in a bipartisan fashion.

The two Republicans that served on that particular panel, I knew one before and I happened to be a classmate, and the other one I never really had any contact or communication with. And I have to tell my colleagues I was extremely impressed with their concern about this institution, with their professionalism, with their standards and their willingness to work in an extremely collaborative way. It truly was a lesson that bipartisanship exists in this institution, and particularly in the rubric in the format of an ethics investigation is absolutely essential.

We talked about the House today, and we all obviously go back to our home districts, and we hear our own constituents decry what they perceive to be the strident level of partisanship that, unfortunately, does exist today within this institution. But my experience on that subpanel was really informative, that those who love the institution, those who understand that if there is a lack of confidence in the integrity of this institution by the American people that we erode the health, if you will, the viability of our democracy.

It really is a sad comment that, without consultation, in a unilateral move, these rules changes came to the floor and were adopted. Because I think the real issue here will be not just the erosion of the respect of the institution over time, but there will be demands from the outside. There will be a legitimate question posed by the American people as to whether this House can, in fact, police itself, whether we have the capacity to maintain high standards.

If we abrogate that responsibility, not only do we do damage, in my opinion, to this institution, but we chip away at the health of American democracy. People will begin to believe the worst. What is happening in that institution? Are there backroom deals going on? Or is the partisanship so absolutely venomous at this point in time that they cannot work together and there should be some sort of independent group or independent commission that polices those Members of Congress? That would indeed be unfortunate, in my judgment.

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

Mr. MOLLOHAN. I yield to the gentleman from Maryland.

Mr. CARDIN. Mr. Speaker, I appreciate the gentleman from Massachusetts' comments, and I agree completely with his point. The point that all of us who have served on the Committee on Standards of Official Conduct and have gone through investigations understand that when we meet in that investigative setting when we have a specific matter before us and when we start looking at the rules of the House and the precedence of the House, we do not get into a disagreement along party lines as to what the rules are and what the expected conduct is. We then look at the facts, and once again the facts become the facts, and we do not divide along party lines as to what the facts are and how we apply them to the rules, and generally, as the gentleman from California (Mr. BERMAN) pointed out, in an overwhelming number of cases we reach consensus, unanimous judgment, as to what the rules of the House applied to the facts require us to do.

And even when we reach disagreement, it is not along party lines. Sometimes there is disagreement on the interpretation of the rules or the facts, but they are not along party lines.

In every case that I can ever recall in the Committee on Standards of Official Conduct, that is exactly how we proceeded and reached judgment, because of the point that the gentleman said, the seriousness of our work and the credibility of this institution and the confidence of this institution is very much affected by it.

I think what is extremely disappointing is that we now have rules changes that were dictated in a very partisan manner that make it impossible for the committee to function. This is one of the few bastions of nonpartisan activity within the Congress. Now that is unable to operate because of the way the rules changes were made, and I just thank the gentleman for underscoring how important this matter is.

Mr. DELAHUNT. Mr. Speaker, if the gentleman will continue to yield, if I may just pose a question, again there is a wealth of history that I am looking at right here in terms of the issue of ethical standards in this particular institution. Has there ever been before a moment in terms of ethical standards where a unilateral initiative has been imposed on the body without a collaborative effort, without consultation?

Mr. MOLLOHAN. Mr. Speaker, reclaiming my time, I think that is exactly where we are today. There, in fact, has not been such a moment, and we have this process that is offensive in and of itself, that is a serious break with all tradition with the Committee on Standards of Official Conduct when its formation was conducted in a bipartisan manner. The subsequent rules changes, as both the gentleman from Maryland (Mr. CARDIN) and the gentleman from California (Mr. BERMAN) have described in considerable detail because they were involved, all those processes were bipartisan. They brought us bipartisan rules, and they brought us rules that were voted on by the full House of Representatives as a bipartisan package. The process was not offensive. Neither were the rules offensive.

In this case, the process breaks with that tradition. It is patently partisan. The most partisan vote we have in the House of Representative is a party-line vote, and that is a vote that attempts to impose these rules upon the Committee on Standards of Official Conduct, a party-line vote. All the Republicans voting for them; all the Democrats voting against them. So the process is tainted.

So it is no surprise that these three rules are extremely offensive. If they had been fashioned in a bipartisan process, they would have been vetted. They would have been challenged. They have would have been compromised in that task force format, and they would not have come to the body flawed as they were.

When we undertake a partisan process, we cannot create a bipartisan entity. It is definitionally impossible to do.

So now we have three rules. We have had to suffer under a partisan process established to affect a bipartisan committee. But we also have three rules that are terribly flawed.

And the bottom line here is tonight and the message that we want to get across to our colleagues and to the whole Nation is that if we are going to have a bipartisan Committee on Standards of Official Conduct, we have to have a bipartisan process to fashion the rules and to constitute the committee, and we also have to challenge these three rules that are brought to us in a partisan process.

Automatic dismissal of a complaint after 45 days is extremely mischievous to the process. As all of my colleagues have pointed out, rules should exist to

help people do the right thing. An automatic dismissal rule in 45 days incentivizes Members in a highly charged partisan institution to sit on their hands for 45 days and let this responsibility pass to have an automatic. The same sort of undermining is taking place with regard to a rule that will automatically allow an accused to get their lawyer to represent all of the witnesses that the committee is trying to investigate.

The gentleman from Massachusetts was a prosecutor for 25 years or however long it was, and the gentleman, I know, understands how mischievous that would be to an investigative process.

Mr. DELAHUNT. Mr. Speaker, if the gentleman will continue to yield, to be perfectly candid, I think a lawyer who would take on the assignment of multiple representation could very well find him or herself in an ethical dilemma. Because, clearly, not all witnesses have the same interests. So for an attorney to do that really has ethical overtones as well. It just does not make any sense.

In fact, one of the recommendations that came out of the subpanel that I served on was for the House to consider the sequestration of witnesses so that the fact-finding process itself would not be colored by conversations among staff and Members. And, as the gentleman knows, it was a unanimous report, and it was adopted unanimously by the House.

I hear sometimes comments about lack of due process. That is a whole other issue, but I am very proud of that product, as I know my three colleagues were on the subpanel, and not once did an individual's name ever appear in print. Not once. There was not a leak because each of us understood the significance and the importance of taking this unpleasant task on in a role that reflected well on the House and reflected the integrity of this institution.

Mr. MOLLOHAN. Mr. Speaker, the gentleman makes the point that in the case that he worked on, and it is unnecessary to mention it by name, but that his investigative subcommittee, he and his colleagues, did an excellent job. And one of the reasons they did is because they were able to keep that information between the witnesses apart. They were not able to have coordination. Their testimony was not contaminated in that way. And that is why they came up with such a clean, hard decision, which was adopted unanimously by the investigative subcommittee and was adopted unanimously by the full committee.

Mr. DELAHUNT. And we never could have done it, Mr. Speaker, in 45 days. Never.

Mr. MOLLOHAN. Mr. Speaker, I ask the gentleman, how long did it take them to come with that investigation?

Mr. DELAHUNT. I think it was in the neighborhood of 6 months, and there were multiple, multiple meetings.

□ 2100

Mr. CARDIN. I cannot think of any case that we ever had that could have been handled in 45 days. I am just trying to think about the time period for answer, the time period for staff review, the time period just to verify basic simple facts. Even in the simplest case, I do not know of any case that we could have handled in a professional manner within a 45-day period.

Mr. MOLLOHAN. Mr. Speaker, reclaiming my time, exactly. Under the new rules, to be perfectly clear about it, the 45-day period would toll once an investigative subcommittee were appointed. But the point here is that the effort of any of those who did not want to have to fulfill their responsibilities and actually consider the merits of the case, anyone, any party, any five members who had that attitude could simply avoid the question of creating an investigative subcommittee and easily do it. There are two clocks that run when a complaint is filed, a 45-day clock and a 30-day clock to answer it; and then you would have 15 days to actually dispose of the matter

Mr. BERMAN. If the gentleman would yield further, a tremendous amount goes on before it ever gets to a recommendation by the Chair and the ranking member to the full committee to create the investigative subcommittee.

I think of cases where staff had to go to county courthouses to review deeds and a whole series of public records to decide if there was any basis for moving forward. It is true that the staff at that point does not have the power of subpoena and does not have the power to get records that are not in the public domain, but they do have the power to informally talk to people who would have information about this, to look at public records.

You cannot do this in 45 days. You cannot come to a serious recommendation that you are going to make to the full committee, that both the Chair and the ranking member can feel comfortable that they can go to the full committee and say we think now is the time to create the investigative subcommittee, unless you have that preliminary work. Otherwise, you just might as well send everything to an investigative subcommittee.

The flip side of an automatic dismissal is every charge gets investigated, with subpoenas and depositions and seizing of records through warrants, which would be a terrible thing for the due process rights of Members. So we are messing with something we should not be messing with here, and it is going to hurt the institution.

By the way, if this were not part of the larger rules package on an opening day, a very small part in terms of the substantive works, I believe there are Members on the other side of the aisle who would have supported the position we are now taking on the substance of these rules; and I know there were members of the committee that would have fully, both present and former, understood how dangerous these rule changes were.

Mr. MOLLOHAN. Mr. Speaker, reclaiming my time, that opportunity exists with H. Res. 131, the resolution that I introduced on March 1, that is now pending before the Committee on Rules. Last week I wrote the distinguished chairman of the Committee on Rules and respectfully requested an opportunity to testify before the Committee on Rules in support of H. Res. 131, to raise some of the questions that have been so eloquently and capably discussed here tonight.

I think the gentleman's point is very well taken: the rules package was an omnibus rules package. These are three ethics rules embedded in the rules package, so it did not get the kind of visibility, the kind of attention that it would get if H. Res. 131 were brought to the floor of the House. Then we would have an opportunity to fully debate all of these issues and, more importantly, our colleagues, both Democrat and Republican, would have a chance to vote on these discrete rules, understanding how important they are to ensuring a credible ethics process and restoring it to a bipartisan basis.

Mr. CARDIN. Mr. Speaker, if the gentleman will yield further, just as a final comment in answer to the gentleman from Massachusetts (Mr. DELAHUNT), I do not know of it ever being done the way these rules changes were made. We have always had a deliberative process for the reasons the gentleman from California (Mr. BERMAN) and the gentleman from West Virginia (Mr. MOLLOHAN) pointed out, so we have a chance to understand the ramifications of these changes. We have never had significant changes to the ethics rules done on the opening day by the majority without working with the minority.

Mr. BERMAN. If the gentleman would yield on that, the irony was at the time of the greatest anger about committee action, which was the case the gentleman participated in dealing with a sitting Speaker of the House, the response was not then to change every rule that bothered him. It was to create a bipartisan task force to look at the rules, to look at it in the context of that case, to see if anything should be changed. That is the appropriate response if you are upset with the way some particular rule seems to be working at the present time.

Mr. DELAHUNT. Mr. Speaker, if the gentleman will continue to yield, I would say to the gentleman from Maryland (Mr. CARDIN), maybe it is time for you again and the gentleman from West Virginia (Mr. MOLLOHAN) and the gentleman from California (Mr. BERMAN) to serve on a bipartisan task force with that in mind.

Mr. MOLLOHAN. Mr. Speaker, reclaiming my time, let me thank you tonight for overseeing our Special Order. I express special appreciation to

these three distinguished Members of the House, my colleagues, for their participation.

I think this has been an extremely reasoned, hopefully informative and persuasive prayer to the Republican leadership to look at this issue, to take a second look at it, be impressed by the fact that we are not operating in a bipartisan process, and we must if we are going to have a credible Committee on Standards of Official Conduct, and then to look substantively at these three rules, how they undermine, create mischief, make it impossible, really, to conduct the oversight, the ethical oversight of the House of Representatives in a way that will make the institution proud and make us credible to the American people.

SOLVING THE CHALLENGE OF SOCIAL SECURITY

The SPEAKER pro tempore (Mr. DAVIS of Kentucky). Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes as the designee of the majority leader.

Mr. PRICE of Georgia. Mr. Speaker, I appreciate the opportunity to address the House this evening on an issue that is really of utmost importance and urgency. It is something that has been in the news an awful lot over the past number of weeks and months; and hopefully tonight we will be able, along with some of my colleagues, to bring some greater clarity to the importance of this issue, as well as the importance of solving the challenge of this issue, and that issue is Social Security.

As a freshman here in Congress, when I go home I get asked, What are your impressions of Congress? What is going on up there?

I am struck by two things. The first is that we live in challenging times, incredibly challenging times, and there are issues that demand attention and that demand the honest, hard work of the people in Congress on behalf of the citizens of our Nation, and it is imperative that we act. Our constituents demand that we act, and it is appropriate that they should do so.

The second impression that I have is that I could not be more proud to serve with a President who is not afraid to tackle big issues. We have got some incredible issues before us, Social Security being one of them, and this President has put it on the table and said, Ladies and gentlemen, let's work together honestly and sincerely and let's solve this problem.

We had a break at home recently; we were all home for 2 weeks talking to our constituents and our neighbors and friends, and I had the privilege of being with Secretary of Health and Human Services Mike Levitt, who was speaking to a group about Social Security, and he kind of crystallized it, I thought, really very, very well.

He said, There comes a time in history when a problem is large enough to see, yet still small enough to fix.

There comes a time in history when a problem is large enough to see, yet still small enough to fix, and I believe that Social Security is exactly at that stage. The problem is large enough to see, but still small enough to fix.

Let me begin very briefly, and then have some of my colleagues join me. I would like to talk about some principles. I think it is important when we have discussions about public policy, especially on something as important as Social Security, that we stick to principles. I can outline four or five principles that I find to be incredibly important in this discussion about Social Security.

The first one is that it is a promise. I believe and I suspect that the majority of Americans believe that Social Security is not just a government program; it is not just a program that was instituted 70 years ago willy-nilly. It is more than a safety net. It is a promise. It is a covenant with the American people by all of us to the generations of hard-working Americans, and it says that Washington took money from your paycheck, your paycheck, your entire life, and they made a promise to you to return that money upon your retirement. So it is a promise.

The second principle that I think is important to keep in mind is that of generational fairness. It is imperative that we save and that we secure Social Security so that our children and our grandchildren will receive the same benefits that we when we retire will have enjoyed. So generational fairness. It only works when it is fair for all Americans.

The third principle, and this is a tough one in this institution, and I was listening to my colleagues on the other side of the aisle a little bit earlier and sometimes with amusement, but the third, which I am serious about and I believe that all of us should be, is that this issue should not be partisan. It ought not be partisan.

When it comes to the retirement of tens of millions of Americans, there are not Democrats or Republicans. We are all Americans, and those Americans are counting on us to work together and to do what is right for the current generation and for future generations and those just entering the workforce. So it ought not be partisan.

Fourth is that concept of a nest egg. All working Americans deserve the peace of mind that if they live by the rules and they work hard and they live up to their responsibilities, that there ought to be a nest egg available to them, taken from that money that they have so generously put into the Social Security system.

Finally, and we oftentimes find that Washington forgets this, but to all Americans, this is your money. This is your money. It is not the government's money; it is your money. It is your future, and it is your life.

I think if we keep in mind those principles, that it is a promise, that there ought to be generational fairness, that it ought not be partisan, that we ought to concentrate on preserving that nest egg, and, finally, it is your money, that it is Americans' money, we will go a long way towards ending up with the right solution.

I am privileged to be joined tonight by a number of my colleagues who will touch on some issues as they relate to Social Security and their perspective. First is the gentleman from South Carolina (Mr. WILSON). The gentleman from South Carolina (Mr. WILSON) recently returned from that 2-week period conducting over 20 town meetings with constituents regarding Social Security.

When I think of those Members of the House who have the highest level of honor and integrity, the gentleman from South Carolina (Mr. WILSON) is right at the top of that list. In my very short period of time here in Congress, I have come to appreciate him greatly. He is the grandfather of two young boys, and he clearly understands the demographic challenges that are facing Social Security and the need to strengthen the system now.

With that, I yield to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I thank the gentleman from Georgia (Mr. PRICE) for his leadership tonight. It is just a great honor to be here on this very important issue of Social Security and strengthening Social Security, and I appreciate again what the gentleman is doing to bring to the attention, Mr. Speaker, of our colleagues, additionally to the American people, the importance of how we can and why we need to strengthen Social Security.

The gentleman from Georgia (Mr. PRICE) himself is an indication of the leadership in our Congress, and I am so proud. Even though he is just a freshman, he is making such a difference.

I had the extraordinary opportunity in 2001 to be part of the first Republican majority in the State Senate of South Carolina in 124 years, but the gentleman from Georgia (Mr. PRICE) had in 2002 the opportunity to be the first participant in the Republican majority in the State Senate of Georgia in 125 years. Then, as an indication of his leadership, he was elected leader of the State Senate of Georgia, again the first Republican in 125 years. Then he, of course, ran for Congress last year, and is making such a difference.

The reason that we are here indeed to discuss the issue of why we need to strengthen Social Security I believe is very simple: it is demographics. This is not criticism of a political party; it is not criticism of individuals. What we are doing is recognizing something actually very good, and that is that the American people are living longer.

In 1935, when the Social Security system was implemented, the average longevity, the age of what a person in the United States would live, was 59 years old. Today, it is 77.3. I think that is great. It is a testimonial to our health

care, to the health care delivery system, to the physicians of our country, to the living standards of the American people.

□ 2115

I had the opportunity to bring this to the attention, as the gentleman from Georgia (Mr. PRICE) has indicated, to 20 town hall meetings recently: the Residence Hall Association of the University of South Carolina, to the Latin American Council of Beaufort County, to the Aiken County Chamber of Commerce, to the employees of Palmetto Electric Coop. Everywhere I went, and I spoke at Estill High School, Hampton High School, everywhere I went I was able to bring to the attention of people of all ages that, due to demographics, we need to make changes and address the concerns that we have with people living longer.

Then, of course, we had the circumstance back in 1935, there were 40 workers who paid into the system, and then there was one beneficiary. Back in 1950, that changed, of course, and there were 16 workers to a beneficiary. Currently, there are 3.3 workers to a beneficiary; and soon there will be just 2 workers to a beneficiary. That clearly indicates we need to strengthen and reform the system.

As I look at what we are doing, it is very frustrating to me that many people seem to indicate that, because the crisis is not going to come about until the year 2041, that it really does not impact people and maybe we do not need to address and make the changes that are necessary. But I need to tell my colleagues, I understand perfectly that in fact it affects everyone in this room, it affects our families.

I appreciate the gentleman from Georgia (Mr. PRICE) pointing out my grandchildren, but even before the grandchildren are impacted, it really affects persons such as me, the baby boomers of America.

Beginning in 2008, there will be 78 million people retiring; and what is going to occur is that, beginning in 2008, the number of retirees is going to dramatically impact and affect the Social Security system. In fact, it will go bankrupt in the year 2041.

The year 2041, that seems so far away. I am very hopeful. I would be 93 years old. So I have to tell my colleagues that that is maybe highly unlikely that I could be around. But a dear friend of mine, Austin Cunningham, who introduced me as I made a presentation like this one to the Orangeburg County Rotary Club, is 92 years old. So I really hope that I am there.

But that would be catastrophic for those of us as baby boomers if Social Security goes bankrupt. At the age of 93, we cannot begin second careers. There will not be other jobs. We need to address it.

Then I need to tell my colleagues that I am really proud that our oldest son, Alan, just returned from Iraq. He is 31 years old. That is significant, 31 years old, because 36 years from today, he will be 67. He would be retiring. The moment he begins to retire, July 16, 2041, the Social Security system would go bankrupt. That is outrageous.

I am very proud of Alan. This is a picture of where he returned to Fort Stewart from a year serving in Iraq.

So our veterans of Iraq in the war on terrorism, protecting the American people, they are working to protect our country. We need to look out for young people like Alan, 31 years old, who would be catastrophically affected.

Then, of course, my grandchildren. I am very proud, because this week I was with my 2-year-old at the South Congaree Rodeo Festival, and here he is in his little cowboy hat. Little Addison would be 37, 38 years old when our system will go bankrupt. Our newest born grandchild, born just this January, will be 35 years old when the system goes bankrupt. That would be catastrophic.

My grandchildren, our grandchildren, these young people would be affected with an enormous tax increase that would be totally debilitating to their best years of earning, so debilitating to their ability to truly fulfill what we want as part of the American dream.

So I want to thank my colleagues who are here tonight. I want to thank the gentleman from Georgia (Mr. PRICE) for his leadership, and I want to thank President Bush for his courage to point out that this is an issue that needs to be addressed now. It needs to be addressed for the baby boomers, it needs to be addressed for the young people who are in their 30s, high school students, college students, infants who were just born. We need to address this, and I know my colleagues tonight will be presenting to the American people how important this is.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentleman from South Carolina (Mr. WILSON). He is absolutely right about the President, with his courage and leadership. The easy thing in this issue is to do nothing.

Mr. WILSON of South Carolina. That is right.

Mr. PRICE of Georgia. That is the easy thing to do. Because there are a few years where people are not going to feel it, they are not going to feel that pain, but the gentleman from South Carolina so vividly brings a face to that by presenting his son and his grandchildren, and I appreciate that very, very much.

I would like now to yield to the gentleman from Texas (Mr. CONAWAY), another fellow freshman who is the father of four grown children and a grandfather to six. He has demonstrated remarkable leadership in his 3 short months in Congress with me, and over the break he conducted 15 Social Security town hall meetings in his district. He brings excellent expertise to this issue, because he is a CPA and a small business owner and former chief financial officer. He truly understands the financial impact that a failing Social Security system will have on his children and his grandchildren and all of us.

So I thank the gentleman, and I yield to him to discuss this issue.

Mr. CONAWAY. Mr. Speaker, I appreciate that.

I, too, want to add my thanks to the gentleman from Georgia for hosting this hour tonight and for going to the lengths that he has gone to gather us together to talk about this very important issue. Had I realized that we could use grandchildren as props as the gentleman from South Carolina (Mr. WILSON) did, I would have brought pictures of mine, because I want to make reference to my six wonderful grandchildren in a few minutes. So the gentleman from South Carolina, as always, has set a very high standard for discussion in this Chamber.

Over the last several weeks at least, I have on occasion caught glimpses of a television commercial that I have found very troubling as we try to discuss and talk about this very important issue of Social Security reform. There is an organization out there that has a commercial running that talks about a clogged drain, a household drain, and they use that as a comparison to the problems and challenges that we face with Social Security.

On its face, it is ludicrous to compare a normal, everyday occurrence of a clogged drain, one that you fix out of your normal operating budget and one that just happens all the time, to the very difficult-to-solve problems that we face with Social Security. We cannot fix those out of our normal operating budget, the normal budgetary process, the problems that we have where in 2017 we will begin to run a cash flow deficit. That means that the payroll taxes that we collect each year will be less than the benefits that we pay out. So at that point in time, we will begin to have to use the surpluses that have accumulated in Social Security. That means that we have to borrow the money in the open market to redeem those IOUs, or we have to cut spending, Federal spending in other areas to make up for that cash flow.

So a very significant problem is coming in 2017.

Then, in 2041, we will have paid back, paid out in benefits all of the accumulated surpluses that are in the Social Security trust; and, at that point in time, current law, as it currently exists, says that the beneficiaries in that date, in 2041, will experience an immediate 27 percent haircut in their benefits. So a clogged drain and a cash flow deficit in 2017, a system that is bankrupt in 2041, a 27 percent haircut in benefits, that is a misplaced analogy if I have ever heard one.

Then this commercial goes on to say that the solutions are like tearing down the house, and they have a bulldozer that runs through this house and destroys it totally. Well, as I look at the reforms that are being talked about, every time any of us talk about

it, whether it is the President in his crossing this country back and forth, trying to convince the American people that Social Security reform is something that we ought to be about today, the first thing out of his mouth, the first thing out of yours I suspect at our town hall meetings, the first out of mine, is that current beneficiaries, my mom and dad, this is not about you. We have made you promises. You are getting your Social Security benefits. You will continue to get your benefits no matter what happens. No matter what we do, we have made those promises and we are going to keep those.

Near-term beneficiaries, folks in the 55 and up bracket, if that is where we decide to draw the line, it is not about you either. Your benefits will not be affected.

And reforms that affect our grandchildren, my six and the grandchildren of the gentleman from South Carolina (Mr. WILSON), to say, look, if we think Social Security is good for my mom and dad, it is good for me, then we believe it is good for you as well. So we are going to put reforms in place for our grandchildren.

So those are the reforms that this organization equates with tearing down the house and, in effect, destroying Social Security. Again, a misplaced analogy. I do not think it is helpful to the discussion. I do not think it is helpful or adds to the effort that the gentleman from Georgia (Mr. PRICE) talked about. The gentleman is right. This is not a partisan issue.

The solutions that fit Social Security do not wear jerseys. They do not wear a Democrat jersey. They do not wear a Republican jersey. So to simply fill up the airwaves with conversations and discussions that are not productive, that are not about fixing the system; I am from west Texas. We leave off the ''G'' on the word ''fixing'' often. So, to the stenographer, there is no ''G'' in the word ''fixin','' is counterproductive to this entire process.

So I want to add my voice to trying to bring this organization to the table.

Part of our frustration is that we cannot get folks who are opposing Social Security reform to actually begin to sit down and have conversations with us in our inside voices to talk about what these solutions ought to be.

So I am going to send a letter out tomorrow to the leadership of AARP, the American Association of Retired Persons, and it reads like this:

''Dear leadership: I write today not only as a Member of Congress, but also as a member of your organization and a grandfather. We all know that the debate over Social Security has become very political. However, I strongly believe that this program deserves to be considered above the fray of partisan politics. I am calling on you today to help craft a solution to the problem we are facing.

''I am a CPA with experience in banking, health care, and the oil and gas industry. I was a small business owner and have lived in west Texas nearly all my life. Since arriving in Washington, I have been disappointed by the political partisanship that has inhibited a substantive and honest debate on Social Security reform.

''It is time to set aside partisan differences and come to the table to seriously address Social Security reform. We must have an open debate that is free of political rhetoric and emotion and, with your cooperation, we can at least begin that discussion.

''The best way to address this problem is first to agree about the facts:

''Social Security is safe for today's seniors, but is in serious danger for our children and grandchildren.

''Social Security is a pay-as-you-go system with today's workers paying to support today's retirees. In just over a decade, the government will begin to pay out more in Social Security benefits than it collects in payroll taxes, and shortfalls then grow larger with each passing year.

''Without changes, Social Security will be able to pay 100 percent of its current benefits until 2041 when Social Security will be forced to cut benefits by at least 27 percent.

''This is an issue of generational fairness and the preservation of a promise made in 1935 to future generations of retirees. This vital program shouldn't just be safe for those who are over the age of 55, it should be an equitable and viable program for our children and our grandchildren.

''After reviewing the facts, it is clear that the current system cannot be sustained. When looking towards a solution, we all agree on two major points: benefits for individuals ages 55 and older should not change, and that Social Security needs to remain solvent for all future generations. Let's use this as a starting point for discussion that moves us closer to crafting a common sense solution that fixes the problem and does not simply place another Band-Aid over it.

''The Federal Government has collected hard-earned tax dollars from American workers and used them in a system that is on the path to bankruptcy and yields little return. We cannot idly stand by and allow such a looming financial problem to become a crisis. Every year that we wait and do nothing, it will cost the American taxpayer approximately $600 billion.

''I have six wonderful grandchildren. What kind of a grandfather would I be if I asked them to mortgage their future retirement security on a system that cannot sustain itself? I think the millions of grandparents who make up the membership of AARP would agree with me on this. We must act now.

□ 2130

''Social Security is a contract with ourselves. And that is a contract that we cannot and will not breach. Please, let us not make a partisan issue out of retirement security for our seniors and future generations of retirees.

''I would like to extend an invitation to the four of you that are addressed to discuss all of our options, including permanent solvency and some form of personal retirement accounts in dealing with the future of Social Security. I call on you today to set up a meeting with several of my colleagues to begin discussing these issues. I look forward to working with you.''

I would say to my colleague from Georgia (Mr. PRICE), this letter will go out tomorrow to the leadership of AARP. I suspect there are other letters similar to this that have gone to this very influential organization that has millions of members, most of whom we look straight in the eye when we talk about Social Security reform and we tell them in as clear and convincing a voice as we can, fixing Social Security is not about your benefits.

Those promises have been made. We are collectively going to keep those promises. The solutions that we are talking about are about my grandchildren and your grandchildren and making sure that Social Security is in place, that lifetime benefit, that lifetime annuity that protects all of us in our retirement years.

So I thank the gentleman for his leadership tonight and bringing this issue to the table.

Mr. PRICE of Georgia. I thank the gentleman from Texas (Mr. CONAWAY) for his comments. I appreciate that. And that letter really just gets to the heart of the matter. I hope to see that letter in their newsletter. They ought to be sending that kind of information out to their members because, as he said, it really is a disservice when the level of discussion about something so incredibly important sinks to these little games that are played that are not productive and that frankly do a disservice to our Nation and to its citizens. So I thank the gentleman for his participation this evening.

Now I would like to ask the gentlewoman from Virginia (Mrs. DRAKE), another stellar member of the freshman class who is going to join us. She is a Realtor and former State delegate from Virginia. As a former small business owner herself, she is extremely familiar with the positive impact protecting Social Security will have on millions of American families and small businesses. And I yield time to the gentlewoman from Virginia as she consumes.

Mrs. DRAKE. Mr. Speaker, I appreciate the opportunity to be here this evening and to speak to Americans about such an important issue as Social Security.

Mr. Speaker, protecting Social Security for future generations is an investment today's generation can no longer wait to make. My colleagues who I have joined here tonight to speak with on this important issue have very effectively made the case for protecting Social Security. Rather than to repeat their arguments in favor of reform, I would like to address a common argument against what we propose.

One argument about taking on the huge task of saving the Social Security system is what opponents to reform call the ''transition cost'' associated with the undertaking. They say our program will not make Social Security more solvent. They say it will cost more to reform Social Security than to just leave it alone.

Opponents of reform are right to be concerned about the cost of action. As stewards of the tax dollar, Congress must be fiscally responsible and spend wisely on programs that work. But that is exactly why we need to act now, because the cost of inaction is even greater.

Think about it this way: more Americans own their homes today than ever before in our history. We have all heard this a number of times, and many economists like to use homeownership as a gauge of our society's well-being.

But why? Why is homeownership such a badge of honor? What does it symbolize? Why is such a huge investment and financial liability as a mortgage considered a hallmark of success in this Nation?

It is because ownership brings a sense of fulfillment, a sense of identity and accomplishment. Providing for and protecting your family under a roof you call your own is part of the American Dream because family is at the very heart of our culture.

But buying a home requires an initial, even painful, investment, down payments, closing costs, loans, research, contracts signed, contracts lost, and even more. It requires sacrifice to buy a home. But it is universally recognized as a wise, sound decision to make because of what it yields over time.

As a former Realtor, I know firsthand the benefits and joy of homeownership. And I know what it takes to achieve it, because I have helped thousands of people to do it. I am aware of the cost of buying a home, but the long-run advantages of paying such a high price at the beginning far outweigh the disadvantages.

And, Mr. Speaker, not once in my entire real estate career, which spanned 2 decades, did I ever hear it advised that the transition costs of homeownership outweigh the benefits of buying. And that is how we should think of the transition costs of protecting Social Security, just as we do the down payment on a new home. While the down payment may be high and more expensive than continuing to rent an apartment, the long-term pay-off of owning your own home is monumental.

Mr. Speaker, we can no longer afford to rent the Social Security program from future generations of workers who will either lose massively in benefit cuts or pay dearly through tax hikes if we do nothing. We must make the down payment now or face the consequences of our inaction.

The Social Security trustees, as the gentleman from Texas (Mr. CONAWAY) has pointed out, estimated each year that we do nothing we add $600 billion to the cost of reform, reform that everyone agrees is inevitable. Call it what you want. Call it a crisis, a problem, an issue, a concern. Whatever language you use to describe the Social Security situation that America faces, we cannot afford in this time of war and budgetary constraint to add $600 billion each year. Something must be done, and it must be done today.

But if we do not act, the current Social Security payroll tax of 12.4 percent will have to skyrocket to 18 percent in order to meet the needs of the baby boomer retirees.

As a former small business owner, I can tell you, based on my experience, and at times it was tough, that paying 12.4 percent into a system that will return me 1.6 percent on the dollar was very, very difficult. I cannot imagine trying to own a small business in the future and having to pay an even higher payroll tax. Yet this is what will happen if we do nothing.

If we leave the system alone, small businesses, the Nation's number one job creator, will pay the price. If we do not act, today's average 30-year-old will see a 27 percent decrease in Social Security benefits by the time that she retires.

Can your children get by on almost a third less of what retirees are receiving today?

Do they think it is fair to them to fund the retirement of today's retirees through their payroll taxes, only to be left high and dry when their golden years approach because their leaders did not act?

Would they not prefer to build their own nest egg and pay into a system that gives them real returns on the money for which they work so hard?

And finally, for the very first time, there will be such a thing as a Social Security trust fund. As of now, it does not exist. It never did. Every cent that is paid into Social Security goes straight to Washington, and what is not paid to the current retirees gets spent by Washington. That is the end of the story.

Make no mistake. Today there is no such thing as a Social Security trust fund. But now, for the first time ever, this Republican Congress wants to create one. We seek to implement a savings program that finally ties the taxes paid by an individual to that individual's future benefits.

For the first time, money that you pay into Social Security will belong to you and not to the politicians and bureaucrats in Washington. This is truly an American program. It promises real returns on the money hard-working Americans pay into the system; and it says, the money you have paid is yours to keep and yours to spend on your family.

For the first time, Americans will have some control over their own Social Security. And if today's workers who choose to sign up for personal accounts die prematurely, the money they divert into their personal accounts does not go away like it does today. It will remain with their family. It will be a true nest egg, an asset that is owned by that worker.

We must add to the retirement security of future generations by allowing them control over their own investment. By permitting people to voluntarily establish personal accounts, we strengthen the control they have over their own financial future.

By reforming Social Security now, we stop the $600 billion yearly cost of inaction and allow current workers to own their own nest egg.

Mr. Speaker, it is time to act. It is time to put aside partisanship. It is time to work together to solve the problem that Social Security soon will be if we do not act. Let us put aside our differences and vote on a plan that will save Social Security for future generations.

Mr. Speaker and my colleague from Georgia (Mr. PRICE), I think it is very exciting for Americans to have a choice to have an option to have a voluntary personal account, and I am only sorry that I do not personally qualify for that.

Mr. PRICE of Georgia. I thank my colleague from Virginia (Mrs. DRAKE). My goodness, she brought such clarity to this issue in her explanation there, and I really appreciate that. I also have used the analogy of refinancing a home, a home mortgage to kind of bring clarity and focus on what it is that we must do, we must do as a Nation. And so I appreciate her bringing that perspective to us.

I also just was struck as she was talking. You know, the other side seems to think that if we do not do anything, it costs nothing. Well, that could not be further from the truth. So I really appreciate her participation, and I thank her ever so much.

Mr. Speaker, I think what you have seen this evening initially with the discussions of the gentleman from South Carolina (Mr. WILSON) and the gentleman from Texas (Mr. CONAWAY) and the gentlewoman from Virginia (Mrs. DRAKE) on the issue of demographics and on the demand or the need for honesty in this discussion and the concern and the clarity with which the gentlewoman from Virginia (Mrs. DRAKE) talked about these transition costs as they are described, that they are bringing about those principles that I talked about: that it is a promise; that it is important that we make certain that generations are treated fairly; that this ought not be partisan; that there is a nest egg there; and that it is your money. It is America's money. It is not the government's money.

As I was, over the past couple of months, looking into this issue regarding Social Security, I always try to figure out where it all began, where is the fundamental problem, but also what are other folks saying on this. And I came across some interesting quotes I would like to share with you. The first

one, I think, gives a great perspective on the issue of Social Security. I am a child of the 60s; and so when I grew up, President John F. Kennedy, I remember clearly the manner in which he was able to convey his passion to our Nation and to focus our energy. And he recognized back in June 1961, regarding the issue of Social Security, he said, a Nation's strength lies in the well-being of its people. And the Social Security program, remember, this is 1961. The Social Security program plays an important part in providing for families, children, and older persons in time of stress. But it cannot remain static. It cannot remain static. Changes in our population, in our working habits, and in our standard of living require constant revision. Constant revision. It cannot remain static.

Well, what has happened to our program? It has remained static. There have been no fundamental changes to our situation as it relates to Social Security. So I am fond of telling folks that our current situation is a result of demographics, the aging of our society, but also to inertia. There is an inherent inertia in government at all levels to do nothing, that it is easier to ignore a problem than it is to fix a problem. That is not only true at the city council level, where it is easier to keep the collection for garbage on the same days, even though it might work better to do it in a different manner.

But it certainly is true here in Washington where we have big issues like Social Security. It is easier to do nothing. And that is why I am so proud again to serve with a President who understands the importance of tackling this issue head on.

□ 2145

When we think about Social Security, remember the program that President Kennedy said cannot remain static. I had my staff look up what kind of things were going on 70 years ago when the program began. Social Security is 70 years old, 70 years old. There has been a little tinkering but no fundamental changes, and the world has changed significantly.

Seventy years ago we were in the midst of the Great Depression. Seventy years ago FDR was our President. Babe Ruth hit his last three home runs in one game, setting the record at 714 career home runs. Seventy years ago, Elvis Presley was born. A 1935 sedan cost $495 brand spanking new, and a modern six-room house sold for $2,800. Seventy years ago, Parker Brothers released the board game Monopoly, nylon was discovered, and the construction of the Hoover Dam was completed. Seventy years ago was a long time ago, and the world has changed, and our population has changed.

I think it is clear that when Social Security began it was a wonderful program. It was first designed for a different generation and for a different America. There are really at least four specific facts that convinced me when I began looking at this issue that the old system, the current system, is no longer workable for our society and it is no longer secure.

The first is, as the gentleman from South Carolina (Mr. WILSON) mentioned, is that our Nation has matured from the time that men were the majority of the workforce and the life expectancy was about 60 years old. Today, in the majority of households, both men and women are working; and our life expectancy is significantly over 70 years of age. We are living longer and healthier lives, and that trend is only going to increase, and that is very good for all of us. But it is not good for our Social Security system.

We have seen this demographic before. This gets to the issue of the second thing that convinced me that we have got to modify and reform the system, and that is the issue of the workers. We are in a pay-as-you-go system, which means that today's workers pay for today's retirees. And when the system began in 1935 or 1937, there were 41 workers for every retiree. In 1950, there were 16 workers paying in for every beneficiary, every retiree. Today, there are 3.3 workers for every beneficiary or retiree; and in a very short period of time there will be two workers for every retiree. That is the system that cannot sustain itself. We are on an unsustainable course.

The third issue that led me to believe and understand and appreciate that we have got to reform the system is what I call the 2008 phenomenon. 2008, what happens in 2008? Well, this graph you may have seen. In the year 2008, these are the surpluses. This is the amount of money coming into the Social Security system. In 2008, the surpluses peak, the surpluses peak and begin to decrease. And at the same time the baby boomers begin to retire. That large group of individuals in our population, me being one of them, in 2008 they begin to retire.

The baby boomers started in 1946. The average age of retirement is 62. You take 1946, you add 62 to it, 2008 and they begin to retire. 2008 is not a long way off. It is right around the corner.

Finally, fourth, if you think about the system that we have had in place for Social Security, again it is a pay-as-you-go system, so the current workers pay for the current retirees. When there were lots of workers, there was more money in the pool for retirees. But what has happened? What has happened when we get down to that area where we have got 3.3 workers and then soon 2 workers for every retiree, the amount of money that is being returned is, frankly, an embarrassment.

When the system started, people got much more money than they put into the system. Now it takes years and years for individuals to get the amount of money back that they just put into the system. In fact, most individuals are getting less than 2 percent return on the money that they put into Social Security. Less than 2 percent. That is not a nest egg. That is not secure. That is not enough to retire with security.

There was an article that came out today that I think brings clarity to that, and it is by Stuart Butler, who is a renowned and noted economist, Vice President for Domestic and Economic Policies at the Heritage Foundation. And let me just share with you a couple of paragraphs from this article. It was entitled, ''The Social Security Crisis Gets Personal.''

In this article dated today, April 12, 2005, he stated that, ''As the Social Security system itself has aged, payroll taxes have grown relentlessly and the return on those taxes has fallen dramatically. When Social Security began the payroll tax was just 2 percent of income. Now it is 12.4 percent. Today, the average male worker about to retire will typically get just 1.27 percent return on his lifetime of taxes, less than he would get from a savings account. That is bad enough, but the younger you are the worse it will get. A 25-year-old worker can expect a return of minus .647 percent.'' He loses money.

Here is the kicker right here. ''Imagine what Congress would say if a private company was taking in billions of dollars from millions of hard working Americans and then giving them back less money in retirement.'' Well, you can imagine what Congress would say.

So we have got more retirees, fewer workers, and less money. All of these facts, and facts are the same regardless of whether you are a Republican or a Democrat, all of these facts do not paint a pretty picture.

It is incumbent upon us here in Congress to put the security back in Social Security. There was a time when our friends on the other side of the aisle agreed, and we did a little work and came up with some quotes from individuals. These are actual quotes, actual statements from some very prominent individuals on the other side of the aisle when they appreciated or they admitted that they have appreciated that there was indeed a problem in Social Security.

This is a quote from President Clinton in February of 1997, 8 years ago, February of 1997. ''For the long-term health of our society, we must agree to a bipartisan process to preserve Social Security and reform Medicare for the long run so that these fundamental programs will be as strong for our children as they are for our parents.'' Clearly identifying one of the principles I spoke about.

Here is a quote from President Clinton in February of 1998. ''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, all of them are threatened by the looming fiscal crisis in Social Security.''

Now there has been some discussion about whether or not we have a crisis or a problem or it is a challenge. This

is 1998, 1998, President Clinton saying, ''threatened by the looming fiscal crisis in Social Security.'' Clearly, President Clinton understood the issue at that time.

Here is a quote from the late Senator Daniel Patrick Moynihan in March of 1998, talking about the issue of Social Security and investment, these personal retirement accounts, voluntary personal retirement accounts. ''Young people, especially, have lost faith.'' He is talking about the Social Security system. ''They wonder why they cannot take care of their own retirements with stock and bond investments, rather than trusting a system that either is headed for bankruptcy or will provide paltry or negative returns on their contributions.'' Another august individual from the other side of the aisle who certainly appreciated the problem.

And then Senator HARRY REID. He is now the Minority Leader in the United States Senate. In February of 1999, he said, ''Most of us have no problem with taking a small amount of the Social Security proceeds and putting it into the private sector,'' these voluntary personal retirement accounts that we have been talking about.

They recognized the issue. If they recognized the issue in 1997 and 1998 and 1999, what is the solution? What is the solution that they have put on the table? What are they offering to this remarkable challenge that we have as a Nation?

Well, a little earlier I talked about the initial impressions that I have had in my freshman term here in Congress, and one of the things that may not surprise anyone is the remarkable level of partisanship. Remember I talked about the need for this to be a nonpartisan issue, but the incredible level of partisanship and nowhere is it more clear than on the issue of Social Security. The Social Security problem is clearly defined, and there is a clear recognition by both Democrats and Republicans as demonstrated here that we need to fix the system. Yet where is the plan from the other side of the aisle? What is the plan that they have on the table?

Well, we searched and we searched and we searched and we searched. And this is the plan that we have come up with. This is the plan that the other side of the aisle in this incredibly important issue, in an issue that will impact every single American, this is the plan that they have on the table.

Just say no. Just criticize. It is politics as usual. It does such a huge disservice to us as a Nation and to every one of their citizens. So we should act now. There is no doubt about it. We should act now.

The Social Security trustees, the Comptroller General of the United States, 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 individuals and their families.

One of the individuals who works in my office just this past week got her Social Security statement, her Social Security statement that each of us get each year, and I was reading through the text of what everybody receives from the Social Security administration about their Social Security. And it clearly says and I urge every American to read the fine print when this comes to your home. It says from the Social Security Administration, ''Unless action is taken soon to strengthen Social Security, in just 14 years we will begin paying more in benefits than we collect in taxes. Without changes, by 2042 the Social Security trust fund will be exhausted. By then the number of Americans 65 or older is expected to have doubled. There will not be enough younger people working to pay all of the benefits owed to those who are retiring.''

This is not an opinion by anybody on my side of the aisle or the other side of the aisle. This is the Social Security administration who is looking at the numbers, seeing what kind of revenue is coming in and what is going to happen and warning each and every one of us, further, that there will be enough money to pay only about 73 cents for each dollar of scheduled benefits.

So I had the plan from the other side of the aisle. This is their plan. If you wanted to put a face on it, if you wanted to draw it on a graph, that plan is this graph. What this says is that we go along and go along and go along just as we are doing now until we get to that date, 2041, when the bottom falls out of the system and individuals are only able to receive 73 or 74 percent, which is a 26 or 27 percent cut in benefits.

I promise you that that is not acceptable. It certainly is not acceptable to me. It is not acceptable to our side of the aisle, and I do not believe it is acceptable to the American people. So it is a promise. This issue ought to be nonpartisan. We ought to get together, and I urge my colleagues to do so. There needs to be generational fairness so that younger individuals have faith that some of the money certainly that they have put into the system will be able to grow and be able to provide for their nest egg.

Finally, it is your money. It is Americans' money. It is not the government's money. It is your money. These ought to be our principles, and we should focus on the facts, study the issue and alternatives that are available to us, vigorously debate, both sides of the aisle vigorously debate and then act. It is imperative that we move forward with this because, as we have heard, every year we delay costs this Nation, costs the American public, costs you $600 billion.

Social Security is a system that has worked for decades and for generations, but the current system is outdated and does not meet the needs of the American people. It is not secure.

We have a wonderful opportunity right now. Right now, imagine the peace of mind that you would have knowing that the contributions that you make each month into Social Security will result in a nest egg for your retirement that you own and that no one can take away. That is my vision and that is my dream and I hope that you share that.

□ 2200

In closing, Mr. Speaker, I urge my colleagues and I ask my colleagues to take the time now, take this time now and let us get to work. We all look forward to the discussion that is coming about on this issue, but I am hopeful that we will remember those principles, that it is a promise and ought not to be partisan and to keep in mind every single generation and be fair to them. Remember that nest egg that must be maintained for security and that it is American's money, it is not the government's money. If we do not act now, that would be the height of irresponsibility, as with saying that there is no problem or that little needs to be done.

So I urge this House, I urge the Senate and I urge the President to work together and I congratulate the President for bringing this issue forward to find a responsible and a secure solution.

HONORING THE LIFE OF FORMER CONGRESSMAN WILLIAM LEHMAN

The SPEAKER pro tempore (Mr. FORTENBERRY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, I would like to thank the Members of the House and also the Democratic leader for allowing me to have this time tonight.

GENERAL LEAVE

Mr. MEEK of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the life of Congressman Bill Lehman, the subject of my Special Order this evening.

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

There was no objection.

Mr. MEEK of Florida. Mr. Speaker, a few weeks ago, a great man who served in this House for 20 years went on to glory. On March 16, 2005, former U.S. Congressman Bill Lehman passed away peacefully in the presence of his family and a few close friends in Miami, Florida. He was ninety-one years old, and for 20 of those years he served in this great institution, the U.S. House of Representatives.

We are here this evening to pay tribute to Congressman Bill Lehman who served with great dignity and integrity, who the Miami Herald described as a ''legendary figure in south Florida politics considered a visionary on racial issues and public transit.''

Only three people have ever served in the 17th Congressional District of Florida, former Congressman Bill Lehman,

former Congresswoman Carrie Meek and myself, Mr. Speaker. For this reason, it is a great honor for me to honor him today.

By any measure, Mr. Lehman was an extraordinary man. He was a successful businessman who went back to college, got his teaching degree and taught in the Miami Dade County schools. He also was a school board member and a chairman of the school board, and he led his school system through a very difficult time, the end of segregation in schools.

Congressman Lehman was a Member of Congress universally known for fairness, kindness and compassion. He had strong relationships on both sides of the aisle and guided national transportation policy through the 1980's.

Congressman Lehman started out as a used car dealer in Miami, and his nickname was ''Alabama Bill'' because Congressman Lehman was born in Selma, Alabama, and I think that it was very appropriate at that time for him to be in leadership, but he was a special kind of businessman even then. He developed a reputation as a used car dealer that you could trust, and that is something that is very uncommon these days, Mr. Speaker.

My constituents still tell stories about ''Alabama Bill.'' One person said that he bought a car from Mr. Lehman but the battery died a few days later after he drove it home, and for Mr. Lehman, the solution was very easy, give him a new battery, something very common.

Another person told the story of how she wanted to go to the prom with her boyfriend, but because they did not have a car, Mr. Lehman thought that it was fit for him to lend them a car for the evening. This was a very common man, but a man who walked softly and was a giant in this Nation.

Mr. Lehman's customers were loyal and he never forgot them. Once at a town hall meeting as a Congressman, a constituent showed up and said that he bought a car from Mr. Lehman 35 years ago. He asked Mr. Lehman, ''Do you remember me?'' Silence fell over the crowd as the two men looked at each other, and Mr. Lehman said, ''Your name is Willie,'' and the man said, ''No, that was my brother.'' Mr. Lehman remembered them both, and he had a great memory and that is something we do not see common in public service.

Mr. Lehman had a restless mind and could not be confined to business. His IQ was high enough to qualify him for membership in Mensa, a society formed in 1946 to promote intelligent exchange between very bright people. Mr. Lehman said later that he went to a few meetings of Mensa but soon stopped because he found the people there very boring.

So, after he got his business started, he went back to college and earned his teaching certificate and became an English literature teacher in the Miami Dade public schools. He would often quote Shakespeare and other English writers in his talks.

His foray into education led him into an interest in school politics. He ran for the school board and won, the first of an unbroken string of electoral victories at all levels of government.

Later, he would become the school board chairman, just as the Federal courts ordered busing to end racial segregation in the Miami Dade County schools.

Mr. Lehman described attending meetings of parents so angry that he had to have police guards escort him in and out, but his personal courage and his uncanny skill at easing tensions helped him win the day and the schools were integrated.

In 1972, the rapid growth in south Florida led to a new congressional district which was Congressional District 17. Mr. Lehman ran for it. Seven Democrats ran for that seat, and nobody ever gave Mr. Lehman much of a chance because he insisted on supporting busing to end racial discrimination in schools. But he came in a surprising second in that election against a well-known front runner and came in a surprising first in the run-off election that followed.

Bill Lehman started out as a member of the House Education and Labor Committee, but his work in Congress is most closely associated with his service on the House Appropriations Committee, his chairmanship of the Transportation Appropriations Subcommittee and his membership on the Foreign Operations Appropriations Subcommittee.

As a member of the Foreign Operations Appropriations Committee, Mr. Lehman used his position to help improve the lives and relieve human suffering throughout the world.

An example is his work in 1980, when the flood of hundreds of thousands of Cuban refugees, known as the Mariel Boat Lift threatened to overwhelm all of south Florida. Financially, Mr. Lehman managed to get $100 million in Cuban refugee resettlement aid included in a foreign aid bill, only to see it later stripped from the legislation. Mr. Lehman did not give up then. He tried for the refugee money again and again until finally it got included in another bill.

Today, a whole generation of Cuban Americans who came to seek freedom in this country owe Bill Lehman for looking out for their needs when they first arrived in this country.

In 1988, Mr. Lehman used his congressional contacts to work with the Castro regime in Cuba to obtain the release of three Cuban political prisoners who had spent more than 20 years in jail for opposing the Cuban government. Lehman bargained behind the scenes through informal diplomatic back channels. He eventually traveled to Cuba and met secretly with Castro himself to win their freedom. It was a victory that only a person like Bill Lehman could achieve.

Bill Lehman only tried to use the power of government to help people who had no other recourse and often no hope. Just a few examples, Mr. Speaker: In 1991, Lehman engineered the release of a 16-year-old girl who was arrested and imprisoned by the repressive government of Argentina at the time. Lehman's personal diplomacy, along with a promise to the Argentine government that he would not publicize the case in a way that would embarrass the regime, led to her release which she is grateful for today and attended his funeral.

When a constituent who was a single woman wanted to adopt a foreign-born baby but found that the Federal Government prohibited her from doing so, Mr. Lehman introduced legislation to change it. The legislation became law, and now such adoptions are common.

On a visit to a Federal agency in 1986, Mr. Lehman was told about two employees, a husband and a wife, who both worked in the same agency. The wife had inoperable cancer and a few months to live. They had young children, and she had only a couple of months to live. They had used all of their sick and vacation time on the treatments and care. Their fellow employees wanted to donate their unused time to the couple but found that the Federal law prohibited that from happening. Mr. Lehman introduced legislation to make it legal and started what is known as leave sharing, which is today an established Federal policy.

When he learned in 1987 that the Communist government in East Germany would not allow Jews in East Berlin to have a permanent rabbi, Mr. Lehman made contacts with the U.S. ambassador to East Germany and the East German government and won approval for the first resident rabbi since World War II.

Congressman Lehman learned through hearings about ''golden Hour'' for accident victims. If an injured person gets proper care within an hour of an accident, he has a much better chance of living or of recovery. That is called trauma care. Mr. Lehman was one of the major champions here in this institution for that and could be given credit for trauma care throughout the Nation and definitely in south Florida.

He enlisted the help of then-Transportation Secretary Elizabeth Dole, now Senator DOLE, and pushed through the establishment of the Miami Dade trauma center, which is known as the Ryder Center that is working today. The Bill Lehman Trauma Research Center in Miami is a testimonial to his work.

These are just a few stories of the kind of man that Bill Lehman was and how he tried to use the power of government not for personal or political advantage but to help the lives of others. Perhaps one of the reasons Congressman Lehman was so effective is that he knew what others were going through through his own tragedy and trials in his own life.

His beloved daughter Kathy died of a brain tumor. He was diagnosed with cancer and underwent surgery and rehabilitation therapy. Because of the surgery that cut some of the nerves that can allow him to speak, he had to take speech lessons to learn how to talk again. He used to joke he was the only politician that could only talk out of one side of his mouth.

He also suffered a stroke that effectively ended his active lifestyle, which included tennis and various other activities that he maintained well into his seventies.

Yet through it all, he was an example of grace, endurance and perseverance. His mind remained as sharp and as quick as ever, and he always had a sense of humor.

The many lives that Congressman Lehman touched, he touched deeply.

Our hearts go out to his wife of 66 years, Joan Lehman; his sons, Bill Lehman, Junior, and Tom; and their families and grandchildren and his grandchildren.

Mr. Speaker, I just would like to say that Congressman Lehman, they only walk this way once or twice in our lifetime, someone that was willing to lead at the appropriate time in the history of this country and definitely within the 17th District of Florida.

□ 2215

Mr. Speaker, the entire Florida delegation sends their heartfelt thoughts not only to the family but also to his friends who had a great appreciation for his existence. We are forever grateful as a humble country of having his family share his life with us.

I personally feel the key to public service is helping those who cannot help themselves, and Mr. Lehman was an example of that.

Mr. Speaker, there are many Members of the Florida delegation and Members of this Congress that will be adding their comments and memories.

Finally, I want to end this Special Order with this quote from a book of poetry that Congressman Lehman wrote in his spare time. He was a well-read, well-written man. This book of poetry was called ''Hear Today,'' and the poem is called ''Recognition.''

''We all have our problems,
But my acquiring wealth
Was not the cure.
Though I knew, sure as hell,
I didn't want to be poor.
Recognition was the thing
I knew I needed,
And before it's all over,
I may have succeeded.''

Mr. Speaker, I speak for my colleagues in the House of Representatives and for the people of South Florida and around the world whose lives were touched in recognizing Congressman Lehman this evening.

Mr. Speaker, I submit the following articles for the RECORD at this time:

[From the Miami Herald, Mar. 17, 2005]

WILLIAM LEHMAN, 1913–2005

(By Amy Driscoll)

Former U.S. Rep. William Lehman, a legendary figure of South Florida politics considered a visionary on racial issues and public transit, died Wednesday at Mount Sinai Medical Center in Miami Beach.

He was 91. He died of heart failure, his family said.

A used-car salesman, teacher, school board chairman and powerful congressman who exercised broad authority over transportation spending in the United States, Lehman was remembered by friends and former staffers as a compassionate soul and a progressive voice who helped shape South Florida.

He was an Alabama-born Jew who opened a business in a black neighborhood in Miami and once traveled to Cuba to rescue political prisoners. Known at home as the father of the Metrorail and Metromover systems, he was part of a renowned generation of Democratic politicians, including U.S. Reps. Dante Fascell and Claude Pepper, who delivered uncommon clout to Florida.

''A person like this can only come along in a community once in a century, twice in a century if you're lucky,'' said John Schelble, once Lehman's press spokesman and now chief of staff to Miami Democratic U.S. Rep. Kendrick Meek. ''He was truly colorblind.''

At the news of his passing, condolences poured forth, from Miami to Washington.

A REAL 'FOLK HERO'

Former U.S. Rep. Carrie Meek called him a ''real humanitarian and folk hero'' in Miami's poor communities. She recalled his car dealership, set in the heart of black Miami, and his fight as a school board member in support of mandatory busing to integrate schools.

''He felt very strongly about the people in the black community, and that wasn't just pious platitudes. He showed it in all the things he did. He showed it when he built his dealership. He showed it when he was on the school board,'' she said.

Mike Abrams, lobbyist and former state representative who had known Lehman since the 1970s, said the former congressman was guided by an unshakable sense of right and wrong.

''He was the most moral man I ever knew in politics—and I've known a lot of men in politics. He was clearly guided by his personal principles,'' Abrams said. ''But that didn't mean he didn't know how to use his knuckles in the process. If he didn't think you had character, forget it. He was a character man all the way.''

Lehman's ability to reach people wasn't ruled by politics. U.S. Reps. Clay Shaw and Ileana Ros-Lehtinen, both Republicans, counted Lehman as a friend.

''He was a Democrat through and through, and I'm a Republican, but that never interfered with our friendship,'' Shaw said.

Ros-Lehtinen characterized him as ''a gentleman to his last breath.''

Lehman was born Oct. 5, 1913, in Selma, Ala., the son of candy factory owners. He graduated from the University of Alabama, and married the former Joan Feibelman in 1939. They became the parents of three children—two sons and a daughter, Kathryn, who died of a brain tumor in 1979. She had been a high school English teacher like her father.

'ALABAMA BILL'

He spent 30 years as a used car dealer, calling himself ''Alabama Bill'' in advertisements, before he got into politics. Lehman was elected to the Dade County School Board in 1966 and became chairman in 1971. His first election to Congress to represent a Northeast Dade district came in 1972.

The Biscayne Park Democrat was known for his low-key manner, for the Southern drawl he never lost—and for his political power.

''The fact that he was so demonstrably Southern probably gave him an ability to play a conciliatory and constructive role in some of Florida's toughest times,'' said former U.S. Sen. Bob Graham.

In the years when the Democrats held sway in Congress, he rose to a position of great influence, a member of the so-called ''college of cardinals'' in the House. With an unpolished speaking style and quiet strength, he controlled billions of dollars for transportation as chairman for 10 years of the House Appropriations Committee's subcommittee overseeing highways, seaports and mass-transit systems.

MILLIONS FOR TRANSIT

He brought a significant portion of that money home to South Florida, with some $800 million going to the construction of the Metrorail transit system. Millions secured by Lehman also went to build bridges and improve the region's seaports and airports.

''Anyone who rides a bus or takes a train in this area, they owe it to Mr. Lehman,'' Carrie Meek said. ''That's the way poor people get around and he chose to make that his priority.''

Other favorite causes included support for Israel and the resettlement of Soviet Jews.

Sergio Bendixen, a Miami-based pollster who worked in Lehman's Washington office as press secretary and executive assistant from 1979 to 1982, said the congressman didn't need the trappings of success to boost his ego.

SMALL OFFICE

''He chose the smallest office—a cubbyhole, really,'' Bendixen recalled. ''He was a congressman. He knew he was powerful. He didn't need all the plaques on the wall and the symbols that seemed to make other members of Congress happy. He was secure.''

Lehman was an unabashed liberal who voted against a constitutional amendment banning flag-burning, against military aid to the rebels fighting to topple Nicaragua's leftist Sandinista government and against sending troops to the Persian Gulf during the first Gulf War.

PRISONER RELEASE

But he won respect among conservative Cuban exiles in 1988 when he went to Cuba and negotiated the release of three political prisoners.

It wasn't his first effort for victims of political repression: In 1981, he won release of a political prisoner in Argentina, and in 1984, he smuggled a synthetic heart valve to a young patient in a hospital in the Soviet Union. He was also a strong advocate for Haitian refugees.

''I'm a congressman,'' he told an aide inquiring about the danger of venturing into the Soviet Union. ''If they catch me, what are they going to do?''

DOWN-TO-EARTH

Despite his power, Lehman retained his down-to-earth sensibilities. He was a breakfast regular for years at Jimmy's restaurant on Northeast 125th Street in North Miami.

His two sons remembered him Wednesday as someone who never raised his voice but taught them the value of working for others.

''He'd get involved in things and he wouldn't skim the surface—he'd get down to the very bottom,'' said Bill Lehman Jr.

''He just took great pleasure in being a friend to anyone.''

Their father always listened to his internal compass, financing cars for black customers in the '40s and '50s, when few other white car dealers would, they said.

''He would look at a man's arms and if they had salt on them, from sweating, he would know that was a working man,'' said Thomas Lehman. ''That was his credit check.''

Surgery for jaw cancer in 1983 left Lehman's speech slurred. But he stayed in Congress for another decade, until his surprise

decision in 1992 not to seek reelection when his influence was at its height.

Friends say that even as he struggled with his speech and other health problems, Lehman maintained a sense of humor.

''I'm the only politician who can only speak out of one side of his mouth,'' he once joked, referring to treatment that left part of his mouth paralyzed.

But Lehman said he made up his mind to retire in 1992 for health reasons: He said he had ''a sudden realization'' that a 1991 stroke had made him a less effective legislator.

END OF ERA

His passing marks the end of a political era, said lobbyist Ron Book.

''They don't make 'em like that anymore—him, Claude Pepper and Dante Fascell—they're all gone now.''

Lehman is survived by his wife of 66 years, Joan; sons Bill Jr. and Thomas, and six grandchildren.

The funeral will be at Temple Israel at 1 p.m. Sunday. In lieu of flowers, the family requests donations to the William Lehman Injury Research Center, University of Miami Miller School of Medicine, P.O. Box 016960 (D–55), Miami, FL 33101.

A MAN OF THE PEOPLE

It is customary to bestow praise on the newly departed, some of it well deserved, but in the case of former U.S. Rep. Bill Lehman there is no need to depart from the unembellished truth. He was a man of the people, and he had a gift for politics. To those who knew him well and, indeed, to anyone who encountered him even briefly, Mr. Lehman's humanity and decency radiated like sunshine.

This wonderful man who did so much for the people of South Florida died Wednesday at Mount Sinai Medical Center in Miami Beach. He was 91.

Mr. Lehman will be remembered for the power he wielded as a congressman. He was chairman of the House Appropriations subcommittee that oversaw spending for mass-transit, highways and seaports. He developed an expertise on transportation issues that few could rival, and he used his legislative clout to bring transportation dollars to the state, especially to South Florida.

Mr. Lehman often used his power to help ordinary people. He negotiated the release of a political prisoner in Argentina in 1981 and did the same thing for three political refugees in Cuba in 1988. And once, he brazenly smuggled a synthetic heart valve to a patient in the Soviet Union.

For all his political achievements—and they were legendary—Mr. Lehman will be remembered best for his genuine warmth and generous spirit. Born in Selma, Ala., Mr. Lehman embraced liberal values. He voted against a proposed constitutional amendment to ban flag-burning; he opposed sending military aid to the contras in Nicaragua; and he did not favor sending troops to the Persian Gulf in the first Gulf War.

Mr. Lehman used his power to build community and promote fellowship. Our community is richer for having had him among us.

A LIFETIME OF SERVICE

Highlights of William Lehman's life in politics:

1966: Elected to the Dade County School Board, where he helped desegregate public schools in the late 1960s and early '70s.

1971: Elected chairman of the School Board.

1972: Elected to the U.S. House of Representatives, where he later became chairman of the transportation subcommittee of the House Appropriations Committee.

1980s: Won about $800 million for construction of the Metrorail system.

1981: Negotiated the release of a political prisoner in Argentina.

1984: Smuggled into the Soviet Union a life-saving heart valve for a teenager.

1986: Despite opposition of the Department of Transportation, won full funding for two extensions to the downtown Miami Metromover system.

1987: Thanks to Lehman's work, a rabbi was able to celebrate Passover in what was then communist East Germany.

1988: Flew to Cuba and picked up three Cuban political prisoners whose freedom he had secured from Fidel Castro.

1992: Retired from Congress.

[From the Sun Sentinel, Mar. 17, 2005]

WILLIAM LEHMAN, DEAD AT 91, LEAVES LEGACY IN S. FLORIDA

(By Buddy Nevins)

South Floridians can see former U.S. Rep. William Lehman's legacy through their car windshields or out the windows of their trains: Tri-Rail, Metrorail, the downtown Miami Metromover, Interstate 595 and I–95 and dozens of other bridges and roads.

Rep. Lehman, once one of the most powerful congressmen to hold a firm grip on the nation's transportation spending, died Wednesday at Mount Sinai Medical Center in Miami Beach. He was 91.

Although the hospital did not announce the cause of death, Rep. Lehman had suffered from a number of illnesses including cancer and a disabling stroke in his senior years, according to his family.

During his 20 years representing north and central Miami-Dade County, Rep. Lehman's passion was moving people, whether he was selling them cars from one of his auto dealerships, or building them a modern road and transit system.

Rep. Lehman was the last living member of the trio of liberal Democrats who wielded enormous clout in Washington and brought attention and billions of dollars in federal aid to South Florida. In the 1970s and 1980s Rep. Lehman, along with U.S. Reps. Dante Fascell and Claude Pepper of Miami, made the Florida delegation one of the most influential in the House.

''Public transit was always important to Bill Lehman, as he knew it was a lifeline to employment, grocery shopping, doctor visits and other necessary services for poor and working-class citizens,'' said U.S. Rep. Alcee Hastings, D-Miramar. ''Bill Lehman was known as an 'unbending liberal.' This is one of many characteristics that endeared him to me.''

As Florida Speaker of the House in the late 1980s, Tom Gustafson worked with the congressman to kick-start I–595 and the Tri-Rail transit system, which carries passengers from Miami to West Palm Beach.

''He was the go-to guy for any money for transportation. If you needed federal money, you went to Bill Lehman,'' Gustafson recalled.

From his perch as chairman of the subcommittee on transportation appropriations, Rep. Lehman threw money at South Florida projects.

''I–595 was Bill Lehman. The Clay Shaw Bridge [on the 17th Street Causeway in Fort Lauderdale] was Bill Lehman. Tri-Rail was Bill Lehman. This is a guy who has more monuments to him than anyone I know,'' said U.S. Rep. Clay Shaw, R–Fort Lauderdale.

Some of the facilities in Miami-Dade named for Rep. Lehman illustrate the breadth of his impact: an elementary school, a causeway, a transit maintenance building, a research center at the Ryder Trauma Center at Jackson Memorial Hospital.

As news of his death reached the community, tributes poured in.

''He didn't just make government work, he brought people together,'' said U.S. Rep. Kendrick Meek, the Miami Democrat who occupies Rep. Lehman's seat.

''Mr. Lehman clearly left his mark on the South Florida community,'' said Mayor Carlos Alvarez of Miami-Dade. ''His pioneering works will be a fixture in Miami-Dade County for many years to come. My thoughts and prayers are with his family during this difficult time.''

Rep. Lehman's liberal voting record included opposing a constitutional amendment banning flag-burning, voting against military aid to Nicaragua's contra rebels, and voting against sending troops to the Persian Gulf in the first Iraq war. He went to Cuba in 1988 to negotiate the release of three political prisoners and was an advocate for Haitian refugees.

Born on Oct. 5, 1913 in Selma, Ala., Rep. Lehman's roots were far from the underprivileged he would champion in Congress.

His father was a wealthy candy manufacturer. His mother was a housewife and the young Bill Lehman would ride in the family's chauffeur-driven Cadillac, family members said Wednesday.

Rep. Lehman's liberal philosophy sprang from the realization early in life that his small Southern town was filled with the less fortunate who could make it in life only with the help of the government, said Tom Lehman, his son and a Miami-Dade lawyer.

''He saw that, especially during the Depression, all that the federal government could do,'' Tom Lehman said. ''He was a big believer in the role of government in peoples' lives.''

Moving to Miami in the 1930s, Rep. Lehman sold used cars, billing himself as ''Alabama Bill'' He developed the unusual reputation for a car dealer as a gentleman who respected his customers and he carried that into politics.

''He was admired, respected and loved, and you can't say that about a lot of members of Congress,'' said U.S. Rep. Ileana Ros-Lehtinen, R–Miami.

Bill Lehman Jr. recalled that his father never lost the common touch.

''He was as comfortable talking to Ted Kennedy as he was talking to a car porter at the dealership.''

After a stint as a public school teacher, Rep. Lehman entered politics in 1966, winning a seat on the Dade County School Board. Six years later he went to Congress. Rep. Lehman left Washington in 1992 after suffering a stroke, but also as he faced the possibility of being thrown into the same congressional district as Fascell when boundaries were redrawn.

Services for Rep. Lehman are at 1 p.m. Sunday at Temple Israel of Greater Miami. He is survived by Joan, his wife of 66 years, two sons and six grandchildren.

[From the Washington Post, Mar. 17, 2005]

WILLIAM LEHMAN, FLA. CONGRESSMAN AND CAR DEALER, 91

(By Adam Bernstein)

William Lehman, 91, a used-car dealer who later served 20 years in the U.S. House of Representatives and became a force on transportation legislation, died March 16 at a hospital in Miami Beach. His heart was weakened from a recent bout with pneumonia.

Mr. Lehman, known as ''Alabama Bill'' when he was in business, owed his nickname to his birthplace. But he spent most of his car-sales career in Miami, a district he served as a Democrat in the House from 1973 to 1993.

He was a member of the Appropriations Committee and chaired its transportation subcommittee, which controlled billions of dollars in federal projects.

Soft-spoken and adroit, as a politician he was not at all the caricature of the flamboyant, hard-sell salesman. Long gone were the days when he appeared in advertisements sitting on cotton bales and ''making deals as solid as a bale of Alabama cotton.''

He was much more subtle in the House. As a member of the so-called ''college of cardinals,'' so named for their seniority, he worked quietly to pass bills with the least resistance.

His attentiveness to his constituents, in the form of authorizing public works projects for South Florida, occasionally caused turf disputes with the House Public Works Committee. When the committee's then-chairman, Rep. James J. Howard (D–N.J.), called ''egregious'' Mr. Lehman's efforts to approve a large mass-transit funding bill, the Floridian backed down.

That is to say, he found another way to get his projects approved—through an omnibus spending package.

William Marx Lehman was born Oct. 5, 1913, in Selma, Ala., where his father owned the American Candy Co. A 1934 graduate of the University of Alabama, he focused on business at his father's behest.

Early in his career, he worked for CIT Corp., an industrial finance company, in New York. He went to Miami on a job to finance auto dealerships and soon decided he would take some family money to finance a car-sales venture himself.

During World War II, he learned airplane mechanics and went to Brazil to help train others aiding the Allied effort.

Mr. Lehman was a member of Mensa International. For years, he wanted to teach English. After studying at Oxford University in the early 1960s, he became a high school English teacher in Miami.

He also won election to the Dade County School Board and became its chairman. He ran for the U.S. House when a new district was created.

In Congress, he championed public transportation, especially light-rail systems in his district. He also helped shepherd legislation to allow federal workers to donate their paid leave time to co-workers.

He made several publicized mercy trips.

In 1984, he flew to Moscow and smuggled an artificial heart valve to an ailing young woman who was related to one of his constituents.

Describing his part with cloak-and-dagger mystique, he told Roll Call that he sneaked the device past customs and immigration authorities.

He then went to a pay phone as arranged, where a voice told him to be at a certain address and to watch for ''a woman in red standing next to a short man.'' The woman eventually got her heart valve.

In 1988, he traveled to Cuba and successfully appealed to Fidel Castro to release three longtime political prisoners.

Mr. Lehman had a massive stroke in 1991 that hastened his retirement.

A daughter, Kathryn Weiner, died in 1979.

Survivors include his wife of 66 years, Joan Feibelman Lehman of Miami; two sons, Bill Lehman Jr. and Thomas Lehman, both of Miami; six grandchildren; and two great-grandsons.

[From Roll Call, Mar. 17, 2005]

EX-FLORIDA REP. BILL LEHMAN PASSES AWAY

(By Jennifer Lash)

Former Rep. Bill Lehman (D-Fla.), considered a strong advocate on both race and transportation issues, died Wednesday at Mount Sinai Medical Center in Miami. He was 91.

Throughout his tenure in Congress, which began in 1972, Lehman voted against such issues as a constitutional amendment banning flag burning and sending troops to the Persian Gulf. He also fought to aid victims of political repression in areas such as Cuba, Argentina and the Soviet Union.

Lehman remained in Congress for a decade following a jaw cancer surgery that left his speech slurred in 1983. Eight years later, the Florida Democrat suffered a stroke, and in 1992 he announced his decision to retire, citing health reasons.

Lehman, the son of candy factory owners, was born Oct. 5, 1913, in Selma, Ala. He received his bachelor's from the University of Alabama in 1934. Three years later, he married Joan Feibelman. The couple had three children—a daughter, who died of a brain tumor 1979, and two sons.

Before entering the political arena, Lehman sold used cars for 30 years, referring to himself as ''Alabama Bill'' in his advertisements. He also spent time as a teacher and school board chairman prior to his election to Congress.

Lehman never allowed his Congressional duties to cause him to lose touch with his Florida district. He regularly ate breakfast at a restaurant in North Miami, and he resided in Biscayne Park, Fla., through his final days.

Although Rep. Kendrick Meek (D-Fla.) came to Congress 10 years after Lehman had retired, Meek said he was ''struck'' by the friends Lehman had made on both sides of the aisle.

''Only three people have ever represented Florida's 17th District in Congress: Bill Lehman in the 80's; Carrie Meek in the 90's and now me,'' Meek said in a statement. ''I will always cherish the photo of the three of us together, because Bill Lehman was my Congressman when I was just a teenager and it is such a privilege to continue his service here.''

[From The Hill, Mar. 17, 2005]

FORMER REP. LEHMAN DIES

(By Mark H. Rodeffer)

Former Rep. Bill Lehman (D-Fla.) died yesterday morning at a Miami Beach hospital. He was 91.

Lehman, who chaired the Appropriations Transportation Subcommittee until he retired from Congress in 1992, was known for running the subcommittee by consensus and for a willingness to earmark money for district projects.

Before his 1972 election to Congress, Lehman was a used-car salesman for 30 years. ''Even though I came to Congress 10 years after Representative Lehman left it, I was struck by how many good friends he made, in both the House and the Senate and among both Democrats and Republicans,'' said Rep. Kendrick Meek (D-Fla.), who today holds the seat Lehman held. ''He didn't just make government work; he brought people together.''

Carrie Meek (D) was elected in 1992 to Lehman's north Miami district. She served until 2002, when she was succeeded by her son, Kendrick.

''I will always cherish the photo of the three of us together because Bill Lehman was my congressman when I was just a teenager, and it is such a privilege to continue his service here,'' Kendrick Meek said.

Mr. SHAW. Mr. Speaker, my wife, Emilie, and I are deeply saddened to learn of the passing of Congressman Bill Lehman. I will always remember his good sense of humor, his leadership and his unrivaled sense of duty. He had a reputation of having the courage and conviction to do what was right for his constituents, and his country.

Bill was a good friend, and was a political mentor when I first came to Washington. He led a remarkable life; from his service to his community to his strong leadership in Congress. Bill was the Chairman of the Transportation Subcommittee of the House Appropriations Committee. Many of the transportation facilities in South Florida are a direct result of his tireless efforts as Subcommittee Chairman.

Bill will be missed by so many, but has left an extraordinary legacy. His family will remain in our thoughts and prayers.

Mr. TOWNS. Mr. Speaker, I rise to pay tribute to our former colleague, the late William ''Bill'' Lehman, who recently passed away in his home state of Florida.

Bill represented the 17th Congressional District of Florida from 1973 to 1992. While he was a great advocate for transportation, foreign affairs issues, and racial equality in education, he has received very little or no recognition for his work on behalf of Haitian refugees. In 1979, Haitian refugees faced significant due process violations by the Federal government. At the time, he represented almost all of the fledgling Haitian community in South Florida. Bill felt very strongly that he could not successfully oppose the onerous civil rights violations faced by Haitians, because of their national origin, without additional political support. It was at his urging that the Congressional Black Caucus formed the CBC Task Force on Haitian refugees. The Task Force eventually succeeded, accompanied by various legal victories, in establishing an immigration designation, ''Cuban-Haitian entrant status'', that permitted Haitians seeking political asylum to remain in the country while they pursued their asylum claims.

Without his personal intervention and commitment on their behalf, the Haitian community in South Florida may have never received some form of equitable treatment under our immigration laws. With his passing, our colleague, Bill Lehman's contributions to improved immigration laws in this country should not be forgotten. I am proud to have served with him during his last 10 years in Congress.

Mr. STARK. Mr. Speaker, I rise to remember and honor my friend and distinguished former colleague Bill Lehman.

Bill Lehman represented South Florida in the House of Representatives for twenty years beginning in 1972. Bill and I came to Congress together that year. It is with sadness that I stand to pay tribute to him today as one of the last remaining members of the class of '72.

Though Bill left Congress in 1993, he and I kept in touch. It was less than a month ago when we last corresponded. He noted my name in an article in the Miami Herald and wrote to encourage me to keep up the fight. I'm going to miss those notes and his many years of friendship.

Bill was unique. He was special among those who've served in this institution. He was an individual of great principle and compassion beloved by the community he represented. As his hometown paper the Miami Herald eulogized him, Bill Lehman was a ''legendary figure of South Florida politics considered a visionary on racial issues and public transit.''

Bill Lehman was legendary in this House where he served ten years as Chairman of the powerful Appropriations Subcommittee on Transportation. He was a tireless advocate of progressive causes at home and abroad, known for taking principled stands on international and constitutional issues.

Bill Lehman had another distinction, too. He's the only politician I ever met that, when

compared to a used car salesman, he was proud to be a used car salesman.

Born in Selma, Alabama in 1913, he took the moniker ''Alabama Bill'' when he moved to South Florida and opened a used auto dealership in Miami in 1936. Playing country music in his advertising, ''Alabama Bill'' earned a modest reputation as a country western singer. That original business has grown into one of South Florida's largest auto dealerships carried on today by his son Bill Lehman, Jr.

After nearly 30 years in the used car business, Bill Lehman went off to Oxford University. In the early 1960s, he returned to Miami and began a second career teaching high school English. In 1966, he began yet a third career running for and winning a seat on the Dade County School Board and went on to serve as Board Chairman in 1971. A year later he was elected to Congress.

I was greatly saddened to hear of Bill Lehman's passing on March 16 of this year and commend my colleagues for dedicating this evening in his honor.

My thoughts are with Bill's wife Joan, to whom he was married for 66 years, their two sons Bill Jr. and Tom, and their 6 grand children and 2 great-grandsons.

Bill's years of dedicated public service in this House will never be forgotten. His spirit and the principle and compassion he brought to the job will continue to be greatly admired by those of us who knew him.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GILLMOR (at the request of Mr. DELAY) for today and the balance of the week on account of illness in the family.

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 Mrs. MCCARTHY) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

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

Mr. MCDERMOTT, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

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

Mr. DENT, for 5 minutes, today.

Ms. ROS-LEHTINEN, for 5 minutes, today and April 13.

Mr. JONES of North Carolina, for 5 minutes, April 13 and 14.

Mr. GUTKNECHT, for 5 minutes, April 13 and 14.

Mrs. BLACKBURN, for 5 minutes, today.

Mr. BURTON of Indiana, for 5 minutes, today and April 13 and 14.

Mr. BURGESS, for 5 minutes, April 13.

Mr. POE, for 5 minutes, today.

Mr. BOUSTANY, for 5 minutes, April 13.

ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 18 minutes p.m.), the House adjourned until tomorrow, Wednesday, April 13, 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:

1455. A letter from the Secretary, Department of Defense, transmitting notification that the Department anticipates it will be prepared to commence chemical agent destruction operations at the Newport Chemical Agent Disposal Facility in Newport, Indiana, pursuant to 50 U.S.C. 1512(4); to the Committee on Armed Services.

1456. A letter from the Acting Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting the Department's report on the amount of purchases from foreign entities for Fiscal Year 2004, pursuant to Public Law 104–201, section 827 (110 Stat. 2611) Public Law 105–261, section 812; to the Committee on Armed Services.

1457. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting the Selected Acquisition Reports (SARs) for the quarter ending December 31, 2004, pursuant to 10 U.S.C. 2432; to the Committee on Armed Services.

1458. A letter from the Director, Defense Finance and Accounting Service, transmitting pursuant to the Office of Management and Budget Circular A-76, the Service has implemented the government's Most Efficient Organization (MEO) to perform Security Assistance Accounting operations, pursuant to 10 U.S.C. 2461(c); to the Committee on Armed Services.

1459. A letter from the Senior Paralegal, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule — Community Reinvestment Act — Assigned Ratings [No. 2005-09] (RIN: 1550-AB48) received March 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1460. A letter from the Senior Paralegal, Office of Thrift Supervision, Department of the Treasury, transmitting the Department's final rule — Special Rules for Adjudicatory Proceedings for Certain Holding Companies [No. 2005-08] (RIN: 1550-AB96) received March 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1461. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Defense Priorities and Allocations System (DPAS): Electronic Transmission of Reasons for Rejecting Rated Orders [Docket Number: 041026293-5031-02] (RIN: 0694-AD35) received March 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1462. A letter from the General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received February 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1463. A letter from the General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7861] received February 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1464. A letter from the General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Detemrinations — received March 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1465. A letter from the General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received March 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1466. A letter from the General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7865] received March 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1467. A letter from the General Counsel/FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7867] received March 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1468. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's final rule — Prescreen Opt-Out Disclosure (RIN: 3084-AA94) received March 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1469. A letter from the Associate General Counsel, National Credit Union Administration, transmitting the Administration's final rule — Loans to Members and Lines of Credit to Members — received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1470. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's FY 2004 annual performance report to Congress required by the Prescription Drug User Fee Act of 1992 (PDUFA), as amended, pursuant to 21 U.S.C. 379g note; to the Committee on Energy and Commerce.

1471. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, ''West Nile Virus Prevention and Control: Ensuring the Safety of the Blood Supply and Assessing Spraying Pesticides,'' in compliance with Pub. L. 108-75; to the Committee on Energy and Commerce.

1472. A letter from the Attorney Advisor, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Part 80 of the Commission's Rules Concerning Use of Frequency 156.575 MHz for Port Operations Communications in Puget Sound — received February 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1473. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations. (Walla Walla and Burbank, Washington) [MB Docket No. 02-63; RM-10398] New Northwest Broadcasters, LLC Station KUJ-FM, Walla Walla, Washington [File No. BPH-20041008ACV] For Construction Permit to Modify Licensed Facilities (One-Step Upgrade) — received March 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1474. A letter from the Acting Under Secretary for Industry and Security, Department of Commerce, transmitting a report of

intention to impose new foreign policy-based export controls on exports of items for chemical and biological weapon end-uses, under the authority of Section 6 of the Export Administration Act of 1979, as amended and Executive Order 13222 of August 17, 2001, and extended by the Notice of August 6, 2004; to the Committee on International Relations.

1475. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a semi-annual report on progress toward nuclear non-proliferation in South Asia, pursuant to Section 620F(c) of the Foreign Assistance Act of 1961, as amended, covering the period April 1, 2004 to March 31, 2005; to the Committee on International Relations.

1476. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1477. A letter from the Assistant Director for Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

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1491. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1492. A letter from the Director, Office of Human Capital Management, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1493. A letter from the Human Resources Specialist, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1494. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1495. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

1496. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's FY 2004 Performance and Accountability Report, prepared in conformance with the Government Performance and Results Act (GPRA) of 1993 (Pub. L. 103-62) and OMB Circular A-11; to the Committee on Government Reform.

1497. A letter from the Chairman, Federal Maritime Commission, transmitting a copy of the annual report in compliance with the Government in the Sunshine Act for calendar year 2004, pursuant to 5 U.S.C. 552b(j); to the Committee on Government Reform.

1498. A letter from the Acting Director, Office of Government Ethics, transmitting notice of an error and correction of the error, originally included in a report evaluating the financial disclosure process for employees of the executive branch (dated March 17, 2005 and pursuant to Pub. L. 108-458); to the Committee on Government Reform.

1499. A letter from the Chief Counsel, Bureau of Public Debt, Department of the Treasury, transmitting the Department's final rule — Offering of United States Savings Bonds, Series EE. — received April 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1500. A letter from the Chief Counsel, Bureau of the Public Debt, Department of the Treasury, transmitting the Department's final rule — Regulations Governing Treasury Securities, New Treasury Direct System. — received March 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1501. A letter from the Chief, Regulations Branch, Department of Homeland Security, transmitting the Department's final rule — United States — Chile Free Trade Agreement (RIN: 1505-AB47) received March 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1502. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Modification of Check The Box [TD 9183] (RIN: 1545-BA59) received March 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1503. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Frivolous Arguements regarding Opposition to Government Policies and Programs Used to Avoid Tax (Rev. Rul. 2005-20) received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1504. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Frivolous Constitutional Arguments Used to Avoid Tax (Rev. Rul. 2005-19) received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1505. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Frivolous ''Straw Man'' Claim Used to Avoid Tax (Rev. Rul. 2005-21) received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1506. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Charitable Remainder Trusts; Application of Ordering Rule [TD 9190] (RIN: 1545-AW35) received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1507. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — State and Local General Sales Tax Deduction [Notice 2005-31] received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1508. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Last-in, first-out inventories. (Rev. Rul. 2005-22) received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1509. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Qualified Amended Returns [TD 9186] (RIN: 1545-BD42) received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1510. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Deposits Made to Suspend the Running of Interest on Potential Underpayments (Rev. Proc. 2005-18) received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1511. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Coordinated Issue: Losses Reported From Inflated Basis Assets From Lease Stripping Transactions — received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1512. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Altering the Jurat to Avoid Tax (Rev. Rul. 2005-18) received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1513. A letter from the Internal Revenue Service, Internal Revenue Service, transmitting the Service's final rule — Frivolous Arguments regarding Waiver of Social Security

Benefits Used to Avoid Tax (Rev. Rul. 2005-17) received March 15, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1514. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rates Update [Notice 2005-26] received March 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1515. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Loss Limitation Rules [TD 9187] (RIN: 1545-BA52) received March 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1516. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Announcement and Report Concerning Advance Pricing Agreements — received April 5, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1517. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Designated IRS Officer or Employee Under Section 7602(a)(2) of the Internal Revenue Code [TD 9195] (RIN: 1545-BA89) received April 5, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1518. A letter from the Acting Chief, Publications and Regulations Br., Internal Revenue Service, transmitting the Service's final rule — Rules and Regulations (Rev. Proc. 2005-22) received April 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1519. A letter from the Acting Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Imposition of tax on heavy trucks and trailers sold at retail. (Rev. Proc. 2005-19) received April 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1520. A letter from the SSA Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Wage Credits for Veterans and Members of the Uniformed Services (RIN: 0960-AF90) received March 4, 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, as follows:

Mr. BARTON: Committee on Energy and Commerce. H.R. 29. A bill to protect users of the Internet from unknowing transmission of their personally identifiable information through spyware programs, and for other purposes: with an amendment (Rept. 109–32). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. S. 167. An act to provide for the protection of intellectual property rights, and for other purposes (Rept. 109–33 Pt. 1).

Mr. BOEHNER: Committee on Education and the Workforce. House Resolution 134. Resolution requesting the President to transmit to the House of Representatives certain information relating to plan assets and liabilities of single-employer pension plans; adversely (Rept. 109–34). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 202. Resolution providing for consideration of the bill (H.R. 8) to make the repeal of the estate tax permanent (Rept. 109–35). Referred to the House Calendar.

Mr. BOEHLERT: Committee on Science. H.R. 28. A bill to amend the High-Performance Computing Act of 1991, with an amendment (Rept. 109–36). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOEHLERT: Committee on Science. H.R. 1023. A bill to authorize the Administrator of the National Aeronautics and Space Administration to establish an awards program in honor of Charles ''Pete'' Conrad, astronaut and space scientist, for recognizing the discoveries made by amateur astronomers of asteroids with near-Earth orbit trajectories (Rept. 109–37). Referred to the Committee of the Whole House on the State of the Union.

Mr. OXLEY: Committee on Financial Services. H.R. 749. A bill to amend the Federal Credit Union Act to provide expanded access for persons in the field of membership of a Federal credit union to money order, check cashing, and money transfer services' with an amendment (Rept. 109–38). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committee on House Adminstration discharged from further consideration. S. 167 referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. THOMAS:

H.R. 1541. A bill to amend the Internal Revenue Code of 1986 to enhance energy infrastructure properties in the United States and to encourage the use of certain energy technologies, and for other purposes; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts (for himself, Mr. MARKEY, Mr. NEAL of Massachusetts, Mr. OLVER, Mr. MEEHAN, Mr. DELAHUNT, Mr. MCGOVERN, Mr. TIERNEY, Mr. CAPUANO, and Mr. LYNCH):

H.R. 1542. A bill to designate the facility of the United States Postal Service located at 695 Pleasant Street in New Bedford, Massachusetts, as the ''Honorable Judge George N. Leighton Post Office Building''; to the Committee on Government Reform.

By Mr. MCGOVERN:

H.R. 1543. A bill to enhance and improve benefits for members of the National Guard and Reserves who serve extended periods on active duty, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on House Administration, Education and the Workforce, Government Reform, Veterans' Affairs, and 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. COX (for himself, Mr. THOMPSON of Mississippi, Mr. YOUNG of Alaska, Mr. PASCRELL, Mr. SMITH of Texas, Ms. LORETTA SANCHEZ of California, Mr. WELDON of Pennsylvania, Mr. MARKEY, Mr. SHAYS, Mr. DICKS, Mr. KING of New York, Ms. HARMAN, Mr. LINDER, Mrs. LOWEY, Mr. SOUDER, Ms. NORTON, Mr. TOM DAVIS of Virginia, Ms. ZOE LOFGREN of California, Mr. DANIEL E. LUNGREN of California, Ms. JACKSON-LEE of Texas, Mr. GIBBONS, Mrs. CHRISTENSEN, Mr. SIMMONS, Mr. ETHERIDGE, Mr. ROGERS of Alabama, Mr. LANGEVIN, Mr. PEARCE, Mr. MEEK of Florida, Ms. HARRIS, Mr. JINDAL, Mr. REICHERT, Mr. MCCAUL of Texas, Mr. DENT, and Mr. DEFAZIO):

H.R. 1544. A bill to provide faster and smarter funding for first responders, and for other purposes; to the Committee on Homeland Security.

By Mr. CANNON:

H.R. 1545. A bill to amend the Internal Revenue Code of 1986 to treat expenses for certain meal replacement and dietary supplement products that qualify for FDA-approved health claims as expenses for medical care; to the Committee on Ways and Means.

By Mr. THORNBERRY:

H.R. 1546. A bill to provide grants to States for health care tribunals, and for other purposes; to the Committee on the Judiciary.

By Mr. WOLF (for himself, Mr. EHLERS, and Mr. BOEHLERT):

H.R. 1547. A bill to preserve mathematics- and science-based industries in the United States; to the Committee on Education and the Workforce.

By Mr. RYAN of Wisconsin (for himself and Mr. CARDIN):

H.R. 1548. A bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants; to the Committee on Ways and Means.

By Mr. REYNOLDS (for himself, Mr. CARDIN, Mr. PORTMAN, Ms. PRYCE of Ohio, Mr. ENGLISH of Pennsylvania, Mrs. JOHNSON of Connecticut, Mr. HERGER, Mr. RAMSTAD, Mr. HAYWORTH, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. BRADY of Texas, Mr. CANTOR, Ms. HART, Mr. CHOCOLA, Mr. MCDERMOTT, Mr. LEWIS of Georgia, Mr. MCNULTY, Mr. JEFFERSON, Mr. POMEROY, Mr. THOMPSON of California, Mr. LARSON of Connecticut, Mr. EMANUEL, Mr. BOEHNER, Mr. FOSSELLA, Mr. BOUSTANY, Mr. KIRK, Mr. OTTER, Mr. YOUNG of Alaska, Mr. GARY G. MILLER of California, Mr. SHAYS, Mr. CUMMINGS, Mr. FORTUÑO, Mr. TOWNS, Mr. SIMPSON, Mr. LYNCH, and Mr. SKELTON):

H.R. 1549. A bill to amend the Internal Revenue Code of 1986 to allow an income tax credit for the provision of homeownership and community development, and for other purposes; to the Committee on Ways and Means.

By Mr. HYDE (for himself, Mr. LANTOS, and Mr. MENENDEZ):

H.R. 1550. A bill to authorize assistance for the relief of victims of the Indian Ocean tsunami and for the recovery and reconstruction of tsunami-affected countries; to the Committee on International Relations.

By Mr. JINDAL (for himself, Mr. BOUSTANY, Mr. MCCRERY, Mr. BAKER, Mr. MELANCON, Mr. JEFFERSON, and Mr. ALEXANDER):

H.R. 1551. A bill to amend the Outer Continental Shelf Lands Act to provide a domestic offshore energy reinvestment program, and for other purposes; to the Committee on Resources.

By Mr. JINDAL (for himself and Mr. SOUDER):

H.R. 1552. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify that the religious status of a private nonprofit facility does not preclude the facility from receiving assistance under the Act; to the Committee on Transportation and Infrastructure.

By Mr. ACKERMAN (for himself, Ms. ROS-LEHTINEN, Mr. PALLONE, Mr.

CROWLEY, Ms. WATSON, and Mr. MENENDEZ):

H.R. 1553. A bill to prohibit the provision of United States military assistance and the sale, transfer, or licensing of United States military equipment or technology to Pakistan; to the Committee on International Relations.

By Mr. BILIRAKIS (for himself, Mr. BROWN of Ohio, Mrs. BONO, Mr. CASE, Mr. FOSSELLA, Mr. FRANK of Massachusetts, Mr. HINCHEY, Mr. LANGEVIN, Ms. LEE, Ms. SCHAKOWSKY, Mr. SMITH of Washington, Mr. TOWNS, and Mr. WAXMAN):

H.R. 1554. A bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Veterans' Affairs, 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. BORDALLO (for herself and Mrs. CHRISTENSEN):

H.R. 1555. A bill to amend the Internal Revenue Code of 1986 to provide for the cover over of the refundable portion of the earned income and child tax credits to Guam and the Virgin Islands; to the Committee on Ways and Means.

By Mr. CLAY:

H.R. 1556. A bill to designate a parcel of land located on the site of the Thomas F. Eagleton United States Courthouse in St. Louis, Missouri, as the ''Clyde S. Cahill Memorial Park''; to the Committee on Transportation and Infrastructure.

By Mrs. CUBIN:

H.R. 1557. A bill to amend the Internal Revenue Code of 1986 to provide an election for a special tax treatment of certain S corporation conversions; to the Committee on Ways and Means.

By Mr. TOM DAVIS of Virginia:

H.R. 1558. A bill to amend title 18, United States Code, to prohibit certain computer-assisted remote hunting, and for other purposes; to the Committee on the Judiciary.

By Mr. FORD:

H.R. 1559. A bill to increase the level of funding for the Partnerships in Character Education Program, and for other purposes; to the Committee on Education and the Workforce.

By Mr. FORD:

H.R. 1560. A bill to amend the Internal Revenue Code of 1986 to increase the exclusion equivalent of the unified credit allowed against the estate tax to $7,500,000 and to establish a flat estate tax rate; to the Committee on Ways and Means.

By Mr. FORD:

H.R. 1561. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for adoption and to amend part E of title IV of the Social Security Act to increase adoptive incentive payments; to the Committee on Ways and Means.

By Mr. FOSSELLA:

H.R. 1562. A bill to protect human health and the environment from the release of hazardous substances by acts of terrorism; to the Committee on Homeland Security, 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. GUTKNECHT (for himself, Mr. SCHWARZ of Michigan, and Mr. KENNEDY of Minnesota):

H.R. 1563. A bill to establish a Division of Food and Agricultural Science within the National Science Foundation and to authorize funding for the support of fundamental agricultural research of the highest quality, and for other purposes; to the Committee on Science, and in addition to the Committee on 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. HASTINGS of Washington:

H.R. 1564. A bill to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District; to the Committee on Resources.

By Ms. HOOLEY (for herself, Mr. MCGOVERN, Mr. BISHOP of New York, Mr. PALLONE, Mr. DEFAZIO, Mr. OWENS, Mr. OLVER, Mr. TOWNS, Mr. KIND, Mr. SCOTT of Georgia, Mr. GRIJALVA, Mrs. DAVIS of California, Mr. BLUMENAUER, Mr. CARDOZA, Mr. KILDEE, Ms. KILPATRICK of Michigan, Mr. ROSS, Mr. PAYNE, Mr. HOLDEN, Mr. SMITH of Washington, Mr. STUPAK, Mr. LANTOS, Mr. RUPPERSBERGER, Mr. BROWN of Ohio, Mr. PASTOR, Mr. LARSEN of Washington, Mrs. CAPPS, Mr. OBERSTAR, Mr. JACKSON of Illinois, Mr. CHANDLER, Mrs. JONES of Ohio, and Mr. CASE):

H.R. 1565. A bill to enhance the benefits and protections for members of the reserve components of the Armed Forces who are called or ordered to extended active duty, and for other purposes; to the Committee on Armed Services, and in addition to the Committees on Energy and Commerce, Education and the Workforce, Ways and Means, and Veterans' Affairs, 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. ISSA:

H.R. 1566. A bill to provide a technical correction to the Federal preemption of State or local laws concerning the markings and identification of imitation or toy firearms entering into interstate commerce; to the Committee on Energy and Commerce.

By Mr. LATOURETTE:

H.R. 1567. A bill to require the Secretary of Housing and Urban Development to provide tenant-based rental housing vouchers for certain residents of federally assisted housing; to the Committee on Financial Services.

By Mr. LEACH (for himself, Mr. TANNER, and Mr. ABERCROMBIE):

H.R. 1568. A bill to amend the Internal Revenue Code of 1986 to permanently reduce estate and gift tax rates to 30 percent, to increase the exclusion equivalent of the unified credit to $10,000,000, and to increase the annual gift tax exclusion to $50,000; to the Committee on Ways and Means.

By Mr. LINDER (for himself, Mr. KINGSTON, and Mr. WAXMAN):

H.R. 1569. A bill to amend the Public Health Service Act with respect to the National Foundation for the Centers for Disease Control and Prevention; to the Committee on Energy and Commerce.

By Mr. LINDER:

H.R. 1570. A bill to amend the Public Health Service Act to provide for the continuation of the program for revitalizing the Centers for Disease Control and Prevention; to the Committee on Energy and Commerce.

By Mr. LOBIONDO (for himself, Mr. SAXTON, Mr. FRELINGHUYSEN, Mr. FERGUSON, and Mr. SMITH of New Jersey):

H.R. 1571. A bill to prohibit the Secretary of the Interior from issuing oil and gas leases on portions of the Outer Continental Shelf located off the coast of New Jersey; to the Committee on Resources.

By Mr. MENENDEZ (for himself, Mr. PALLONE, Mr. HOLT, Mr. ANDREWS, Mr. PAYNE, Mr. ROTHMAN, and Mr. PASCRELL):

H.R. 1572. A bill to amend title XVIII of the Social Security Act to improve the coordination of prescription drug coverage provided under State pharmaceutical assistance programs with the prescription drug benefit provided 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. MICHAUD (for himself, Mr. EVANS, Ms. BERKLEY, Mr. RYAN of Ohio, Mr. STRICKLAND, and Mr. UDALL of New Mexico):

H.R. 1573. A bill to amend title 38, United States Code, to provide that the increase of $250 per month in the rate of monthly dependency and indemnity compensation (DIC) payable to a surviving spouse of a member of the Armed Forces who dies on active duty or as a result of a service-connected disability shall be paid for so long as there are minor children, rather than only for two years; to the Committee on Veterans' Affairs.

By Mr. MOORE of Kansas (for himself and Mr. CASE):

H.R. 1574. A bill to amend the Internal Revenue Code of 1986 and the Economic Growth and Tax Relief Reconciliation Act of 2001 to restore the estate tax and repeal the carryover basis rule and to increase the estate tax unified credit to an exclusion equivalent of $3,500,000; to the Committee on Ways and Means.

By Mrs. MYRICK (for herself and Mr. SPRATT):

H.R. 1575. A bill to authorize appropriate action if the negotiations with the People's Republic of China regarding China's undervalued currency and currency manipulation are not successful; to the Committee on Ways and Means.

By Mr. OTTER (for himself and Mr. SIMPSON):

H.R. 1576. A bill to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and for other purposes; to the Committee on Resources.

By Mr. POMEROY (for himself, Mr. ALLEN, Mr. BROWN of Ohio, Mr. CARDIN, Mr. HOLDEN, Mr. GONZALEZ, Mr. LIPINSKI, and Mr. OBEY):

H.R. 1577. A bill to amend the Internal Revenue Code of 1986 to retain the estate tax with an immediate increase in the exemption, to repeal the new carryover basis rules in order to prevent tax increases and the imposition of compliance burdens on many more estates than would benefit from repeal, and for other purposes; to the Committee on Ways and Means.

By Mr. PORTER (for himself, Mr. VAN HOLLEN, Mr. TOM DAVIS of Virginia, Mr. FOLEY, Mr. NEAL of Massachusetts, Mr. HOYER, Ms. PRYCE of Ohio, Mr. CANTOR, Mr. LATOURETTE, Mr. WOLF, and Mr. MCHENRY):

H.R. 1578. A bill to amend title 5, United States Code, to provide for a real estate stock index investment option under the Thrift Savings Plan; to the Committee on Government Reform.

By Mr. PRICE of North Carolina:

H.R. 1579. A bill to amend title 3, United States Code, to extend the date provided for the meeting of electors of the President and Vice President in the States and the date provided for the joint session of Congress held for the counting of electoral votes, and for other purposes; to the Committee on House Administration.

By Mr. PRICE of North Carolina (for himself, Mr. CASTLE, Mr. HOLT, Mr. SIMMONS, Mr. LEWIS of Georgia, Mr. BASS, Mrs. MALONEY, and Mr. ALLEN):

H.R. 1580. A bill to amend the Federal Election Campaign Act of 1971 to clarify the requirements for the disclosure of identifying information within authorized campaign communications which are printed, to apply certain requirements regarding the disclosure of identifying information within communications made through the Internet, to apply certain disclosure requirements to prerecorded telephone calls, and for other purposes; to the Committee on House Administration.

By Mr. SIMMONS (for himself, Mr. FOLEY, Mr. BURGESS, Mr. BURTON of Indiana, Mr. KUHL of New York, Mr. SAXTON, Mr. BOEHLERT, Mr. BROWN of Ohio, Ms. GINNY BROWN-WAITE of Florida, Mr. COX, Mr. BASS, Mr. BOUSTANY, Ms. CARSON, Mr. FITZPATRICK of Pennsylvania, Ms. MILLENDER-MCDONALD, Mr. LINCOLN DIAZ-BALART of Florida, Mr. BARTLETT of Maryland, and Mr. REYNOLDS):

H.R. 1581. A bill to allow seniors to file their Federal income tax on a new Form 1040S; to the Committee on Ways and Means.

By Mr. UPTON (for himself, Ms. ESHOO, Mr. TERRY, Mr. WU, Mr. BECERRA, and Mr. BONNER):

H.R. 1582. A bill to amend title XVIII of the Social Security Act to authorize expansion of Medicare coverage of medical nutrition therapy services; 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. VAN HOLLEN:

H.R. 1583. A bill to amend the Internal Revenue Code of 1986 to repeal provisions relating to qualified tax collection contracts, and for other purposes; to the Committee on Ways and Means.

By Mr. WELDON of Pennsylvania (for himself, Mr. ALLEN, Mr. SAXTON, Mr. INSLEE, Mrs. DRAKE, Mr. FARR, Mr. FITZPATRICK of Pennsylvania, Mr. MORAN of Virginia, Mr. SMITH of New Jersey, Mr. MENENDEZ, Mr. ROHRABACHER, Ms. ESHOO, Mr. HUNTER, Mr. CASE, Mr. MCINTYRE, Mr. MCDERMOTT, Mr. FORTUÑO, Mr. BUTTERFIELD, Mr. KILDEE, and Ms. LEE):

H.R. 1584. A bill to develop and maintain an integrated system of coastal and ocean observations for the Nation's coasts, oceans, and Great Lakes, to improve warnings of tsunamis and other natural hazards, to enhance homeland security, to support maritime operations, and for other purposes; to the Committee on Resources, and in addition to the Committee on Science, 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. WICKER:

H.R. 1585. 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 Ms. NORTON (for herself, Mr. TOM DAVIS of Virginia, Mr. WOLF, Mr. HOYER, Mr. MORAN of Virginia, Mr. WYNN, Mr. CUMMINGS, and Mr. VAN HOLLEN):

H.R. 1586. A bill to establish an annual Federal infrastructure support contribution for the District of Columbia, and for other purposes; to the Committee on Government Reform.

By Mr. ROYCE (for himself, Mr. LANTOS, Mr. WOLF, Mrs. KELLY, and Mr. SNYDER):

H. Con. Res. 127. Concurrent resolution calling on the Government of the Federal Republic of Nigeria to transfer Charles Ghankay Taylor, former President of the Republic of Liberia, to the Special Court for Sierra Leone to be tried for war crimes, crimes against humanity, and other serious violations of international humanitarian law; to the Committee on International Relations.

By Mr. SHIMKUS (for himself, Mr. MCGOVERN, Mr. MCCOTTER, Mr. DREIER, Mr. DOGGETT, Mr. KUCINICH, Mr. COX, Mr. ROGERS of Michigan, and Mr. KINGSTON):

H. Con. Res. 128. Concurrent resolution expressing the sense of Congress that the Government of the Russian Federation should issue a clear and unambiguous statement of admission and condemnation of the illegal occupation and annexation by the Soviet Union from 1940 to 1991 of the Baltic countries of Estonia, Latvia, and Lithuania; to the Committee on International Relations.

By Mr. SHUSTER (for himself and Mr. MURTHA):

H. Con. Res. 129. Concurrent resolution honoring and memorializing the passengers and crew of United Airlines Flight 93; to the Committee on Transportation and Infrastructure.

By Mr. WYNN (for himself, Mr. UPTON, Mr. SNYDER, Mr. ABERCROMBIE, Mr. PAYNE, Mr. WAXMAN, Mr. RANGEL, Mrs. CHRISTENSEN, Mrs. JONES of Ohio, Mr. FORD, Mr. SCHIFF, and Mr. GUTIERREZ):

H. Con. Res. 130. Concurrent resolution expressing the sense of the Congress with respect to the awareness, prevention, early detection, and effective treatment of viral hepatitis, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COBLE (for himself, Mr. BUTTERFIELD, Mr. ETHERIDGE, Ms. FOXX, Mr. HAYES, Mr. JONES of North Carolina, Mr. MCHENRY, Mr. MCINTYRE, Mr. MILLER of North Carolina, Mrs. MYRICK, Mr. PRICE of North Carolina, Mr. TAYLOR of North Carolina, and Mr. WATT):

H. Res. 203. A resolution expressing support for the International Home Furnishings Market in High Point, North Carolina; to the Committee on Energy and Commerce.

By Ms. DEGETTE (for herself, Mr. CUMMINGS, Mr. WATT, and Mr. UDALL of Colorado):

H. Res. 204. A resolution expressing the sense of the House of Representatives that Pasqualine J. Gibbons of Denver, Colorado, an African American woman who valiantly served her country in the Army Air Corps during World War II, was unfairly passed over for promotion and should have held the grade of technical sergeant, rather than private first class, upon her discharge from the service on January 2, 1946; to the Committee on Armed Services.

By Mr. EDWARDS (for himself and Mr. ISTOOK):

H. Res. 205. A resolution congratulating the Baylor University Lady Bear Women's Basketball team on winning the 2005 NCAA Championship for basketball; to the Committee on Education and the Workforce.

By Mr. ETHERIDGE (for himself, Mr. MILLER of North Carolina, Mr. PRICE of North Carolina, Mr. COBLE, Mr. WATT, Mr. MCINTYRE, Mr. JONES of North Carolina, Mr. BUTTERFIELD, and Mr. MCHENRY):

H. Res. 206. A resolution recognizing the 100th anniversary of Garner, North Carolina; to the Committee on Government Reform.

By Mr. HULSHOF:

H. Res. 207. A resolution recognizing the 100th anniversary of FarmHouse Fraternity, Inc; to the Committee on Education and the Workforce.

By Mr. MURPHY (for himself, Mr. DOYLE, Mr. MCNULTY, Mr. PAYNE, Mr. HINCHEY, Ms. HART, Ms. BORDALLO, Mr. PLATTS, Mr. ENGLISH of Pennsylvania, Mr. FITZPATRICK of Pennsylvania, Mr. PETERSON of Pennsylvania, Mr. GERLACH, Ms. SCHWARTZ of Pennsylvania, Mr. HOLDEN, Mr. WELDON of Pennsylvania, Mr. CASE, Mr. DENT, Mr. SHUSTER, Mr. TOWNS, Mr. FATTAH, Mr. BRADY of Pennsylvania, Mr. SKELTON, Mr. SMITH of New Jersey, Mr. NEUGEBAUER, Mr. SULLIVAN, Mr. BOEHNER, Ms. ROS-LEHTINEN, Mr. CHOCOLA, Mr. PITTS, Mr. WELDON of Florida, Mr. KING of Iowa, Mr. SHERWOOD, Mr. ROYCE, Mr. CANTOR, Mr. RYUN of Kansas, Mr. NEY, Mr. TURNER, Ms. HARRIS, Mr. BONNER, Mr. BACHUS, Mr. BURGESS, Mrs. BONO, Mr. KANJORSKI, Mr. SHIMKUS, and Mrs. BLACKBURN):

H. Res. 208. A resolution recognizing the University of Pittsburgh and Dr. Jonas Salk on the fiftieth anniversary of the milestone discovery of the Salk polio vaccine, which has virtually eliminated the disease and its harmful effects; to the Committee on Energy and Commerce.

By Mr. SESSIONS (for himself and Mr. FEENEY):

H. Res. 209. A resolution expressing the sense of the House of Representatives that any Social Security reform legislation should include a ''Community Bank Option''; to the Committee on Ways and Means.

By Mr. WEXLER (for himself, Mr. SMITH of Texas, Mr. BERMAN, Mr. FEENEY, Mr. SMITH of Washington, and Mrs. BONO):

H. Res. 210. A resolution supporting the goals of World Intellectual Property Day, and recognizing the importance of intellectual property in the United States and worldwide; 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. 8: Mr. MARCHANT, Mr. BARRETT of South Carolina, Mr. RUPPERSBERGER, Mr. INGLIS of South Carolina, Mr. DENT, Mr. PRICE of Georgia, Mr. FRELINGHUYSEN, Mr. FLAKE, Mr. SWEENEY, Mr. GIBBONS, Mr. DAVIS of Kentucky, Ms. BERKLEY, Mr. PORTER, Mr. SHADEGG, Mr. FRANKS of Arizona, Mr. CALVERT, and Mr. LATHAM.

H.R. 11: Miss MCMORRIS, Mr. HOLDEN, Mr. DEFAZIO, and Mr. HAYES.

H.R. 18: Mr. ROHRABACHER.

H.R. 19: Mr. TANCREDO and Mr. DEAL of Georgia.

H.R. 22: Mr. LAHOOD, Mr. KUHL of New York, Ms. BALDWIN, Mr. HINCHEY, Mr. PETERSON of Minnesota, Mr. SPRATT, Mr. LINCOLN DIAZ-BALART of Florida, Mr. PASCRELL, Mr. MOORE of Kansas, Ms. HERSETH, Mr. MEEK of

Florida, Mr. PORTER, Mrs. DRAKE, Mr. SIMMONS, Mr. CONYERS, Ms. GINNY BROWN-WAITE of Florida, Mr. ANDREWS, Mr. MENENDEZ, Ms. LINDA T. SÁNCHEZ of California, Mr. MURTHA, and Mr. REYES.

H.R. 23: Mr. UDALL of Colorado, Mr. CHANDLER, Ms. JACKSON-LEE of Texas, Mr. MURPHY, Mr. DAVIS of Illinois, Mr. GEORGE MILLER of California, Ms. DELAURO, Mr. RAMSTAD, Mr. SMITH of Washington, Mrs. WILSON of New Mexico, Mr. LUCAS, Mr. WELLER, Mr. BOYD, Mr. WOLF, and Mr. LEWIS of Georgia.

H.R. 216: Mrs. MYRICK.

H.R. 269: Mrs. CAPITO, Mr. PAUL, and Mr. KOLBE.

H.R. 278: Mr. AKIN and Mr. SESSIONS.

H.R. 302: Mr. HASTINGS of Florida.

H.R. 303: Mr. PETERSON of Minnesota, Mr. BOUCHER, Mr. BERRY, Mr. TAYLOR of Mississippi, Ms. HOOLEY, Mr. DICKS, Mr. BRADLEY of New Hampshire, Mr. MORAN of Kansas, Mr. GENE GREEN of Texas, Mr. GRIJALVA, and Mr. SALAZAR.

H.R. 314: Mr. CARNAHAN.

H.R. 328: Mr. AL GREEN of Texas and Mr. KENNEDY of Rhode Island.

H.R. 333: Mr. FOLEY and Mr. GRIJALVA.

H.R. 339: Mr. HALL, Mr. MILLER of Florida, and Mr. DEAL of Georgia.

H.R. 369: Mr. SPRATT and Mr. SALAZAR.

H.R. 371: Ms. LEE, Mr. GINGREY, Mr. SCOTT of Georgia, Mr. BROWN of Ohio, and Mr. CUMMINGS.

H.R. 378: Ms. SCHAKOWSKY.

H.R. 401: Mr. MCCOTTER.

H.R. 402: Mr. FORTUÑO.

H.R. 404: Mr. FORTUÑO.

H.R. 406: Mr. GARRETT of New Jersey.

H.R. 408: Mr. MICHAUD.

H.R. 421: Mr. WEXLER.

H.R. 448: Ms. CORRINE BROWN of Florida.

H.R. 504: Mr. BACA, Mr. BECERRA, Mr. BERMAN, Mrs. BONO, Mr. CALVERT, Mrs. CAPPS, Mr. CARDOZA, Mr. COX, Mr. COSTA, Mr. CUNNINGHAM, Mrs. DAVIS of California, Mr. DOOLITTLE, Mr. DREIER, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. GALLEGLY, Mr. HAYWORTH, Ms. HARMAN, Mr. HERGER, Mr. HONDA, Mr. HUNTER, Mr. ISSA, Mr. JENKINS, Mr. LANTOS, Ms. LEE, Mr. LEWIS of California, Ms. ZOE LOFGREN of California, Mr. MCKEON, Ms. MATSUI, Ms. MILLENDER-MCDONALD, Mr. GARY G. MILLER of California, Mr. GEORGE MILLER of California, Mrs. NAPOLITANO, Mr. NUNES, Mr. DANIEL E. LUNGREN of California, Mr. PASCRELL, Ms. PELOSI, Mr. POMBO, Mr. RADANOVICH, Mr. ROHRABACHER, Ms. ROYBAL-ALLARD, Mr. ROYCE, Ms. LINDA T. SÁNCHEZ of California, Ms. LORETTA SANCHEZ of California, Mr. SCHIFF, Mr. SHERMAN, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. THOMAS, Mr. THOMPSON of California, Ms. WATERS, Mr. WAXMAN, and Ms. WOOLSEY.

H.R. 25: Mrs. MYRICK.

H.R. 28: Mr. INGLIS of South Carolina, Ms. HOOLEY, and Mr. JOHNSON of Illinois.

H.R. 30: Mr. MILLER of Florida and Mr. FOLEY.

H.R. 32: Mr. GORDON.

H.R. 37: Mr. PORTER.

H.R. 64: Mr. ENGLISH of Pennsylvania, Mr. DAVIS of Kentucky, Mr. DENT, Mr. DEAL of Georgia, and Mr. SHADEGG.

H.R. 98: Ms. GINNY BROWN-WAITE of Florida, Mr. DEAL of Georgia, and Mr. ROHRABACHER.

H.R. 111: Mr. SCOTT of Georgia, Mr. TAYLOR of North Carolina, Mrs. CAPITO, Mr. CHOCOLA, Mr. DAVIS of Alabama, and Mr. WILSON of South Carolina.

H.R. 135: Mr. ENGEL.

H.R. 149: Mr. GUTIERREZ, Mr. OWENS, Mr. GRIJALVA, Mr. TOWNS, Mr. CONYERS, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MCGOVERN, Mr. RANGEL, Ms. SCHAKOWSKY, and Mr. GONZALEZ.

H.R. 179: Mr. FOSSELLA.

H.R. 181: Mr. HERGER and Mr. CHABOT.

H.R. 206: Ms. MILLENDER-MCDONALD and Mr. MICHAUD.

H.R. 509: Mr. BURTON of Indiana, Mr. NORWOOD, Mr. FORTUÑO, and Mr. SAXTON.

H.R. 510: Mr. FORTUÑO.

H.R. 515: Mr. ORTIZ.

H.R. 525: Mr. TOWNS, Mr. SHIMKUS, Mr. CALVERT, and Mr. GUTKNECHT.

H.R. 551: Ms. SLAUGHTER and Mr. GEORGE MILLER of California.

H.R. 558: Mr. REYES, Mr. BISHOP of Georgia, Mr. BRADLEY of New Hampshire, and Mr. SMITH of New Jersey.

H.R. 562: Mr. BOEHLERT.

H.R. 580: Mr. BROWN of South Carolina.

H.R. 583: Mrs. MCCARTHY.

H.R. 586: Mr. OTTER.

H.R. 591: Mr. FRANK of Massachusetts.

H.R. 592: Mr. MCNULTY, Mr. PLATTS, Mr. FOSSELLA, and Mr. MCHUGH.

H.R. 594: Mr. TIERNEY.

H.R. 615: Mr. BONNER, Mr. STUPAK, Ms. BERKLEY, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 623: Mrs. DRAKE and Mr. HENSARLING.

H.R. 626: Mr. KIRK.

H.R. 634: Ms. BERKLEY.

H.R. 652: Mr. GOODLATTE, Ms. HART, and Mr. RYAN of Wisconsin.

H.R. 657: Mr. ANDREWS, Mr. BARROW, Mr. BECERRA, Mr. BISHOP of New York, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Mr. BUTTERFIELD, Mrs. CAPPS, Mr. CAPUANO, Mr. CARDOZA, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLEAVER, Mr. CONYERS, Mr. CUELLAR, Mr. CUMMINGS, Mr. DAVIS of Alabama, Mr. DAVIS of Illinois, Ms. DELAURO, Mr. ETHERIDGE, Mr. FALEOMAVAEGA, Mr. FORD, Mr. GONZALEZ, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Mr. KANJORSKI, Mr. KILDEE, Ms. KILPATRICK of Michigan, Mr. KUCINICH, Mr. LANTOS, Ms. LEE, Mr. LEVIN, Ms. ZOE LOFGREN of California, Mrs. MCCARTHY, Mr. MCDERMOTT, Mr. MCGOVERN, Mrs. MALONEY, Mr. MARSHALL, Mr. MEEKS of New York, Mr. MELANCON, Ms. MILLENDER-MCDONALD, Mr. GEORGE MILLER of California, Mr. MOORE of Kansas, Ms. MOORE of Wisconsin, Mr. MORAN of Virginia, Mr. NADLER, Mr. NEAL of Massachusetts, Ms. NORTON, Mr. OWENS, Mr. PALLONE, Mr. PASCRELL, Mr. PRICE of North Carolina, Mr. RANGEL, Mr. REYES, Mr. ROSS, Mr. RUPPERSBERGER, Mr. RYAN of Ohio, Ms. LINDA T. SÁNCHEZ of California, Mr. SANDERS, Mr. SERRANO, Mr. SKELTON, Ms. SLAUGHTER, Mr. STUPAK, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. VAN HOLLEN, Ms. WATERS, Ms. WATSON, Mr. WATT, Mr. WEINER, Mr. WYNN, Mr. FATTAH, Mr. WU, Mr. EVANS, Mr. FILNER, Ms. KAPTUR, Mr. DOYLE, Mr. FRANK of Massachusetts, Mrs. JONES of Ohio, Ms. WOOLSEY, Mr. CASE, Mr. HOLT, and Mr. MENENDEZ.

H.R. 659: Mr. UDALL of Colorado.

H.R. 669: Mr. KILDEE, Mr. ROGERS of Michigan, Mr. MILLER of Florida, Mr. ALEXANDER, and Mr. JINDAL.

H.R. 670: Mrs. CAPITO and Mr. GRAVES.

H.R. 687: Mrs. JO ANN DAVIS of Virginia.

H.R. 691: Mr. BOEHLERT and Mr. DEAL of Georgia.

H.R. 698: Mr. BILIRAKIS and Mr. WESTMORELAND.

H.R. 712: Mr. HERGER.

H.R. 731: Mr. PORTER.

H.R. 745: Mr. INGLIS of South Carolina and Ms. HERSETH.

H.R. 748: Mr. SHADEGG and Mr. WOLF.

H.R. 750: Mr. BARTLETT of Maryland.

H.R. 762: Mr. FOSSELLA.

H.R. 763: Mr. FOSSELLA.

H.R. 764: Mr. KUHL of New York.

H.R. 768: Mr. MCNULTY.

H.R. 771: Mr. SALAZAR, Mr. FILNER, and Mr. SCHIFF.

H.R. 776: Mr. MILLER of Florida and Mr. NORWOOD.

H.R. 777: Mr. MILLER of Florida.

H.R. 783: Mr. REYES, Mr. BRADLEY of New Hampshire, and Mrs. CAPITO.

H.R. 787: Mr. SKELTON, Mr. HUNTER, Ms. PELOSI, Mr. WAXMAN, Ms. LORETTA SANCHEZ of California, Ms. WOOLSEY, Mr. LANTOS, Ms. MILLENDER-MCDONALD, Ms. ROYBAL-ALLARD, Mr. BERMAN, Mrs. CAPPS, Mrs. TAUSCHER, Ms. WATSON, Ms. ZOE LOFGREN of California, Mr. THOMAS, Mrs. NAPOLITANO, Mr. GEORGE MILLER of California, Mr. CARDOZA, Mr. STARK, Mr. HONDA, Ms. LEE, Mr. ISSA, Mr. HERGER, Mr. FARR, Mr. BECERRA, Ms. WATERS, Mr. SHERMAN, Ms. LINDA T. SÁNCHEZ of California, Ms. ESHOO, Mrs. DAVIS of California, Mr. LEVIN, Ms. SOLIS, Mr. CALVERT, and Mrs. BONO.

H.R. 793: Ms. BALDWIN, Mr. OLVER, and Mr. LARSON of Connecticut.

H.R. 798: Mr. MICHAUD.

H.R. 800: Mr. BILIRAKIS, Mr. BARTON of Texas, Mr. ORTIZ, Mr. LATHAM, Mr. HULSHOF, Mr. INGLIS of South Carolina, Mr. FORTENBERRY, Mr. LOBIONDO, Mr. GOODLATTE, and Mr. EDWARDS.

H.R. 810: Mr. DELAHUNT and Mr. GONZALEZ.

H.R. 858: Mr. MILLER of Florida and Ms. GINNY BROWN-WAITE of Florida.

H.R. 865: Mr. MCHUGH and Mr. MCINTYRE.

H.R. 867: Mr. UDALL of Colorado and Mr. BERMAN.

H.R. 871: Mr. MENENDEZ.

H.R. 874: Mr. MCCAUL of Texas.

H.R. 880: Mr. GORDON.

H.R. 881: Mr. BARROW, Mr. HAYWORTH, Mr. ACKERMAN, Mr. PETERSON of Minnesota, Mr. LATHAM, and Mr. EHLERS.

H.R. 884: Mr. MCHUGH, Mr. PRICE of North Carolina, Mr. FOLEY, Mr. HASTINGS of Florida, Mr. KIND, Mr. BOEHLERT, Mr. SIMMONS, and Ms. ROS-LEHTINEN.

H.R. 885: Ms. KAPTUR, Mr. BURTON of Indiana, Ms. SLAUGHTER, Mr. ROHRABACHER, Mr. LEACH, Mr. PENCE, Mr. CROWLEY, Mr. ENGEL, Mr. ROYCE, Mr. SCHIFF, Ms. WATSON, Mr. WEXLER, Mr. MCCOTTER, Mr. FLAKE, and Mr. ISSA.

H.R. 896: Mr. PRICE of North Carolina and Mr. BOSWELL.

H.R. 897: Mr. MCNULTY and Mr. BECERRA.

H.R. 916: Mr. MORAN of Kansas, Mr. ISRAEL, Ms. HART, Mr. TERRY, Mr. LEACH, Mr. KENNEDY of Minnesota, Mr. SABO, Mr. DAVIS of Alabama, Mr. LAHOOD, and Mr. WAXMAN.

H.R. 923: Mr. GONZALEZ.

H.R. 924: Mr. EMANUEL.

H.R. 935: Mr. LEACH.

H.R. 936: Ms. ESHOO.

H.R. 939: Ms. KILPATRICK of Michigan, Mr. GUTIERREZ, Mr. PALLONE, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. GEORGE MILLER of California, Ms. WATSON, Mr. HONDA, and Mr. RANGEL.

H.R. 968: Ms. KAPTUR, Mr. GREEN of Wisconsin, Mr. SMITH of Washington, Mr. EVANS, Mr. BOYD, Mr. NEAL of Massachusetts, Ms. HOOLEY, Mr. BISHOP of Utah, Mr. RYAN of Ohio, Mr. HOLDEN, Mr. CHANDLER, Mr. FORTUÑO, Ms. HERSETH, Mr. CUMMINGS, Ms. WOOLSEY, Mrs. CAPITO, Mr. JONES of North Carolina, Mr. KIND, Mr. BISHOP of Georgia, Mr. MICHAUD, Mr. CONAWAY, and Mr. LATOURETTE.

H.R. 975: Mr. MATHESON.

H.R. 985: Mr. GREEN of Wisconsin, Mr. FORBES, Ms. HOOLEY, Mr. MORAN of Virginia, Mr. BOREN, Mr. GILLMOR, Ms. GINNY BROWN-WAITE of Florida, Mr. MCDERMOTT, Mr. SWEENEY, Mr. MATHESON, Mr. DOGGETT, Mr. DICKS, Mr. REYES, Mr. BROWN of South Carolina, and Mr. DOYLE.

H.R. 986: Mr. PRICE of North Carolina.

H.R. 988: Mr. UDALL of Colorado and Mr. MICHAUD.

H.R. 997: Mr. ROYCE.

H.R. 998: Mr. YOUNG of Alaska, Mr. ALEXANDER, Mr. COLE of Oklahoma, Mr. DAVIS of Kentucky, Mr. RAHALL, Mr. KING of Iowa, Ms. DELAURO, and Mr. SPRATT.

H.R. 1002: Mr. REYES, Mr. FRANK of Massachusetts, Mr. HEFLEY, Mrs. JO ANN DAVIS of Virginia, Mr. PETERSON of Minnesota, Mr. VAN HOLLEN, Mr. DAVIS of Illinois, Ms. ESHOO, Mr. UDALL of Colorado, Mr. SHAYS, Mr. BAIRD, Mr. MENENDEZ, Mr. ENGEL, Ms. SOLIS, Mr. OLVER, Mr. SANDERS, Mr. BISHOP of New York, Mr. MEEHAN, Mr. HIGGINS, Mr. GORDON, Mr. BLUMENAUER, Mrs. MCCARTHY, Mr. LYNCH, Mr. FARR, and Mr. GENE GREEN of Texas.

H.R. 1029: Mr. PETERSON of Minnesota, Ms. MOORE of Wisconsin, Mr. JACKSON of Illinois, Mr. ALLEN, and Ms. JACKSON-LEE of Texas.

H.R. 1056: Mr. BLUMENAUER.

H.R. 1059: Mr. LARSON of Connecticut and Mr. PAYNE.

H.R. 1088: Mr. RAMSTAD, Mr. HAYES, Mr. LATOURETTE, and Mr. BOEHLERT.

H.R. 1091: Mr. SIMMONS.

H.R. 1095: Mr. REYNOLDS and Mr. MCCAUL of Texas.

H.R. 1099: Mrs. MCCARTHY.

H.R. 1105: Mr. CLEAVER and Mr. HINOJOSA.

H.R. 1114: Mr. BAKER.

H.R. 1126: Mr. DEFAZIO, Mr. BROWN of Ohio, Mr. FILNER, Mr. CLAY, and Ms. DELAURO.

H.R. 1130: Mr. STARK, Mr. MEEKS of New York, Mr. FILNER, and Ms. KILPATRICK of Michigan.

H.R. 1131: Mr. BISHOP of New York, Mr. UDALL of Colorado, Ms. WOOLSEY, Mr. FOLEY, Mr. RAMSTAD, Mr. BACHUS, and Mr. ANDREWS.

H.R. 1155: Mr. STARK and Ms. WOOLSEY.

H.R. 1157: Mr. BARTLETT of Maryland.

H.R. 1166: Mr. MCGOVERN.

H.R. 1172: Ms. ROS-LEHTINEN, Ms. LINDA T. SÁNCHEZ of California, and Mr. FILNER.

H.R. 1176: Mr. RAMSTAD, Mr. WYNN, Mr. CHABOT, Mr. WAMP, Mrs. MUSGRAVE, Mr. OSBORNE, and Mr. HASTINGS of Washington.

H.R. 1185: Mr. PRICE of Georgia.

H.R. 1201: Mr. MILLER of Florida.

H.R. 1204: Mr. PASTOR, Mr. ORTIZ, Mr. EVANS, Mr. HINCHEY, Mr. SERRANO, and Mr. JOHNSON of Illinois.

H.R. 1206: Mr. FOLEY.

H.R. 1217: Ms. HOOLEY.

H.R. 1241: Mr. KELLER, Mrs. EMERSON, and Mr. BOEHNER.

H.R. 1246: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BERMAN, Mr. MCGOVERN, Mr. WEXLER, Mrs. DAVIS of California, Mrs. DRAKE, Mr. TURNER, Ms. CARSON, Mr. AKIN, Mr. BOUCHER, and Mr. NEY.

H.R. 1258: Mr. GENE GREEN of Texas, Mr. MCGOVERN, Mr. MCNULTY, Mr. MOLLOHAN, Mr. RANGEL, Ms. NORTON, Ms. BALDWIN, and Mr. DAVIS of Illinois.

H.R. 1265: Ms. DEGETTE.

H.R. 1266: Ms. DEGETTE.

H.R. 1277: Mr. OLVER.

H.R. 1278: Mr. DINGELL.

H.R. 1287: Mr. RUSH, Mr. JOHNSON of Illinois, and Mr. EMANUEL.

H.R. 1288: Mr. ORTIZ, Mr. EDWARDS, Mr. BARRETT of South Carolina, Mr. PRICE of Georgia, Mr. EVERETT, Mr. HULSHOF, Mr. BRADLEY of New Hampshire, Mr. MCCAUL of Texas, Mr. NORWOOD, Mr. GARRETT of New Jersey, Mr. BOEHLERT, Mr. SWEENEY, and Mr. YOUNG of Alaska.

H.R. 1290: Mr. RANGEL.

H.R. 1298: Mr. BEAUPREZ, Mr. DICKS, and Mr. SMITH of Washington.

H.R. 1306: Mr. KOLBE, Mr. MCDERMOTT, Mr. CALVERT, Mr. FOLEY, Mr. LAHOOD, Mr. PUTNAM, Mr. PAUL, Mrs. DRAKE, Mr. CULBERSON, Mr. UPTON, Mr. KILDEE, Mr. KIND, Mr. SIMMONS, Mr. YOUNG of Alaska, Ms. HARRIS, and Mrs. MILLER of Michigan.

H.R. 1308: Mr. PITTS and Mr. GINGREY.

H.R. 1322: Mr. STARK and Ms. HOOLEY.

H.R. 1335: Mr. TOWNS.

H.R. 1352: Mr. KUHL of New York and Mr. BUTTERFIELD.

H.R. 1357: Mr. KING of New York, Mr. MANZULLO, and Mr. LAHOOD.

H.R. 1366: Mr. FOLEY, Mr. TANCREDO, Ms. HOOLEY, and Mr. BRADLEY of New Hampshire.

H.R. 1371: Ms. HERSETH.

H.R. 1389: Mr. CONYERS.

H.R. 1393: Mr. CONYERS.

H.R. 1400: Mr. PLATTS and Mr. KUHL of New York.

H.R. 1405: Mr. MENENDEZ, Mr. MCNULTY, and Mr. ANDREWS.

H.R. 1406: Mr. REYES and Mr. BAKER.

H.R. 1417: Mr. RYAN of Wisconsin and Mr. CAMP.

H.R. 1424: Mr. MCDERMOTT, Mr. CROWLEY, Mr. ISRAEL, Ms. WATSON, Mr. MICHAUD, Mr. GRIJALVA, Mr. HONDA, Mr. BROWN of Ohio, Ms. MCCOLLUM of Minnesota, Mr. MCCOTTER, Mr. PALLONE, Mr. MCGOVERN, Mrs. JONES of Ohio, Mr. OLVER, Ms. NORTON, Mr. WYNN, Ms. KILPATRICK of Michigan, Mr. BERMAN, Mr. GERLACH, Mr. FILNER, Mr. GEORGE MILLER of California, Mr. BISHOP of Georgia, Mr. HOLT, Mr. CLAY, Mr. PASCRELL, Ms. WOOLSEY, Ms. HOOLEY, Mr. FRANKS of Arizona, Mr. WAXMAN, Mr. ABERCROMBIE, Mr. MORAN of Virginia, Mrs. MCCARTHY, and Mr. ALLEN.

H.R. 1426: Mr. PRICE of North Carolina, Mr. WAMP, Mr. JACKSON of Illinois, Mr. LAHOOD, Mr. GUTIERREZ, Mr. FRANK of Massachusetts, Mr. VAN HOLLEN, Mr. ROGERS of Michigan, Mrs. BONO, Mr. PASTOR, Mr. OSBORNE, Ms. BALDWIN, Mr. GRIJALVA, and Mr. TIERNEY.

H.R. 1474: Ms. LINDA T. SÁNCHEZ of California, Mr. MATHESON, Mr. BERRY, Mr. ROGERS of Michigan, Mr. STUPAK, Mr. BOSWELL, Mr. TANNER, Mr. MCNULTY, Mr. LATHAM, Mr. POMEROY, and Mr. THOMPSON of Mississippi.

H.R. 1478: Mr. ANDREWS.

H.R. 1491: Mr. UPTON.

H.R. 1498: Mr. SENSENBRENNER, Mr. MANZULLO, Mr. PETERSON of Minnesota, Mr. DEFAZIO, Mr. PALLONE, Mr. LATOURETTE, Mr. BROWN of Ohio, Mrs. MYRICK, Mr. BERRY, Mr. TANCREDO, Mrs. JO ANN DAVIS of Virginia, Mr. GERLACH, Mr. MICHAUD, Mr. INGLIS of South Carolina, Mr. SPRATT, Mr. DUNCAN, Mr. STARK, Mr. PASCRELL, Mr. SANDERS, Mr. STRICKLAND, Mr. SIMMONS, Mr. VISCLOSKY, Mr. HAYES, Mr. ISSA, and Mr. ROHRABACHER.

H.R. 1500: Mr. SESSIONS and Mr. SAXTON.

H.R. 1508: Mr. MOORE of Kansas.

H.R. 1521: Mr. BERMAN and Mr. MCGOVERN.

H.J. Res. 10: Mr. BOUSTANY, Mr. HAYWORTH, and Mr. FORTENBERRY.

H.J. Res. 16: Mr. FEENEY, Mr. HOSTETTLER, and Mr. HENSARLING.

H.J. Res. 27: Mr. TANCREDO, Mr. STUPAK, Mr. HOSTETTLER, and Mr. DUNCAN.

H. Con. Res. 11: Mr. BARTLETT of Maryland, Mr. WESTMORELAND, and Mr. NORWOOD.

H. Con. Res. 12: Mr. BARTLETT of Maryland, Mr. WESTMORELAND, and Mr. NORWOOD.

H. Con. Res. 38: Mrs. DRAKE.

H. Con. Res. 41: Ms. WOOLSEY, Mr. BECERRA, Mr. WAXMAN, and Ms. LORETTA SANCHEZ of California.

H. Con. Res. 69: Mr. BURTON of Indiana.

H. Con. Res. 81: Mr. WILSON of South Carolina.

H. Con. Res. 85: Mr. PRICE of North Carolina, Mr. ALLEN, Mr. AL GREEN of Texas, Ms. MCCOLLUM of Minnesota, Mrs. DRAKE, and Mr. BOOZMAN.

H. Con. Res. 99: Ms. BALDWIN.

H. Con. Res. 102: Mr. PALLONE and Mr. BERMAN.

H. Con. Res. 107: Mr. DAVIS of Alabama, and Mr. GARY G. MILLER of California.

H. Con. Res. 108: Mr. FRANK of Massachusetts, Mrs. LOWEY, Mr. BISHOP of Georgia, Mr. BERMAN, Mr. HIGGINS, Mr. DAVIS of Alabama, Mr. BAIRD, Ms. SCHAKOWSKY, and Mrs. CAPPS.

H. Con. Res. 123: Mr. NADLER and Mr. MCNULTY.

H. Res. 22: Mr. TURNER.

H. Res. 61: Mr. LEVIN.

H. Res. 78: Mr. HIGGINS.

H. Res. 84: Mr. CHOCOLA.

H. Res. 85: Mr. BARROW, Mr. MARSHALL, Mr. HASTINGS of Florida, Mr. BOYD, and Mr. PRICE of Georgia.

H. Res. 128: Mr. HOLDEN, Mr. BOREN, Mr. SKELTON, and Mr. SAM JOHNSON of Texas.

H. Res. 131: Ms. BORDALLO.

H. Res. 142: Mr. HOLT.

H. Res. 150: Mr. SANDERS.

H. Res. 169: Mr. GENE GREEN of Texas.

H. Res. 172: Ms. ZOE LOFGREN of California.

H. Res. 184: Mr. SMITH of New Jersey, Ms. KILPATRICK of Michigan, Mr. WOLF, Mr. HOEKSTRA, Mr. SOUDER, Mr. EHLERS, Mr. TERRY, Mr. FRANKS of Arizona, Mr. BOYD, Mr. KNOLLENBERG, Mr. LEWIS of California, Mr. SIMMONS, Mr. FOLEY, Mr. TIAHRT, Mr. TURNER, and Mr. HINCHEY.

H. Res. 185: Mr. AL GREEN of Texas.

H. Res. 186: Mr. FALEOMAVAEGA, Mr. MCHUGH, and Mr. RANGEL.

H. Res. 189: Mr. SIMMONS and Mr. MEEKS of New York.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

13. The SPEAKER presented a petition of the City Council of Seattle, Washington, relative to Resolution No. 30749, opposing the elimination of the Community Development Block Grant (CDBG) Program, and petitioning the Congress and President of the United States to provide full funding for housing, economic development and human services programs in the Department of Housing and Urban Development; to the Committee on Financial Services.

14. Also, a petition of the Board of Supervisors of Essex County, New York, relative to Resolution No. 314 petitioning the State Legislature to increase the HEAP allotments for this season due to the rising fuel costs; to the Committee on Energy and Commerce.

15. Also, a petition of the Lithuanian-American Council Branch of Lake County, Indiana, relative to a Resolution commending the United States Government for monitoring election fairness to preserve individual freedoms; to the Committee on International Relations.

16. Also, a petition of the Board of Supervisors of Essex County, New York, relative to Resolution No. 28 petitioning the New York State Department of Transportation and Vermont Department of Transportation to work together to provide for continued maintenance and repair at the Lake Champlain Bridge in Crown Point, New York; to the Committee on Transportation and Infrastructure.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

S. 256

OFFERED BY: MR. EMANUEL

AMENDMENT NO. 1: Page 507, line 6, strike the close quotation marks and the period at the end.

Page 507, after line 6, insert the following:

''(f)(1) The trustee may avoid a transfer of an interest of the debtor in property made by an individual debtor within 10 years before the date of the filing of the petition to an

asset protection trust if the amount of the transfer or the aggregate amount of all transfers to the asset protection trust within such 10-year period exceeds $125,000, to the extent that the debtor's beneficial interest in the trust does not become property of the estate by reason of section 541(c)(2).

''(2) An asset protection trust is a trust settled by the debtor, in which the debtor has a direct or indirect beneficial interest or under which the trustee may distribute property to or for the benefit of the debtor, and as to which a restriction on the voluntary or involuntary transfer of the debtor's beneficial interest in the trust is enforceable under applicable nonbankruptcy law. For purposes of this subsection, the following are not asset protection trusts:

''(A) Retirement funds to the extent that those funds are in a fund or account that is exempt from taxation under section 401, 403, 408, 408A, 414, 457, or 501(a) of the Internal Revenue Code of 1986.

''(B) Charitable trusts.

''(C) Qualified trusts under section 529 of the Internal Revenue Code of 1986, and other educational trusts, funds, or accounts.''.

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PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, TUESDAY, APRIL 12, 2005 No. 42

Senate

The Senate met at 9:45 a.m. and was called to order by the Honorable DAVID VITTER, a Senator from the State of Louisiana.

The PRESIDING OFFICER. Today, we will be led in a prayer by our guest Chaplain, Rabbi Jehiel Orenstein, of Congregation Beth El, South Orange, NJ.

PRAYER

The guest Chaplain offered the following prayer:

Our G-d and G-d of our ancestors, who shall stand in G-d's holy place? The Psalmist answers, ''One who has clean hands and a pure heart who has not used G-d's name in false oaths.'' Almighty Legislator of our lives, our hopes, our dreams, as legislators, one may sometimes despair and say, ''Who can stand in G-d's place?'' After all, we are human, limited. What a vast distance between us and the Creator of the laws of the universe.

And yet, the Psalmist gives us hope. If you want our law to reflect ultimate law, ''Start,'' says the Psalmist, ''with clean hands and a pure heart.'' No worthy law has ever emanated from this place that was not first and foremost ethical.

And then the Psalmist asks us to remember our vow, a vow given to the Ultimate Legislator and to the American people, to hold fast to our vow no matter how great the pressure.

On this Tuesday in April 2005, may there be a sense of spring and renewal. Let us bridge the distance between the law of the human beings and the law of the Creator of the universe.

Rabbi Akivah taught, ''The greatest of G-d's law is, 'Love thy neighbor as thyself.' (Leviticus 19:18).'' May this Senate, may this Congress, may this people come ever closer through our laws to the ultimate law of love. May you be blessed in your work, and may that work make you, and through you, all of America, a home that reflects G-d's love on this Earth, and let us all say, Amen.

PLEDGE OF ALLEGIANCE

The Honorable DAVID VITTER led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 12, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable DAVID VITTER, a Senator from the State of Louisiana, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. VITTER thereupon assumed the Chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, this morning, following the 1 hour which is designated for morning business, the Senate will resume consideration of H.R. 1268, the emergency supplemental appropriations bill. I anticipate amendments being offered over the course of the day. Therefore, Senators can expect rollcall votes throughout the day.

I again ask Members to contact their respective cloakrooms if they intend to offer an amendment or amendments to the supplemental. This will allow Chairman COCHRAN and Senator BYRD to facilitate the amendment process.

Yesterday, I mentioned the importance and the timeliness of this legislation, and I hope Members will take that into consideration as they contemplate amendments. We would like to finish this bill which provides funding for our troops as quickly as we can.

Also, today we will have our respective policy luncheons and will recess from 12:30 p.m. to 2:15 p.m. to accommodate those meetings.

Mr. President, at this juncture I will yield to my colleagues for their brief statements and recognition of our guest Chaplain today, and then I will have a brief opening statement.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey, Mr. LAUTENBERG, is recognized.

THE GUEST CHAPLAIN

Mr. LAUTENBERG. Mr. President, this is a very welcome moment for me because I have known Rabbi Orenstein personally for many years. Members of my family have worshiped at his synagogue, the Congregation Beth El in South Orange. I have worshiped with him for 35 years.

Rabbi Orenstein is going to be retiring from Congregation Beth El very shortly. He and his lovely wife Sylvia are going to be honored for their many years of service, and it is going to be done next month.

Rabbi Orenstein is a distinguished scholar. He has a master's degree in Judaica and was ordained as rabbi at the Jewish Theological Seminary of America where he also received a doctorate of divinity.

He has completed course work for a Ph.D. in linguistics at New York University. The rabbi has always inspired education and learning in his congregation and has held interesting meetings for the congregation over the years. He traveled to Russia on four separate occasions to meet and teach refuseniks.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Also, during his career, he served as a chaplain at Lackland Air Force Base in Texas and St. Alban's Naval Hospital, and he is now a chaplain for the New Jersey State police.

I have a personal message for Rabbi Orenstein, and that is, as he contemplates retirement—I speak as one who knows; I tried retirement, and I did not like it. I am not recommending anything differently for you, but I know with your active mind and your social conscience you are going to be doing lots of things that continue to benefit the community, and I expect you will be spending a lot of time with your six grandchildren. We wish all of you well.

The rabbi's daughter Debra is also a rabbi, and she serves at a synagogue in Los Angeles. She has authored a book on Jewish rituals for women. Rabbi Orenstein is justifiably proud of his family, his daughter, and his other two children, one of whom is a professor at the Law School of Indiana, and his son Raphael, who is soon to be a doctor.

I know the 575 families at Congregation Beth El will miss Rabbi Orenstein. I make the plea here: Do not take this retirement too seriously. Stay active; be available to the community. We wish you well. It has been my honor and pleasure to know you well for so many years. I look forward to our contact continuing.

Mr. President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New Jersey, Mr. CORZINE, is recognized.

Mr. CORZINE. Mr. President, it is also my honor to bestow my congratulations on Rabbi Orenstein for his 35 years of service to Congregation Beth El and a lifetime of service to community and mankind.

His words this morning about love and our responsibility to our communities and attention, which is demonstrated both by his family and the Congregation Beth El, are testimony to a human being who has a heart that reflects that love in his everyday life.

Senator LAUTENBERG has gone through his resume, but the real issue of a man's life is what he has done for others, and no one has contributed more to his community or reached out to lift up his fellow man than Rabbi Orenstein.

I am honored that he was able to open this morning's session, but I am also honored to have him as a friend. Thank you very much for being here.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 60 minutes, with the first half of the time under the control of the Democratic leader or his designee, and the second half of the time under the control of the majority leader or his designee.

The majority leader is recognized.

Mr. FRIST. Mr. President, I will speak on leader time.

50TH ANNIVERSARY OF THE POLIO VACCINE

Mr. FRIST. Mr. President, today marks the 50th anniversary of the introduction of the polio vaccine. On April 12, 1955, Americans across the country cheered the news that Dr. Jonas Salk and his team of researchers had developed a vaccine that was ''safe, effective, and potent.'' One of mankind's most ancient enemies going as far back as ancient Egypt would finally be vanquished. It was truly a watershed in American history, launching an era of unprecedented vaccine development.

Today, vaccines protect children from more than 12 vaccine-preventable diseases, reducing disease rates by as much as 99 percent in the United States.

It is hard for today's generation to imagine the fear and the panic that gripped the Nation every summer in the first decades of the 20th century. Everyone was at risk—young and old, rich and poor. At the first signs of illness, swimming pools were closed and drained, movie theaters were padlocked shut, mothers cloistered their children for the duration, as everyone waited for that anxious cloud to pass.

Some polio victims died. Others were debilitated for life. The 1916 polio epidemic alone killed 6,000 Americans and paralyzed another 27,000.

Polio's most famous victim was, of course, Franklin Delano Roosevelt, who contracted the virus at the age of 39 while on vacation. As America would later learn, the disease permanently paralyzed the future President.

Even now, half of the 1 million polio survivors today suffer residual bouts of illness. Deborah Cunningham of Nashville, TN, recalls her childhood struggle with the vicious disease. It was 1951. She was only 6 years old. She had just begun the first grade when one morning she woke up with a severe headache. As she tried to walk across her bedroom to get dressed for school, she collapsed on the floor.

Her parents rushed her to the local hospital where doctors examined her. They asked her to try to lift her legs. As she told a newspaper, the Commercial Appeal: ''I didn't know why they gave me such funny looks.''

She thought she had done as they said but, in fact, neither of her legs moved an inch. Deborah spent the next month in isolation, unable to speak or to eat solid foods. She was then moved to a ward for children with polio for 8 months where she spent the first 3 months encased in an iron lung.

In 1946, there were 25,000 cases of polio across the country. By 1952, the annual tally had more than doubled to 58,000 new cases. Until Jonas Salk's historic breakthrough, polio was one of the most dread diseases in the world. Indeed, the development of the polio vaccine has been compared to the Moon landing.

Today, polio has been nearly eradicated from the globe. Worldwide, only six countries are still significantly afflicted. In 1988, there were 350,000 cases worldwide. In 2003, that number was down to only 784 new cases. The World Health Organization is confident they will eradicate polio from the face of the globe by the end of the year.

One gentleman who has been instrumental in the drive to eliminate polio is Tennessee's own William Sergeant, chairman of the International PolioPlus Committee. The 86-year-old has dedicated over 40 years fighting the spread of the disease. In 1998, he was the first recipient of the Hannah Neil World of Children Award.

Today, the Smithsonian's National Museum of American History will celebrate the vaccine's 50th anniversary. Dr. Salk's youngest son and FDR's granddaughter will be in attendance.

Together they will help launch the Smithsonian's monthlong exhibition on the rise and fall of polio and the heroic efforts of Dr. Salk, and people such as Mr. Sergeant who worked tirelessly to defeat the disease.

As we celebrate polio's final retreat from human history, we must be ever vigilant and aware of the new threats that are taking place today. HIV/AIDS, SARS, West Nile virus, avian flu, and most recently the Marburg virus are among the emerging dangers in the 21st century. Currently, Angola is suffering the most severe Marburg outbreak in recorded history. As of yesterday, the virus has killed 193 victims in 1 month.

Marburg, which is a variant, a cousin, of the Ebola virus, is spread by bodily fluids, by things as small as little beads of sweat. Nine out of 10 people who contract the disease die typically within a week. The virus has an incubation of 5 to 10 days. The victim then suffers a sudden onset of fever, chills, and muscle aches. These symptoms quickly escalate to nausea, vomiting, chest tightness, and abdominal pain, ultimately leading to organ failure and death. There is no cure and there is no effective vaccine.

Scientists do not know the source of the virus or how it is initially transmitted into the human population. It is one plane ride away from the United States of America. There is no cure and there is no vaccine. At this very moment, international health workers in Angola are working feverishly to contain its spread. The epidemic is expected to last up to 3 months.

Meanwhile, there is avian flu. We continue to receive disturbing reports on the avian flu outbreaks in Asia. Already 50 people have died. Experts warn that the virus may mutate into a more lethal and more transmissible form,

potentially unleashing a worldwide flu epidemic. If we do not address this threat now, tens of millions of people could die as a result, and we are dangerously behind.

The flu vaccine shortage last winter underscores the fragility of our vaccine supply in this country and indeed around the world. It underscores our need to bolster Federal and State preparedness whether in the event of a bioterror attack or emerging infectious disease. We have had this discussion before. We need to take action.

There are now only five major vaccine manufacturers worldwide that have production facilities in the United States. That is for all vaccines. Only two are U.S. companies. Over the past 2 decades, the number of manufacturers that made vaccines for children has dwindled from 12 now down to 4. Only two of the four manufacturers that make lifesaving vaccines for children are in the United States of America.

Early this year, Republican leadership unveiled the Protecting America in the War on Terror Act of 2005. This legislation contains critical new provisions to strengthen our public health infrastructure, stabilize the vaccine industry, and encourage advanced research and development. It encourages the development of countermeasures against a biological, radiological, or nuclear attack as well as emerging infectious diseases. It does not address routine childhood immunizations.

This legislation incorporates recommendations from top health officials, industry experts, and infectious disease specialists. I urge my colleagues to support these long overdue measures to keep America safe.

I am gratified by my colleagues' efforts in the House to press this public safety issue. Indeed, in a few minutes the House Subcommittee on Labor, Health and Human Services, Education and Related Agencies is holding a hearing on pandemic preparedness and influenza vaccine supply. Officials from the CDC, NAID, and the Office of the Secretary of Health and Human Services will offer testimony this morning on the status of our public health security.

We cannot afford to be complacent. Experts tell us that the emergence of the worldwide flu pandemic is not a mere possibility but an all too frightening probability. Millions of lives could be lost if we fail to act. We must continue to search for preventions and cures to the new diseases on the horizon.

Most recently, thanks to the success of U.S. immunization efforts, the Centers for Disease Control and Prevention announced that rubella is no longer a major health threat in the United States. However, Dr. Julie Gerberding, director of the CDC, stresses:

> We have to remain vigilant because, as we say in public health, our network is only as strong as the weakest link . . . [We] have to sustain our commitment to immunization. We have to strengthen all of the links in the network, and we have to do everything possible to protect the health of children here within our country, as well as beyond.

We have come a long way since the famed Ernest William Goodpasture helped pioneer the development of vaccines. His work at Vanderbilt University helped create the vaccines that protect us from chickenpox, smallpox, yellow fever, typhus, Rocky Mountain fever, and many other viral diseases. I am confident that we possess the ingenuity. America has been the engine of countless lifesaving discoveries and global health efforts. Now it is time for us to demonstrate our resolve once again for the safety of our fellow citizens and millions of people around the globe.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. CARPER. Mr. President, we have been joined this morning by the Senator from Colorado, and I yield to him such time as he may consume.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

JUDICIAL CONFIRMATION PROCESS

Mr. SALAZAR. Mr. President, I thank the great and wonderful Senator from Delaware for yielding me the time.

I rise to speak briefly about the bipartisan action taken by the Senate yesterday when it confirmed the nomination of Paul Crotty to be U.S. district judge for the southern district of New York.

I commend my colleagues for their willingness to put aside their partisan differences and to make sure that the judicial confirmation process worked in the case of Judge Crotty. I commend them for acting so obviously for the good of the American people.

Even more importantly, it is my hope that this example will prove to be an enduring one for all of us as we move forward with the subject of judicial nominations in the future. Our duty to evaluate Presidential judicial nominations and to confirm or reject nominees is a particularly solemn obligation under our Constitution. Our 871 article III Federal judges hold positions of great respect and great power. They put criminals in jail. They decide our most important private disputes and they explain what our laws mean. Our constitutional duty to evaluate judicial nominees is doubly important because judges are appointed for life. If we make a mistake, our country is stuck with a bad judge for years and sometimes decades.

On March 1, 2005, I sent a letter to President George Bush concerning judicial nominations. I respectfully suggested to the President that there are many well-qualified candidates to serve on the Federal bench, men and women who unquestionably would gain the consensus and approval of this body. The fact that the Senate reached consensus on 205 of the President's 215 judicial nominations over the past 4 years demonstrates the willingness, indeed the strong desire, of the majority and minority in the Senate to achieve this consensus.

Let me repeat that statistic one more time: 205 of the 215 nominations of President Bush have been confirmed by this body. That is a 95-percent confirmation approval rating. When there is that kind of approval of the President's nominees, this body is doing its job and not being, as some people have suggested, an obstructionist body.

Judge Crotty is an example of the way judicial nominations should be pursued in order to be successful under our Constitution. His nomination resulted first from consultations and then from an agreement among Senator SCHUMER, Governor Pataki of New York, and the White House. That kind of collaborative consensus approach to making sure there are no problems with the confirmation of judges who are nominated by the White House is exactly what ought to be pursued in other judicial vacancies that occur in our country.

Partisanship in this particular appointment played no role whatsoever, and it should play no role. Judge Crotty was a consensus choice, a nominee without extreme ideologies or any troubling factors in his background. Judge Crotty's qualifications to sit in judgment of others were apparent to all Senators, Democrats and Republicans alike.

Our duty runs to all the people of our Nation, whether they are Republicans, Democrats, Independents, or something else. At the end of the day, I plead with my colleagues in this Chamber, which has been so much a part of our constitutional history, to avoid moving forward with the so-called nuclear option that has the potential of shutting down the work of this body on behalf of the people of the United States.

At the end of the day, I suggest to the President of the United States and to our leadership in this body that there are issues which are of much greater importance for all of us to work on on behalf of the people. The people's work should be about having a national and homeland security program that works to protect our homeland and protect our Nation. The people's business should be about making sure that we pass energy legislation that addresses our overdependence on foreign oil today. The people's business should be about how we deal with the problem of health care which is strangling so many Americans and so many businesses across our country.

There are so many issues that are important to take care of the people's business that we ought not allow ourselves to get into the distractive avenue of dealing with the controversial issue of the few judges who historically have been rejected by the Senate. I

suggest to all of my colleagues that it is important we move forward in the collaborative, cooperative approach that was taken in the nomination and in the confirmation of Judge Crotty to be a Federal district judge for the State of New York.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Mr. President, would you inform me how much time is remaining in morning business on the Democratic side?

The ACTING PRESIDENT pro tempore. There remains 17 minutes 24 seconds.

CONSIDERATION OF TIMELY ISSUES

Mr. DURBIN. Mr. President, I rise in morning business to speak to several issues which I believe are timely in the consideration of the business of the Senate.

We are still in this national debate relative to Social Security. President Bush has proposed a plan to privatize and change Social Security, creating the possibility of so-called personal accounts. The President has taken this message on the road, saying that he would visit 60 cities in 60 days to talk about this issue. What we found is a reaction across America opposed to the President's proposal.

What we find is when the people of this country hear the details of President Bush's privatization plan, they are very skeptical. The reason is obvious. Even the President concedes that his privatization plan for Social Security will not strengthen Social Security. Today, left untouched, the Social Security Program would, for the next 36 or 37 years at a minimum, make every payment to every retiree every year with a cost-of-living increase.

If the President had his way and privatized Social Security, we have asked how much longer would the Social Security plan last. The answer is it would not only not extend the life of Social Security, it would shorten the life of Social Security because the President's plan is to reach into the Social Security trust fund to take out money that could be invested in the stock market. As you take money out of the trust fund, there is less money, obviously, to pay retirees. So the President's approach is going to weaken Social Security, not strengthen it.

Second, the President's approach involves dramatic cuts in benefits for senior citizens. If you take the money out of the Social Security trust fund, there is less to pay. The President's White House memo that was leaked a few weeks ago discloses that they would change the index by which people are paid Social Security benefits. That index decides what increase will come each year in Social Security. The President would reduce that index, so you would find in 10 or 20 years that retirees in America would get 40 percent less when it comes to their Social Security benefits. That would drive many seniors, who have paid into Social Security for a lifetime, into a position where they would be below the poverty line. So the second aspect of President Bush's privatization plan is not only that it does not strengthen Social Security, but there are dramatic benefit cuts to those who have paid a lifetime into Social Security, driving more seniors into poverty, making them vulnerable to a life that is much different than they had anticipated as they went to work every day and paid into Social Security.

The final point is one of the more important ones as well. President Bush's privatization of Social Security is going to add dramatically to America's national debt. In fact, the estimates from the President's own agencies say that this plan of his to privatize will add $2 trillion to $5 trillion to the national debt. That is a dramatic increase in the mortgage of America that our children will have to pay off. Who will hold the mortgage of America? Right now, the people holding the mortgage happen to be Japan, China, Taiwan, Korea, OPEC. So we will find ourselves more in debt to those who are financing America's national deficit, and our children will have to pay them off. We will have to dance to their tune. If they lose confidence in the American dollar, we will have to raise interest rates in order to entice them to buy our debt. Raising interest rates to lure China and Japan onto our side means raising interest rates at home.

So President Bush's privatization plan on Social Security has run into a firestorm of criticism. It is a plan which does not strengthen Social Security; it threatens massive benefit cuts and adds dramatically to our national debt.

I see my colleague from Delaware is on the floor, so I will speak very briefly.

I ask unanimous consent to have printed in the RECORD an article from the Washington Post of April 9.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Apr. 9, 2005]

AND THE VERDICT ON JUSTICE KENNEDY IS: GUILTY

(By Dana Milbank)

Supreme Court Justice Anthony M. Kennedy is a fairly accomplished jurist, but he might want to get himself a good lawyer—and perhaps a few more bodyguards.

Conservative leaders meeting in Washington yesterday for a discussion of ''Remedies to Judicial Tyranny'' decided that Kennedy, a Ronald Reagan appointee, should be impeached, or worse.

Phyllis Schlafly, doyenne of American conservatism, said Kennedy's opinion forbidding capital punishment for juveniles ''is a good ground of impeachment.'' To cheers and applause from those gathered at a downtown Marriott for a conference on ''Confronting the Judicial War on Faith,'' Schlafly said that Kennedy had not met the ''good behavior'' requirement for office and that ''Congress ought to talk about impeachment.''

Next, Michael P. Farris, chairman of the Home School Legal Defense Association, said Kennedy ''should be the poster boy for impeachment'' for citing international norms in his opinions. ''If our congressmen and senators do not have the courage to impeach and remove from office Justice Kennedy, they ought to be impeached as well.''

Not to be outdone, lawyer-author Edwin Vieira told the gathering that Kennedy should be impeached because his philosophy, evidenced in his opinion striking down an anti-sodomy statute, ''upholds Marxist, Leninist, satanic principles drawn from foreign law.''

Ominously, Vieira continued by saying his ''bottom line'' for dealing with the Supreme Court comes from Joseph Stalin. ''He had a slogan, and it worked very well for him, whenever he ran into difficulty: 'no man, no problem,' '' Vieira said.

The full Stalin quote, for those who don't recognize it, is ''Death solves all problems: no man, no problem.'' Presumably, Vieira had in mind something less extreme than Stalin did and was not actually advocating violence. But then, these are scary times for the judiciary. An anti-judge furor may help confirm President Bush's judicial nominees, but it also has the potential to turn ugly.

A judge in Atlanta and the husband and mother of a judge in Chicago were murdered in recent weeks. After federal courts spurned a request from Congress to revisit the Terri Schiavo case, House Majority leader Tom Delay (R–Tex.) said that ''the time will come for the men responsible for this to answer for their behavior.'' Sen. John Cornyn (R–Tex.) mused about how a perception that judges are making political decisions could lead people to ''engage in violence.''

''The people who have been speaking out on this, like Tom DeLay and Senator Cornyn, need to be backed up,'' Schlafly said to applause yesterday. One worker at the event wore a sticker declaring ''Hooray for DeLay.''

The conference was organized during the height of the Schiavo controversy by a new group, the Judeo-Christian Council for Constitutional Restoration. This was no collection of fringe characters. The two-day program listed two House members; aides to two senators; representatives from the Family Research Council and Concerned Women for America; conservative activists Alan Keyes and Morton C. Blackwell; the lawyer for Terri Schiavo's parents; Alabama's ''Ten Commandments'' judge, Roy Moore; and DeLay, who canceled to attend the pope's funeral.

The Schlafly session's moderator, Richard Lessner of the American Conservative Union, opened the discussion by decrying a ''radical secularist relativist judiciary.'' It turned more harsh from there.

Schlafly called for passage of a quartet of bills in Congress that would remove courts' power to review religious displays, the Pledge of Allegiance, same-sex marriage and the Boy Scouts. Her speech brought a subtle change in the argument against the courts from emphasizing ''activist'' judges—it was, after all, inaction by federal judges that doomed Schiavo—to ''supremacist'' judges. ''The Constitution is not what the Supreme Court says it is,'' Schlafly asserted.

Former representative William Dannemeyer (R–Calif.) followed Schlafly, saying the country's ''principal problem'' is not Iraq or the federal budget but whether ''we as a people acknowledge that God exists.''

Farris then told the crowd he is ''sick and tired of having to lobby people I helped get elected.'' A better-educated citizenry, he said, would know that ''Medicare is a bad idea'' and that ''Social Security is a horrible idea when run by the government.'' Farris said he would block judicial power by abolishing the concept of binding judicial precedents, by allowing Congress to vacate court decisions, and by impeaching judges such as Kennedy, who seems to have replaced Justice David H. Souter as the target of conservative ire. ''If about 40 of them get impeached, suddenly a lot of these guys would be retiring,'' he said.

Vieira, a constitutional lawyer who wrote ''How to Dethrone the Imperial Judiciary,'' escalated the charges, saying a Politburo of ''five people on the Supreme Court'' has a ''revolutionary agenda'' rooted in foreign law and situational ethics. Vieira, his eyeglasses strapped to his head with black elastic, decried the ''primordial illogic'' of the courts. '

Invoking Stalin, Vieira delivered the ''no man, no problem'' line twice for emphasis. ''This is not a structural problem we have; this is a problem of personnel,'' he said. ''We are in this mess because we have the wrong people as judges.''

A court spokeswoman declined to comment.

Mr. DURBIN. Mr. President, if you want to know the extremes which are being reached in the debate on the role of judges in America, read this article. There was a meeting in Washington, DC, of some of the more conservative groups on the Republican side. These conservative leaders met to discuss ''Remedies to Judicial Tyranny.''

They decided that Supreme Court Justice Anthony Kennedy—a Ronald Reagan appointee, I might add—should be impeached.

Phyllis Schlafly [originally from my home State of Illinois] said [that Justice] Kennedy's opinion forbidding capital punishment for juveniles ''is a good ground of impeachment.'' To cheers and applause from those gathered at a downtown Marriott for a conference on ''Confronting the Judicial War on Faith,'' Schlafly said that Kennedy had not met the ''good behavior'' requirement for office and that ''Congress ought to talk about impeachment.''

Unfortunately, hers was not the most incendiary quote. A gentleman by the name of Edwin Vieira, a lawyer-author, the article goes on to say:

. . . not to be outdone . . . told the gathering that Justice Kennedy should be impeached because his philosophy, evidenced in his opinion striking down an anti-sodomy statute, ''upholds Marxist, Leninist, satanic principles drawn from foreign law.''

Ominously, Vieira continued by saying his ''bottom line'' for dealing with the Supreme Court comes from Joseph Stalin.

I am quoting Mr. Vieira:

He [Stalin] had a slogan, and it worked very well for him, whenever he ran into difficulty: 'no man, no problem,''' Vieira said.

The Washing Post goes on to say:

The full Stalin quote [this is what Stalin really said] . . . is ''Death solves all problems: no man, no problem.''

This type of outrageous statement from the so-called conservative Republican right is clear evidence that what we have heard from Congressman TOM DELAY in the House of Representatives, and from even Members in our own Chamber, represents a departure from the line of civility which we have refused to assault or cross when it comes to dealing with the separate branches of Government.

There is no doubt that decisions are handed down by Federal courts across America on a daily basis with which I personally disagree and find abhorrent. But to suggest retribution against judges—first from Schlafly that it should involve impeachment and then from Mr. Vieira that it should go further—suggests an assault on the independence of the judiciary about which every American should be concerned. When the men and women who don these robes for lifetime appointments have the courage to rule in cases, even in controversial cases, they should not feel they are going to be threatened on a regular basis by Members of Congress or by those in political parties who happen to see things differently.

We know how this can reach an extreme. We have seen it happen. In my home State of Illinois, the family of one of our outstanding Federal jurists was assaulted, and two of them were murdered. This type of reaction shows that when you give comfort to this crazed mindset, it can have disastrous results. The people who sponsored this conference should be embarrassed that they came together and suggested this kind of action against Federal judges.

It is time to put an end to this. We need to have an independent judiciary in touch with the ordinary lives of American citizens, in touch with the value of our families. But we always should stand and defend the independence of our judiciary and the integrity of the men and women who serve in that branch.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

THE JUDICIARY

Mr. CARPER. Mr. President, yesterday I was in my State capital, Dover, DE, before I came down here. I was a short distance from a place called the Golden Fleece Tavern. It no longer exists, but it was the site of the place where Delaware became the first State to ratify the Constitution. They did that on December 7, 1787. That action took place a couple of months after a Constitutional Convention about 75 miles up the road in Philadelphia.

Some of my colleagues may recall that one of the last issues resolved at the time of the Constitutional Convention was the question of how they were going to select these judges, the third branch of our Government. How do we select these judges? There were some at that time who were fearful of creating a Presidency that would be too strong, having had a bite of the apple of putting up with a king of England for a number of years. They did not want to create a king or someone of royalty in this country to be our leader. Our Founding Fathers worked diligently in any number of ways to create checks and balances to ensure that we didn't end up with a king but ended up with a President. Among the checks and balances they incorporated into our Constitution is one that deals with the selection of our judges. We all know how Presidents nominate and the Senate confirms or does not confirm nominees to lifetime appointments to the Federal bench.

Twice in our Nation's history we have seen instances where a President sought to stack the courts. Both were Democrats. One was Thomas Jefferson at the beginning of his second term as President, and a second was FDR at the beginning of his second term as President. Both times, both Presidents, both Democrats, were rebuffed. Today, Democrats no longer reside in the White House. Today, the Republicans are in the majority here in the Senate and in the House of Representatives.

With the election of last November, President Bush is in a position to see much—not all, but a good deal—of his legislative agenda approved; perhaps modified but ultimately approved. He is also in a position to leave an even more enduring legacy through his nomination of hundreds of judges in the Federal courts of almost every State. In President Bush's first term, he nominated over 200 men and women to the Federal bench, and 215 nominees were actually debated here on the Senate floor, and 205 were approved. That is an approval rate of about 95 percent. Of the 10 who were not approved, our side would say they were simply out of the mainstream.

As the 108th Congress concluded last year, the vacancy rate stood at the lowest, I believe, since the Reagan era. How did that compare with the Clinton era? In President Clinton's time as President for 8 years, 81 percent of his Federal nominees were approved, as compared to 95 percent of President Bush's in the last 4 years. It is kind of an irony, at least to me, that 81 percent for President Clinton was enough, it was OK, but 95 percent for President Bush is unacceptable.

While our Republican friends are prepared to change the rules of the Senate in an effort to make it a lot easier to confirm Federal judges, and are poised, I am told, to turn some 200 years of precedent on its head because 95 percent may not be enough, I think to do so would be a mistake.

We have a chance to pass not only class action legislation, but we have a chance to pass bankruptcy legislation, asbestos litigation reform, a comprehensive energy policy, restructuring of the postal system for the 21st century, and on and on. This could be the most fruitful legislative session in recent memory. I would hate to see us destroy that potential.

I say also that the slope we get on with respect to changing the way we close off debate on judicial nominations is a slippery one. Today, we may want to apply it to judicial nominations; later on we may want to apply it to nominees for Cabinet positions or nominations for other positions. It is a slippery slope.

My Republican friends would be wise to listen to former Republican Senators who served on that side of the aisle, people such as Senators Wallop, McClure, Danforth, and today Senator Dole, Robert Dole. They reminded today's Republican Senators, the majority in the Senate, that the bed we make today is one we may have to sleep in. There won't always be a Republican President. Some day there will be a Democrat President. It could be 4 years from now. There will not always be a Republican majority in the Senate. It goes back and forth.

I say to my friends on the other side of the aisle, before we go down this road, keep in mind a couple of things. No. 1, we have the potential to get so much done this year. I would hate to see us blow that opportunity.

No. 2, this is a slippery slope—a policy change that may be designed initially to make it easier to confirm judicial appointments but could easily be applied to other appointments to other positions.

No. 3, some Democrats would take some consolation in the thought that we are not going to always be in the minority, and as there was a Democrat President for the last 8 years for the last century, there will be another one in the future.

My Republican friends, be careful of the bed you make because someday you will have to chance to sleep in it.

Thank you, Mr. President.

The ACTING PRESIDENT pro tempore. The Senator from Colorado is recognized.

JUDICIAL NOMINATIONS

Mr. ALLARD. Mr. President, I rise this morning to address one of the most important obligations that we, as Members of the Senate, are bound to fulfill—the approval or disapproval of the President's judicial nominations.

Perhaps no other constitutional duty vests as much responsibility in the executive, or this body, than article II, articulating the President's power of appointment, a power that is only realized when the Constitution works as it was intended to, when we fulfill our obligation as laid out in the clause requiring this body's advice and consent.

This fundamental duty carries with it the weight and responsibility of generations, a lifetime appointment to a position that requires a deep and mature understanding of legal thought, and a solemn oath to uphold the law.

This debate is not about numbers. It is not about percentages, how many judges that Republicans confirmed or how many judges Democrats confirmed. To frame the debate as nothing but a statistical argument is to betray the American people.

We were not sent to Congress to focus on a numerical count but instead to make sure that limited government allows for opportunity and promise without stifling individual freedom and liberty.

We were sent here to build a stronger Union and to uphold our obligations under the Constitution.

The Founding Fathers referred to judges as ''the guardians'' of the Constitution and gave to the President the responsibility to appoint them.

Alexander Hamilton once wrote that, in order to maintain the health of the three branches of government, all possible care is requisite to enable the judiciary to defend itself.

It is frightening to think that a minority in the Senate is eroding the foundation of the third branch by perpetuating obstruction and endangering the citadels of justice.

No where does the Constitution give Congress the ability to ignore the appointment process.

By refusing to give judicial nominations an up or down vote, it is nothing more than a Congressional veto with a fancy name.

James Madison characterized the appointment of judges as the remote choice of the people.

Failure to provide an up or down vote deprives the people of the United States the choice selected by their representatives, denying choice to the very same people who elected us to office and the same people who live under the Constitution that we have sworn to protect.

The legal prowess of a nominee is obviously an important factor to consider when confirming a judge.

The Constitution calls upon the Senate collectively to determine whether or not a particular nominee is qualified to serve. This determination is made in one gesture, the approval or disapproval of the nomination itself.

In 2003 and 2004, a series of votes were held on various nominees. Some were approved, while others were denied a vote altogether, even though they were clearly supported by a majority of Senators.

Procedural processes do not fulfill the advice and consent requirement. Advice and consent does not mean avoiding the question on a judicial nominee entirely by employing a filibuster.

If a Member of the Senate disapproves of a judge, then let them vote against the nominee. But do not deprive the people of the right to support a nominee through their elected representative.

It is our vote, the right of each Member to collectively participate in a show of ''advice and consent'' to the President, that exercises the remote choice of the people.

The burden of obstruction is borne by the American people. Empty seats on our highest courts delays the recourse and justice guaranteed by the Constitution.

As so many of my colleagues have stated before me, such justice delayed is justice denied.

In the shadow of September 11, 2001, we now recognize the efforts being made by the enemies of the United States to destroy the liberties and freedom of our great Nation. The most basic of our country's values and traditions are under attack.

Congress responded by enacting new laws and by providing financial assistance to businesses, families and defense; we acted swiftly to suffocate terrorists and destroy the hateful organizations that work to undermine our society.

Through strong and courageous leadership, the President has stood firm against terrorist and terrorist regimes.

But our government cannot function without an equally strong judiciary, the third branch of government. It is through the judiciary that justice is served, rights protected, and that law breakers are sentenced for their crimes.

The Senate cannot willingly refuse to provide an up or down vote on judicial nominees without acknowledging that irreparable harm may be done to an equal branch of government.

Judges must take an oath to uphold the law, regardless of their personal views.

Time after time, a nomination has been blocked by a minority of Senators because they feel that they are better judges of a nominee's ability to fulfill that oath than a majority of the Senate.

The result of this obstruction is a broken nomination process.

I sincerely hope we can work through the impasse on the judicial nomination process.

I hope those opposed to the President's nominees will vote against them and speak their mind about it. But I also hope that we will be allowed to provide the guidance we are required to provide under the Constitution.

As I have said so many times before, ''vote them up or vote them down, but just vote.''

The ACTING PRESIDENT pro tempore. The Senator from Tennessee is recognized.

Mr. ALEXANDER. Mr. President, I am the Senator from Tennessee, and we know something about country music in our State. There is an old country music song with the line that goes something like this: There is light at the end of the tunnel and I hope it ain't no train.

I am beginning to think it is a train and that there is not much way to avoid a train wreck. The train wreck I am talking about is a threat by the minority to ''shut the Senate down in every way'' if the majority adopts rules that will do what the Senate has done for 200 years, which is to vote up or down the President's appellate judicial nominees.

Until recently, not to vote at all on a President's judicial nominee was unimaginable. Take the case of Clarence Thomas in 1991: The first President Bush nominated him to the Supreme Court of the United States. I haven't seen any debate in this body with as much passion in it as the Thomas nomination. But he was nominated in July, the Senate voted in October 52 to 48, and it was done. Yet, in the last session of Congress, for some reason that escapes me, the minority felt it had to use the filibuster to deny an up-and-down vote 10 times on 52 of the President's appellate judicial nominees. That has never happened before. There are a lot of ingenious arguments being made on the other side, but that has never happened.

Some people mention Abe Fortas in 1968—I was here then; I was working for Howard Baker in the Senate. The votes against Fortas were in the majority. But even if you give that to the other side, neither party has ever used the tactic of denying an up-or-down vote on judicial nominees in 200 years.

The argument that the Senate doesn't have the power to change this procedure would get thrown out of court in a summary judgment. From 1789 when the Senate first met and adopted its rules by majority vote, it has adopted its rules by majority vote as the Constitution provides.

The nominees who the President put up who were rejected were badly abused. Charles Pickering, from Mississippi, was accused of not being sensitive to civil rights. In 1967, he put his children into desegregated schools in the middle of Mississippi. He testified in court against the grand wizard of the Ku Klux Klan, who was described by Time Magazine as the most evil terrorist in America.

Bill Pryor, not sensitive on civil rights? Too conservative? Bill Pryor was law clerk to John Minor Wisdom in New Orleans, as the Presiding Officer knows, perhaps the leading civil rights judge in the South during the 1950s, 1960s, and 1970s, and Bill Pryor has repeatedly demonstrated he can separate his views from his judicial judgments. Most recently he was part of the court—by his recess appointment—that rejected an appeal on the Terri Schiavo case. I don't know how he felt personally about it, but he felt under the law there was no recourse in Federal courts. Chairman ARLEN SPECTER has sent a certain memorandum around to Members asking us to look at Priscilla Owen's real views on Roe v. Wade. She hasn't said she wants to overturn Roe v. Wade.

The question is not whether the Senate has the power to adopt the rules by majority vote—it unquestionably does; that is common sense—but whether we should.

I am one of the Republicans who believe such a rules change is not a good idea—not good for the Senate, not for the country, not for Republicans, and not for Democrats. The Senate needs a body that by its procedures gives unusual protection to minority rights.

Tocqueville, in the early 19th century, warned of the tyranny of the majority. In South Africa we saw a political miracle when the new Black majority respected the property rights of the White minority. In 1967, when I came here—and I see the Republican whip here; he came about a year or two later—the Republicans were the ones worrying about protecting minority rights. There were 64 Democrats and 36 Republicans then. There were 38 Republicans in 1977 when I came back working with Howard Baker, and in 1979, when Senator BYRD eloquently argued the majority could make Senate rules, there were only 41 Republicans, so the Republicans were worrying about minority rights.

But minority rights can also be abused. Remember what the filibuster was used for in the 1930s, the 1940s, the 1950s, and the 1960s. The filibuster was used to deny Black Americans the right to vote. It was used to keep the poll tax. It was used to stop a Federal anti-lynching law. It was used to keep African Americans from sitting down and having lunch in Nashville. So the filibuster can also be an abuse of minority rights.

It is not my job to advise the Democrats, and I wouldn't presume to do it, but I believe it is a mistake for the Democrats to provoke a rules change, and I believe it is a bigger mistake, as they have threatened, to ''shut down the Senate,'' when it happens. Last month, three dozen Democrats stood on the steps of the Capitol and basically threatened to do that. On December 13, in the Washington Post, the Senator from New York, Mr. SCHUMER, said that the use of the nuclear option would ''make the Senate look like a banana republic . . . and cause us to try to shut it down in every way.''

Consider what the Senator from New York is saying. Not only will the minority not allow a vote on judges up or down in a country where the rule of law is of paramount concern, but they will shut the Senate down in every way at a time when natural gas prices are at $7, shut the Senate down in every way at a time when oil prices and prices at the pump are at record levels, shut the Senate down in every way when there is a Federal deficit that needs to be brought under control, shut the Senate down in every way when the immigration laws need fixing, and shut the Senate down in every way while we are at war.

I don't believe the American people like the idea of Washington politicians threatening to shut the Senate down in every way. As I remember, the last prominent political leader who said something like that was my friend, Newt Gingrich, 10 years ago. It backfired, and he was out of office in about a year.

The people expect us to go do work, to do our jobs. They expect us to vote on judges, to lower natural gas prices, to reduce the deficit, to fix the immigration laws, and to win the war on terror. We cannot do it if part of the Senate wants to shut the Senate down in every way.

Our Senate leader, BILL FRIST, has been working hard to avoid this train wreck. I still hope we can avoid it. I believe my colleagues in this body know the enormous respect I have for the new Democratic leader, HARRY REID. He and I worked together on American history. I had the privilege of being with him in a delegation for 8 days in Palestine, Israel, Iraq, Kuwait, Georgia, Ukraine, and France, and not once in those 8 days did the Democratic leader undercut the policies of the President of the United States. He conveyed the U.S. position. I am not surprised by that. That is the way it should be. But I am impressed by that. I am impressed by the Democratic leader. I am convinced he and the majority leader can make this Senate do its job if given the chance.

We need to avoid this train wreck if there is a way to do it. Twice I have offered in the Senate my suggestion about how I as one Senator could do it. I said 2 years ago that I would give up my right to filibuster a President's nominee for an appellate judgeship even if it were President KERRY or President Clinton or President REID or any other Democrat. I might vote against that nominee, but I would never filibuster as long as I were a Senator.

Now, if six Democrat Senators and six Republican Senators would say the same thing, then there would be no need for a rules change, and there would be no need for a train wreck. All we need are six Democrat Senators and six Republican Senators who believe there ought to be up-or-down votes regardless of the President's party and who believe it would be wrong to shut the Senate down. The right thing to do is to have an up-or-down vote on any of the President's Federal appellate judicial nominees. That has been the way we have done it for 200 years. The wrong thing to do is to shut the Senate down in every way.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DEMINT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DEMINT. Mr. President, I rise today to address the current institutional crisis in the Senate brought on by the insistence of a few on defeating the will of the American people in preventing the Senate from doing its job of voting on the President's nominees to the Federal bench.

We all know that the Constitution is very clear on this front. The judicial nominees are chosen solely by the

President with the advice and consent of the Senate. Until President Bush was elected, no one has ever interpreted this requirement to mean anything other than a simple majority vote. The Senate has never denied an up-or-down vote to any appellate court nominee who had majority support. But the Democrats have rejected this 200-year-old Senate tradition and, with it, the very will of the American people.

The Democrats lost the election, and they seem unwilling to accept the fact. Instead, they unilaterally change the rules and politicize the judicial confirmation process. This is extreme behavior and extreme tactics—threatening to shut down the Senate if we should dare to confirm a well-qualified nominee with bipartisan majority support. This is an epitome of arrogance—assuming they know better than the majority of their colleagues and the President. The people back home want to see these nominees treated fairly and given an up-or-down vote.

Is it fair to say to nominees that they are out of the mainstream when they have the support of the Democrats and the Republicans making up the majority of the Senate? I submit it is the obstructionists who are out of the mainstream when they block an up-or-down vote on nominations of justices such as Janice Rogers Brown for years.

Extreme, arrogant, out of the mainstream—this is the anything-goes Senate Democrats who are willing to go to any length to deny exemplary judges the opportunity to dedicate their lives to service to the American people.

By trying to shred the reputation of some of the most respected and admired judges in public service in this country, a few Senators are sending a very powerful message to any others who may aspire to the bench. They are telling us, don't bother. It appears to be increasingly likely that such talent, dedication, and personal sacrifice will be rewarded with attacks on the floor of the Senate and years of uncertainty while a bipartisan majority waits powerless to confirm these nominees.

I call for a return to tradition. The American people have done their jobs and expect us to do the same. We in the Senate need to do our jobs and confirm fair judges through a fair process.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

50TH ANNIVERSARY OF POLIO VACCINE

Mr. McCONNELL. Mr. President, today we celebrate the 50th anniversary of the polio vaccine. The people of my generation, who were youngsters at that time, remember full well the exciting development. Now polio is virtually eradicated.

The Committee on Foreign Operations, which I have had the privilege to either chair or be ranking member for the last decade or so, has appropriated about $160 million toward that fight over the last 6 years.

Of course, the Rotary International, a private organization, deserves the lion's share of the credit for almost total eradication of polio. This private civic group with international chapters made this a project some 20 years ago and have collected and spent about $600 million and delivered the vaccine in all parts of the world. So because of this, today we can celebrate, essentially, the complete eradication of this disease from the Earth. Rotary deserves a big part of the credit for that.

I rise to talk about this for another reason. It had an enormous impact on me personally. I was struck with polio when I was 2 years old. My dad was overseas fighting in World War II. Polio was similar to having the flu—you felt sick all over. Except when polio went away there were residual effects. In my case, when my flu-like symptoms went away, I had a quadricep in my left leg that was dramatically affected.

My mother was, of course, like many mothers of young polio victims, perplexed about what to do, anxious about whether I would be disabled for the rest of my life. But we were fortunate. While my dad was overseas my mother was living with her sister in east central Alabama, only about 40 or 50 miles from Warm Springs. As everyone knows, President Roosevelt established Warm Springs, where he went to engage in his own physical therapy, as a center to treat other polio victims. So my mother was able to put me in the car, go over to Warm Springs, and actually learn, from those marvelous physical therapists who were there, what to do.

They told my mother she needed to keep me from walking. Now, imagine this. You are the mother of a 2-year-old boy. And we all know how anxious little boys are to get up and get around and get into trouble. So my mother convinced me that I could walk, but I couldn't walk—a pretty subtle concept to try to convey to a 2-year-old. In other words, she wanted me to think I could walk, but she wanted me to also understand I should not walk.

Now, obviously, the only way to enforce that with a 2-year-old is to watch them like a hawk all the time. So I was under intense observation by my mother for 2 years. She administered this physical therapy regiment at least three times a day—all of this really before my recollection. But we now know the things that happened to us in the first 5 years of our lives have an enormous impact on us for the rest of our lives.

So this example of incredible discipline that she was teaching me during this period I always felt had an impact on the rest of my life in terms of whatever discipline I may have been able to bring to bear on things I have been involved in. I really have felt my mother taught me that before I was even old enough to remember.

So this went on for 2 years. My first memory in life was stopping at a shoe store in LaGrange, GA. We had left Warm Springs for the last time, and the physical therapist there had told my mother: Your son can walk now. We think he is going to have a normal childhood and a normal life. We stopped at a shoe store in LaGrange, GA, and bought a pair of saddle oxfords, which are low-top shoes—my first recollection in life.

Thanks to my mother, I had a normal childhood. I was not able to run all that well, but I played baseball and have had a normal life. The only impact of that early childhood experience with polio is that I have a little difficulty going down stairs. Most people do not want to go up stairs and do not mind walking down stairs. I like to walk up stairs and take an elevator down because an effected quadricep impacts your ability to descend stairs.

So I am particularly moved by the fact that we can stand here today and say that polio is essentially eradicated from the face of the Earth. When I was a youngster, the fear of polio was enormous. Mothers, every summer, lived in fear that their children would come down with polio, and many did, many died. Many had much more serious aftereffects than I did, certainly.

But it is with great gratitude that I commend Rotary International today for this extraordinary accomplishment of getting this vaccine out all over the world so that we can essentially say, in 2005, that polio has been eradicated from the face of the Earth.

Mr. President, I ask unanimous consent that an article from the Wall Street Journal entitled ''Polio and Rotary'' be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 12, 2005]

POLIO AND ROTARY

Today marks the 50th anniversary of the Salk polio vaccine. Poliomyelitis, also know as infantile paralysis, used to be one of childhood's most feared diseases. A few years after Dr. Jonas Salk announced his vaccine on April 12, 1955, nearly every child in the U.S. was protected. Today polio has disappeared from the Americas, Europe and the Western Pacific and is nearly gone from the rest of the world.

A too-little known part of this feat is the role played by Rotary, the international businessman's club, which 20 years ago adopted the goal of wiping out the disease. Rotary understood that medical breakthroughs are worthless unless people aren't afraid to immunize their children and efficient delivery systems exist to get the vaccine to them. And so it mobilized its members in 30,100 clubs in 166 countries to make it happen.

In 1985, when Rotary launched its eradication program, there were an estimated 350,000 new cases of polio in 125 countries. Last year, 1,263 cases were reported. More than one million Rotary members have volunteered their time or donated money to immunize two billion children in 122 countries. In 1988, Rotary money and its example were the catalyst for a global eradication drive joined by the World Health Organization, Unicef and the U.S. Centers for Disease Control. In 2000 Rotary teamed up with the United Nations Foundation to raise $100 million in private money for the program. By the time the world is certified as polio-free—probably in 2008—Rotary will have contributed $600 million to its eradication effort.

An economist of our acquaintance calls Rotary's effort the most successful private health-care initiative ever. A vaccine-company CEO recently volunteered to us that the work of Rotary and the Gates Foundation, both private groups, has been more effective than any government in promoting vaccines to save lives. It's become fashionable in some quarters to deride civic volunteerism, but Rotary's unsung polio effort deserves the Nobel Peace Prize.

Mr. MCCONNELL. Mr. President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, morning business is closed.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 2005

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 1268, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (H.R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes.

The PRESIDING OFFICER (Mr. SUNUNU). The Senator from Arizona.

Mr. KYL. Mr. President, as was just indicated, we are now back on the supplemental appropriations bill, which is critical to the funding of our effort to continue our activities in Iraq and Afghanistan and elsewhere around the world.

One of the reasons Senator CORNYN and I want to speak for a few minutes this morning is to make the point that we very much hope our colleagues will join with us in ensuring the quick passage of this bill so we can get on with that effort and then move to other business.

There has been a suggestion that amendments might be offered to the bill that do not relate to the funding of the war effort. For example, some of our colleagues have talked about offering amendments that relate to the subject of immigration. Now, that subject is one we are going to have to debate this year, and we are going to have to consider legislation very seriously later on this year, but our view is that it would be inappropriate to consider that legislation in the context of this supplemental appropriations bill.

We are aware of the fact there was a provision in the House bill that related to driver's license standards and asylum, but those are matters that relate more to terrorist activities than our immigration laws, as they pertain to illegal immigration. Therefore, our view is that we would refrain from offering amendments of that kind and would hope our colleagues would as well.

We would hope, by indicating what we plan to do, that our colleagues would appreciate our commitment—that is to say, Senator CORNYN and myself—to seeing that the issue of illegal immigration generally and immigration reform specifically will, in fact, be considered by the Senate a little bit later on this year.

It is our intention to introduce legislation and to work through the amendment process, perhaps before that, to ensure that we are doing everything we can in the Congress to ensure our borders are secure, that we have adequate law enforcement both at the borders and in the interior of the country, and that we, therefore, create the precondition for the consideration of immigration reform, which is that we do have a commitment to enforce the law and abide by the rule of law in this country.

There is one thing I think almost everybody interested in the immigration debate will agree on, and that is that we have a broken legal system right now. Employers pretend they are not employing illegal immigrants, but they know they are, and they have documents the Government has called for. The Government pretends to enforce the law, but it knows the documents, in many cases, are counterfeit.

The industry will very candidly tell you they do not know what they would do without the illegal employment they have today. So they are putting pressure on some of our Members to come forward with legislation to create a legal regime for these employees and, indeed, there should be.

We should get to the point where nobody in this country hires illegal immigrants anymore. To do that, we are going to have to demonstrate a couple things. The first is that we are committed to enforcing such a law, because our constituents rightly tell us: Why should we consider immigration reform—temporary worker reform, for example—if we don't think it is going to be enforced? You are not enforcing the law today. What makes us think you are going to enforce the law in the future?

It is a good question. We have to be able to answer that question in the affirmative and say we are committed to enforcing the law. It begins with enforcement at the border, and it goes right on through with the rest of the law that makes it illegal to hire illegal immigrants. Those laws do need to be adequately enforced.

If we could commit ourselves to do that, then I believe we could lay the foundation for successfully getting legislation to provide some kind of guest worker or temporary worker program that will both liberalize the ability of employers to bring legal immigrants into this country to work for them on a temporary basis and also deal with the 10 to 15 million—nobody knows exactly how many for sure—illegal immigrants who exist in the country today. Many of those people work hard. They come to work here. They intend only to send money back to their relatives in Central America or Mexico or wherever they came from. Many of them are, indeed, needed in our workforce. But we cannot condone a situation in which they are working illegally. So we have to come up with a structure that would permit us to take advantage of their desire to work here, but to do so in a legal construct and not to reward them with any kind of amnesty.

The specifics of doing that have been discussed a little bit by the President of the United States, who laid out some principles for a guest worker program, as he calls it. What Senator CORNYN and I are here to talk about today is the fact that we are working on legislation to try to embody many of the principles the President has laid out to create a legal mechanism by which we can meet our workforce needs in this country but to do so all within the rule of law, where the law will be strictly enforced, there will be no more hiring of illegal immigrants, and therefore we remove the magnet which currently exists which draws illegal immigrants into our country because they can be employed easily.

So we remove that magnet, but we do so in a way that does not reward the lawbreakers, the people who come here illegally and use illegal documentation to obtain employment and, in many cases, are creating a drain on society, and ensure they are not rewarded for their illegal behavior by amnesty, which I think most people would agree, at a minimum, means they would not be granted a path to citizenship or be able to chain migrate their family into the country ahead of those who want to do so legally; meaning, specifically, that, of course, anyone who wanted to do that could get in line in their country of origin with a worker sponsor for legal, permanent residency or green card status. If they acquired that status, then there are other things that flow from that, such as the ability to apply for citizenship. But that should only come as a result of going home, being there, and getting in line with everybody else. It certainly should not be granted to people who came here illegally and would be permitted to stay here while that status was pending. That is the kind of thing we mean by saying no amnesty.

But at the end of the day, I think President Bush is right, that we have to come to grips with this problem. We have to find a way, as he said, to match willing workers with willing employers but to do so strictly in the confines of a legal regime. What Senator CORNYN and I have been working on for several weeks now is a bill we hope would embody many of those principles. It is not going to track exactly what the President has proposed. I would also say the President has not gotten real specific about several areas, and we are going to have to fill in a lot of those blanks.

We will talk to our colleagues, and we will talk to the various groups that are involved in this issue to see what their ideas are about how best to make this work. But the bottom line so far as we are concerned is, if we do this, we have to be able to commit to the American people that since we now have a legal and relatively easy mechanism for filling the workforce needs here in our country, we are not going to condone any illegal employment in this country. If we establish that principle, we then help to remove that magnet which is drawing so many illegal immigrants to the United States.

Just to conclude with this point. I mentioned the fact we would be introducing legislation, which we intend to do. But there are also opportunities for us to demonstrate this commitment to enforcing the law. Let me mention a few of those. In whatever way we can accomplish this, whether it be before the introduction of such legislation or in conjunction therewith, we intend to move forward.

The intelligence reform bill of last year authorized 2,000 new Border Patrol agents each year for 5 years, but we do not have enough money in the budget for any more than about a tenth of that number.

Currently, there are about 11,000 Border Patrol agents. A pre-9/11 study conducted by the University of Texas said we needed at least 16,000 Border Patrol agents on our southern border alone in order to secure the border. So we clearly have to fund the addition of more Border Patrol agents. Authorized in the intelligence bill as well were 800 additional Immigration and Customs Enforcement investigators, again for a 5-year period, an additional 800 Customs/Border Protection inspectors at our Nation's ports, 8,000 new detention bed spaces, and some other requirements that all follow if we are going to enforce the law.

We need to fund these programs to demonstrate our commitment to the law. We also need to reimburse the States for their incarceration of illegal immigrants in prisons. The so-called SCAAP funding accomplishes that. It is the State Criminal Alien Assistance Program. But there was not any money in the budget this year, and it needs to be at least $750 million. We need to do some other work to ensure that States do not bear the costs of the Federal Government's failure to enforce the Federal law.

There are a lot of things that have to be done. The point we are making is, one, this is complicated. It is big. It has to be done. It should not be attempted on a bill which we have to get passed quickly to ensure funding for our troops in Iraq and Afghanistan and elsewhere. This is a debate we can have in the future, and I am assuring our colleagues we are moving the process forward. I chair the Terrorism and Homeland Security Subcommittee of the Judiciary Committee. My colleague, JOHN CORNYN, chairs the Immigration Subcommittee. We intend to try to move this legislation through the Judiciary Committee as a matter of regular order as soon as we can get our legislation complete.

My colleague from Texas wants to make a presentation regarding this same subject.

The PRESIDING OFFICER. Who seeks time?

The Senator from Texas.

Mr. CORNYN. Mr. President, I want to follow on the comments of Senator KYL because we are working together on this important legislation, what we hope and expect will be comprehensive immigration reform. The message both of us would like to convey is that this is a complex topic. It can't be accomplished this week, especially not on supplemental appropriations designed to make sure our troops have the equipment and resources they need to fight the global war on terrorism.

Let me give a little background to explain my perspective. It tracks closely with what Senator KYL has already said.

Our Nation's immigration system is badly broken. It leaves our borders unprotected, threatens our national security, and makes a mockery of the rule of law. We have failed to enforce our laws and to protect our borders for far too long through years of neglect. In a post-9/11 world, we simply cannot tolerate this situation any longer. National security demands a comprehensive solution to our immigration problem.

Senator KYL and I have determined that we would work together. We have a particular interest, being Senators from two border States along the southern border where the illegal immigration is perhaps the most rampant. We also want to come up with a plan that addresses not only our national security but deals with the economic issues that are integrally intertwined with this complex issue in a way that is compassionate and deals with the very real human consequences and causes for illegal immigration.

We are undertaking a thorough review of our immigration laws as we speak. At the conclusion of our discussions, Senator KYL and I plan to introduce a comprehensive immigration reform bill that will dramatically strengthen enforcement, bolster border security, and comprehensively reform our laws. I particularly am glad to be working with Senator KYL. He chairs the Subcommittee on Terrorism, Technology, and Homeland Security, and I chair the Judiciary Subcommittee on Immigration, Border Security, and Citizenship. We have already had our first hearing, a joint hearing, on border security. The second one, this Thursday, will focus on interior enforcement, or maybe I should say interior nonenforcement, when it comes to our immigration laws.

In the past, we have simply not devoted the funds, the resources, or the manpower to properly enforce our immigration laws and protect our borders. That must change. If we have anything to do with it, it will change.

Let me put the matter as clearly and explicitly as I possibly can. No discussion of comprehensive immigration reform is possible without a clear commitment to, and a dramatic elevation in, our efforts to enforce the law. That includes enforcement both at the border and within the interior. We must have strong border protection between ports of entry and a strong employee verification system to put an end to the jobs magnet for illegal entry.

Our immigration laws also present substantial difficulties to our already overburdened law enforcement and border security officials, separate and apart from inadequate funding and resources. It is my belief these difficulties simply cannot be solved by additional funding and additional resources alone, as important as they are. After all, under our current immigration laws, literally millions of people enter this country outside of legal channels to hold jobs that are offered by American businesses and are needed to ensure American economic growth. There is a serious concern that some fraction of this population may harbor evil impulses toward our country. Yet it is a practical impossibility to separate the well meaning from the ill-intentioned.

Put simply, we must focus our scarce resources on the highest risks to our country and our national security. We need our law enforcement and border security officials to spend their highest energies on people who wish to do us harm rather than those who wish only to help themselves and their families through work. Our comprehensive immigration proposal will strengthen enforcement of the law, but it will also provide laws that are capable of strong enforcement.

We agree with the President's stated principles. They are, however, just principles, and certainly he understands and looks to the Congress to come up with the specifics in the form of legislation. Such laws can be designed in a way to be compassionate and humane. Above all, they must be designed to protect U.S. sovereignty and to further U.S. interests. They must be reformed to better serve our national security and our national economy. They must ensure respect for the rule of law and not permit undocumented workers to gain an advantage over those who have followed the rules.

In the coming months we will craft a proposal that implements all those objectives, and we welcome the coming debate as well as the input and the opportunity to work with our colleagues in the Senate.

Finally, we speak today as the Senate is about to begin debate on a supplemental appropriations bill. Congress should not delay enactment of critical appropriations necessary to ensure the well-being of our men and women in uniform fighting in Iraq and elsewhere around the world. Attempting to conduct a debate about immigration reform while the supplemental appropriations bill is pending in the Senate would do just that—it would unnecessarily and inappropriately delay getting those funds to our troops who need them. Our immigration system is badly broken and fails to serve the interests of our national security and our national economy and undermines respect for the rule of law.

To solve that problem, Congress must engage in a careful and deliberate discussion about the need to bolster enforcement of and to comprehensively reform our immigration laws. We should not short-circuit that discussion by enacting legislation outside of the regular order of business in the House and the Senate. I hope we will enact this supplemental appropriations bill soon. Once that process is completed, I will continue to work closely with Senator KYL and any other Member of this body who has a good idea to contribute to enact comprehensive immigration reform that is in the best interests of our Nation.

I yield the floor.

AMENDMENT NO. 344

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Washington [Mrs. MURRAY], for herself, Mr. AKAKA, Mr. BYRD, Mrs. BOXER, Mr. BINGAMAN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mr. JEFFORDS, Mr. SALAZAR, and Mr. DAYTON, proposes an amendment numbered 344.

Mrs. MURRAY. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To provide $1,975,183,000 for medical care for veterans)

On page 188, after line 20, add the following:

CHAPTER 5

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, outpatient and inpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans as described in paragraphs (1) through (8) of section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the department and including medical supplies and equipment and salaries and expenses of health-care employees hired under title 38, United States Code, and to aid State homes as authorized under section 1741 of title 38, United States Code; $1,975,183,000 plus reimbursements: *Provided*, That of the amount under this heading, $610,183,000 shall be available to address the needs of servicemembers deployed for Operation Iraqi Freedom and Operation Enduring Freedom; *Provided further*, That of the amount under this heading, $840,000,000 shall be available, in equal amounts of $40,000,000, for each Veterans Integrated Service Network (VISN) to meet current and pending care and treatment requirements: *Provided further*, That of the amount under this heading, $525,000,000 shall be available for mental health care and treatment, including increased funding for centers for the provision of readjustment counseling and related mental health services under section 1712A of title 38, United States Code (commonly referred to as ''Vet Centers''), increased funding for post traumatic stress disorder (PTSD) programs, funding for the provision of primary care consultations for mental health, funding for the provision of mental health counseling in Community Based Outreach Centers (CBOCs), and funding to facilitate the provision of mental health services by Department of Veterans Affairs facilities that do not currently provide such services: *Provided further*, That the amount under this heading shall remain available until expended.

Mrs. MURRAY. Mr. President, I ask unanimous consent to add as cosponsors Senators AKAKA, BYRD, BOXER, BINGAMAN, ROCKEFELLER, MIKULSKI, JEFFORDS, SALAZAR, and DAYTON.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, today in Iraq and in Afghanistan, our men and women in uniform are making great sacrifices to serve our country. Last month I had the opportunity to meet with some of them in Baghdad and in Kuwait and all of us can be very proud of their service. Every person I met with was a dedicated professional who was putting their duty above their personal well-being.

Today, I am very concerned that when all of these new veterans come home and need medical care, they are going to be pushed into a veterans health care system that does not have the medical staff, the facilities, or the funding to take care of them.

There is a train wreck coming in veterans health care. I am offering an amendment to deal with this emergency now before it turns into a crisis. The VA health care system is overcrowded. It is underfunded. It is understaffed. It is struggling to deal with existing veterans. I fear what will happen when tens of thousands of our new veterans are added to this already strained system.

As Americans, we make a promise to those who join our military that we will take care of them when they come home. It is a promise all of us have to work together to keep, and that is why I am on the Senate floor today. This is not a Democratic issue. It is not a Republican issue. This is an American issue. I am willing to work with anyone to make sure all of our veterans get the health care they are promised.

I appreciate the leadership of many Senators, especially Senator CRAIG who chairs the Senate Veterans' Affairs Committee on which I serve. I thank Senator HUTCHISON of Texas who chairs the committee that funds veterans health care. I truly appreciate their commitment to our veterans. I look forward to working with them, and I will work with many others to make sure we are doing everything we need to do to prepare for the influx of many new veterans.

With Senator AKAKA and others, I am offering a veterans health care amendment to this emergency supplemental. Our amendment recognizes that caring for our veterans is part of the cost of war. This is being offered on the emergency supplemental because our amendment recognizes that caring for our veterans is a part of the cost of war.

Our amendment does three things: First, it makes sure all soldiers who need health care when they return home from Operation Enduring Freedom and Operation Iraqi Freedom can get that health care. To do that, this amendment provides $610 million. Second, it provides funding for mental health care for our newest veterans. Specifically, it provides $525 million for expanded mental health services, including $150 million to treat post-traumatic stress disorder for counseling, as well as family therapy. Third, the amendment helps address the shortfalls that are crippling our regional VA networks. It provides $40 million to each and every VISN, Veterans' Integrated Service Network.

This chart shows the 21 regional health networks. For each region, our amendment provides $40 million to spend on their priorities. For some areas it is going to mean erasing big deficits. For others it will help them hire more medical staff. In other parts of the country they will use it to buy medical equipment. That flexible funding that each VISN gets will allow each region to prepare their staff and facilities for our newest veterans. It will put a total of $840 million where these local communities need it the most.

In short, this amendment will ensure that we can handle the health care needs of all the veterans who will seek care after serving our country in Operation Iraqi Freedom and Operation Enduring Freedom.

The total cost of the amendment is $1.98 billion. Let me explain how we arrived at that figure. First, we looked at the number of new veterans who will return to the VA for care. We multiplied that by the average cost per patient and added the cost of reversing the deficits that are today facing our VA hospitals and the cost of meeting increased mental health care needs that everyone assures us we are facing.

Some Senators may wonder if this is the appropriate vehicle to fund veterans health care, so let me talk about that for a minute.

I would have preferred to fund this critical need in the regular budget process. I tried to do it several times last month in the Budget Committee and on the floor with Senator AKAKA. Unfortunately, our amendments were voted down. But the need is not going away. The shortfalls are only going to get worse. So if we are not going to take care of our veterans from Iraq in the regular budget, then we have to take care of them in the bill that funds our war efforts. This is the appropriate bill because the veterans health care train wreck is an emergency, and because caring for our veterans is part of the cost of war.

As I have been talking about this amendment and discussing it with our veterans, I have been pleased by the support it has received. This amendment is supported by the Veterans of Foreign Wars, AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and it is supported by the VA workers who care for our veterans, represented by the American Federation of Government Employees, AFL–CIO. I thank all of these organizations and their members for supporting my amendment and reaching out to their Senators to call for its passage.

Before I go any further, I want to note that veterans health care is a very personal issue for me. My father was a disabled World War II veteran. I grew up knowing the sacrifices that our veterans make. When I was in college, I interned in our VA hospital in Seattle during the Vietnam war, and I saw how important the services were to our soldiers who were returning. I became the first woman to serve on the Senate Veterans Affairs Committee. I know what the costs are and I know what the challenges are.

The VA provides some of the best care, research, and treatment anywhere. Our VA employees have a unique understanding of the challenges that our veterans face when they return, and their dedication is unmatched. Like them, I want to make sure this system works for every veteran of every war and every generation.

I will share some specific examples from throughout our country that illustrate the emergency in veterans health care today. These examples didn't come from me. They came from people who know our VA facilities firsthand. A couple days ago, I posted a form on my Web site, murray.senate.gov, where veterans and their advocates can share their stories and examples with me. I have been heartened with the things people have shared. I invite other veterans to share their stories with me and with their own Senators.

For anyone who thinks this is not an emergency or it doesn't merit emergency funding, I invite you to listen very closely. I am going to talk about different places, but the overall problem is the same everywhere.

For years, VA funding has not kept up with the growing demand for care and with the rising costs of health care. So VA networks around our country have held off making improvements. When a doctor or nurse left, they were not replaced. When equipment needed to be purchased, it was put on hold. When a clinic needed to be opened, it was held in limbo. When there wasn't enough money in the operating budget, they started taking money from their capital budget.

Now all those years of chronic underfunding are coming back to roost at the worst possible time, as we are about to have a major influx of new veterans, men and women serving honorably in Iraq and Afghanistan today, when they are returning, our VA facilities across the country are facing deficits, staff shortages, and inadequate facilities.

Let me give a couple of examples that have been shared with me.

In Alaska, as of yesterday, they are starting a waiting list for nonemergency care for all new priority 7 veterans who are not enrolled in VA primary care. That means those people cannot get an appointment to even see a doctor.

In Colorado, the Eastern Colorado Health Care System is $7.25 million short this year.

In California, last year, the VA hospital there in Los Angeles closed its psychiatric emergency room.

In Florida, the VISN 8 facilities were facing a $150 million deficit earlier this year. West Palm Beach Medical Center has a deficit alone of $6 million.

In Idaho, at the VA in Boise, they are resorting to hiring freezes when we have soldiers coming home.

In Kentucky, veterans at the Louisville hospital, who are having a type of bladder examination, have to lie on a broken table because there is no money to replace that broken equipment.

In Maine, the Togus VA has a $12 million deficit.

In Minnesota, at the Minneapolis VA, they have a $7 million shortfall. They have one of the VA's four sites for dealing with veterans with complex, multiple injuries but they are not hiring anymore staff for that specialized center because of the deficit.

All of us who have visited our returning soldiers at Walter Reed or Bethesda know many of them are returning with these kinds of injuries that need to be treated at hospitals such as the one in Minneapolis.

In Missouri, at the Kansas City VA Medical Center, they have a $10 million operating deficit. I am also told that in Missouri there are not enough doctors and providers to see all the veterans. If a veteran is less than 50-percent service-connected disabled, he or she is put on a waiting list.

In South Dakota, they are expecting to be $7 million in the red by the end of this fiscal year. The VA is proposing to save $2 million by not filling staff vacancies. I am told, in fact, they need 58 new beds, and that some of the bedframes in that facility are held together with duct tape and wire. So because of the deficits they cannot even buy new beds. That is unacceptable for our veterans who have served this country.

I am also told that the Black Hills Health Care System is $3 million in the hole. They have had to use the capital budget to pay staff and other expenses.

In Texas, at the Temple, Texas, VA, nurses in inpatient care are working 16-hour days several times a week because there is not enough staff. We know that nurses providing direct care should only be working 12-hour days, because longer shifts lead to medical errors and unsafe care. This is not a way to treat our veterans who are returning.

In Virginia, as of January 1, I understand that Virginia had a budget shortfall of $14.5 million.

In my home State of Washington, we have problems, too. In Tacoma, at the American Lake VA, you can only get an appointment if you are 50-percent or more service-connected disabled. That is not the promise we made to the men and women who serve our country.

In Puget Sound, as of January, there was an $11 million deficit. At the Seattle and American Lake VA they are leaving vacant positions unfilled. There are about 16 new vacancies every month and those positions are remaining empty. They hope to reduce the workforce by 160 full-time equivalents by the end of this fiscal year.

This is having a huge impact on our patients. As of this month, the next appointment at the Seattle VA urology clinic is not available until August. I can tell you that conditions like these are breaking the hearts of our VA personnel who work day in and day out with the men and women who have served this country. They are frustrated at seeing so many veterans not get the care they have earned. Why? Because Congress is not providing the money.

I share these examples not to criticize or cast blame. We have problems such as this in my State as well, as I have talked about. I share these examples because we have to look at what is happening and realize that our VA system is not prepared to handle a new generation of veterans. All of these examples, from more than a dozen States, point to one conclusion: The VA is having trouble taking care of the patients it has today. It is certainly not prepared to handle a new influx of veterans from Iraq and Afghanistan.

Many of these VA centers are in the hole for millions of dollars. They are not in a position today to begin expanding care to meet the growing need. They cannot do it alone. We have to step in and help them.

Before I close, I want to talk about one claim we made here during this debate. Some Senators have suggested

that the VA doesn't need any additional funding because it has some kind of reserve for $500 million. I was troubled by the idea that the VA has extra money it is not using while so many communities are struggling, so at a hearing last week of the Senate Veterans' Affairs Committee I got to the bottom of it. I wanted to share this chart with colleagues.

At our hearing on April 7, I asked Acting Under Secretary for Veterans Health Care Dr. Jonathan Perlin:

Is there a $500 million reserve?

Dr. Perlin's reply was:

No . . . I don't know where that might have been suggested, but there is no $500 million reserve that is sitting there for future projects.

I share that with my colleagues to set the record straight. The VA is not sitting on any type of reserve it can use for medical care. That comes straight from the man who runs the program nationwide. We have VA centers that are struggling in every part of our country. They cannot deal with the caseload they have today. How in the world are they going to deal with all of the new veterans who are coming home from Iraq and Afghanistan?

We cannot kick this down the road any longer. It is an emergency today and if we do not deal with it now, it is going to be a crisis tomorrow. This is not a partisan issue; it is an American issue. It is about whether we keep the promise to the men and women we send to serve us overseas.

I am willing to work with anyone who wants to make sure our country is prepared to care for all of the veterans who will be coming home soon. They were there for us. We need to be there for them now. I urge my colleagues to support this veterans health amendment. If you are concerned about this—perhaps I mentioned your State or you have heard from your own veterans—let's talk about it and find a way to make it work.

No matter what party you are in, we are all Americans first. We all have an obligation, as President Lincoln said, ''to care for him who shall have borne the battle, and for his widow, and for his orphan.''

We need to pass a veterans health amendment and keep this promise to America's veterans. This amendment is the last opportunity we will have to make sure our veterans—the men and women serving us—are taken care of when they return home.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. Mr. President, I rise today with my friend Senator MURRAY to offer an amendment to address the cost of providing health care to troops serving in Iraq and Afghanistan. She has made an excellent statement about what we are facing in the country and the shortfalls we have. She has taken the leadership on this and I am supporting her. We hope we will be able to continue to help our veterans with their health care.

Following the 1991 Gulf war, returning servicemembers began to report unexplained illnesses and ailments that many linked to their service. Only those who had been granted a claim for a service-connected disability or demonstrated a financial need could turn to VA for health care services at that time. Reservists and Guard members were particularly vulnerable as military health care is lost after separation from service.

Back in 1998, this very body voted unanimously to ensure that no combat veteran would be caught up in stringent eligibility rules and be denied treatment. Today, any servicemember who participates in the theater of combat is eligible for free VA health care for 2 full years after separation or release from active duty, without regard for strict eligibility rules.

This benefit is more important than ever, especially to Reservists and Guard members. Experts calculate that about 40 percent of the lower enlisted grades in these services do not have any kind of health insurance. Because TRICARE eligibility is lost after separation or deactivation, VA is the only place many of these service members can turn.

My colleagues in the Senate have already recognized the need to provide funds that would allow VA to absorb an influx of new patients from Operations Iraqi and Enduring Freedom. In 2003, $175 million was added for VA to the supplemental appropriations bill. I point out that this amount was provided only 1 month after the war in Iraq began and before we knew about the level of troop commitment.

This amendment we offer today allows VA to provide care for returning troops, without displacing those veterans currently using the system. We are now 2 years into this conflict, and VA has already begun to see real impact. Last year, VA spent $63 million on returning veterans. Using data from the first quarter, VA will spend an unbudgeted $120 million this year. Yet, the lion's share of our troops have not yet returned home, are rehabilitating in the DoD health care system, or are pending separation.

The amount of this amendment, $1.9 billion, is drawn from what we know about past use of the VA health care system, coupled with what we know to be the cost associated with shoring up the system for all veterans.

This is what we know: VA tells us that 20 percent of returning service members are now turning to VA for care. Using this figure and VA's costs, we know that $600 million in additional funding will be needed for returning service members alone.

We also know that right now VA hospitals are running deficits of about $40 million per each health care network. Let me share some specifics:

Outpatient clinics have stopped seeing even the poorest of patients, sending them hundreds of miles away to other facilities. The Townsend, MA, clinic is only seeing a tiny percent of those who need care.

In Network 20, which serves the Northwest and Alaska, we have now seen the beginnings of what could very well become a nationwide trend. Priority 7 veterans, who often make as little as $26,000 a year, are being denied care, as the Network is running about a $40 million deficit.

Veterans in need of treatment for PTSD or addiction treatment will have one less place to go due to the VA budget. The Psychiatric rehabilitation program at the Chillicothe VA hospital is being shut down.

Thirty nursing home beds at the VA hospital in Manchester, NH, will not be opening. VA officials expect to save $1.3 million by not opening these beds.

As my good friend Senator COLLINS has pointed out, the hospital in Togus, ME, is operating under a $14.2 million deficit. This Maine facility has a hiring freeze and cannot replace equipment.

The Kansas City VA Hospital is short-staffed because they are already $10 million in the hole. The Denver VA Hospital and its affiliated clinics are $7.25 million short. The Maryland Health Care System is $14.5 million in the red already this year. The list goes on and on.

The network that serves Minnesota, Nebraska, Iowa, North Dakota, and South Dakota is facing an overall shortfall of $61 million. South Dakota's facilities are $2.4 million short right now; Minnesota's are $25 million short; and Iowa's hospitals are at least $14 million short of what is currently needed. Bed frames are being held together by duct tape in some facilities, and cleaning staff cannot be hired to keep the facilities sanitary for patients. Health care provider positions also remain open, resulting in shortages of doctors, nurses and medical technicians, to name a few.

Furthermore, Florida's facilities are $150 million in the red. And again, this has resulted in key health care specialist positions going unfilled. In a region where so many veterans and active duty service members reside, a shortfall of this magnitude is shameful.

This trend towards hiring freezes and under-staffing of vital health care programs and services is one that is of great concern to me. I know that the American Federation of Government Employees is also very concerned about the measures being taken by many facilities to compensate for the numerous shortfalls around the country, and I commend AFGE for its support of this amendment.

It will be impossible for VA to care for returning veterans in the midst of this kind of situation. As my colleagues can see, the amount we are asking for today is actually modest when compared to the very real deficits some parts of the country are being forced to deal with. While we know that many Members of this body have worked to see that their VA facilities remain in good condition, we must do

more to ensure quality of care throughout the entire VA system.

We also know that VA mental health must be improved if we are to meet the needs of returning service members. Experts predict that as many as 30 percent may need psychiatric care when they come home. Yet, we are told that the system is nowhere near ready to handle this type of workload. Steady budget cuts over the years have diminished VA mental health care capacity.

GAO recently found that VA has lagged in the implementation of recommendations made by its own advisory committee on post-traumatic stress disorder to improve treatment of veterans who suffer from this very serious mental illness. Furthermore, GAO concluded that it is questionable as to whether or not VA can keep pace with the demand for mental health treatment from veterans of Operations Iraqi and Enduring Freedom.

While veterans' clinics now dot the landscape, they do not have the ability to meet mental health needs. Vet Centers, which provide vital outreach and readjustment counseling to veterans of yesterday and today, have seen their workload double, but not one additional nickel has been sent their way. There are large pockets of this country without any access to VA mental health care whatsoever.

Fixing these problems requires resources of at least $525 million. We know this is a conservative estimate. Advocates believe that it would take more than three times this amount to bring VA mental health care up to what it should be, but this amendment gets us going down the right track. The National Mental Health Association's letter of support for this amendment states that ''. . . the nation has no higher obligation than to heal its combatants' wounds, whether physical or mental, and it has long looked to the VA health care system to carry out that obligation. To date, however, planning and budgeting for the VA health care system has been badly flawed and is failing America's veterans, and particularly the growing numbers from war.'' I ask for unanimous consent that the association's letter, as well as one from the National Alliance for the Mentally Ill, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ALLIANCE FOR THE MENTALLY ILL (NAMI),
Arlington, VA, April 11, 2005.

Hon. DANIEL AKAKA,
Hon. PATTY MURRAY,
U.S. Senate,
Washington, DC.

DEAR SENATORS AKAKA AND MURRAY: On behalf of the NAMI Veteran's Council, I am writing to thank you for your support of an amendment to increase the veteran's health care budget by $1.98 billion, with $525 million earmarked for mental health enhancements.

Like all Americans, we feel that caring for the men and women who serve our country is the commitment we make in return for their sacrifices. It is critical that they know we will not abandon that commitment upon their return from the battlefield. Treatment for mental illness is as important to their future, if not more important, than treatment for physical illness.

The Department of Veterans Affairs (VA's) current working statistics reflect a crisis in the making that Congress has the power to avoid. While it is estimated that at least 30% of veterans returning from Iraq will have mental health treatment needs, this is likely a conservative number. We are very encouraged that this amendment includes an extension of time for these needs to be assessed and treated, since we at NAMI know that often the symptoms of mental illnesses arc not apparent immediately following trauma. People who have the personal experience report that months or even years may pass before veterans and their families are finally able to determine that treatment is needed, and to seek help.

It is especially important to support the Veteran's Centers, where it is very likely a veteran or family member would initially seek information and assistance. Expansion of mental health care in VA community-based outpatient clinics (CEDCs) is already a VA priority, and an excellent plan, but current limited resources will not support the Operation Enduring Freedom/Operation Iraqi Freedom expected caseload.

We also know that many VA hospitals and clinics are experiencing major funding crises (small increases in their budgets simply do not match spiraling costs of service). As a result, there are site closings, unaddressed maintenance and equipment needs, personnel freezes, and stoppages on needed expansions. This amendment would help alleviate those shortfalls.

We strongly urge the Senate to adopt the provisions in this important amendment. Let us keep our part of the bargain.

Sincerely,

JANE E. FYER,
Chair, Veterans' Council.

NATIONAL MENTAL HEALTH ASSOCIATION,
Alexandria, VA, April 11, 2005.

Hon. DANIEL K. AKAKA,
Ranking Minority Member, Committee on Veterans Affairs, U.S. Senate, Hart Senate Office Building,
Washington, DC.

DEAR SENATOR AKAKA: On behalf of the National Mental Health Association and our 340 affiliates across the country, we are writing to offer our strong support for the Murray-Akaka VA health care amendment to the FY 2005 Emergency Supplemental. We applaud the leadership you and Senator Murray are providing in advancing this important initiative to enable the Department of Veterans Affairs to meet veterans' urgent health needs, and particularly those of veterans from Operations Iraqi and Enduring Freedom.

With a grueling war taking a frightening toll on our men and women in uniform, this nation faces a stern test: will it meet its obligations to its warriors? Surely the nation has no higher obligation than to heal its combatants' wounds, whether physical or mental, and it has long looked to the VA health care system to carry out that obligation. To date, however, planning and budgeting for the VA health care system has been badly flawed and is failing America's veterans, and particularly the growing numbers returning from war.

This important amendment squarely tackles the major funding gaps facing VA at this critical time. Among those gaps, it has long been clear that VA lacks sufficient capacity to meet veterans' mental health needs. With carefully-researched studies documenting the growing mental health needs triggered by a grueling war, Congress must make VA mental health care a major funding priority. This amendment would do so, and would close the critical gap that stands in the way of meeting a fundamental VA obligation.

VA has long had a special obligation to veterans with mental illness, given both the prevalence of mental health and substance use problems among veterans and the large number of those whose illness is of service origin. In furtherance of that obligation, Congress, to its credit, codified in law special safeguards to assure that VA gives priority to the needs of veterans with mental illness. Notwithstanding that step, however, the VA health care system has had an uneven record of service to veterans with mental health needs. Years of oversight by the Senate Committee on Veterans Affairs and other bodies have documented the enormous variability across the country in the availability of VA mental health care, and the relatively limited capacity devoted to rehabilitative help. With the nation at war—and studies finding an already high percentage of returning veterans showing evidence of post-traumatic stress disorder and other war-related mental health problems—VA's special obligation to veterans with mental disorders has special poignancy. VA has taken important steps to make mental health a greater health-care priority, but given the wide gap between VA's mental health capacity and veterans' needs for treatment and support services, real change will require major new funding, particularly to meet war-related needs. Veterans and their families cannot wait. The failure to intervene early increases dramatically the risk that war-related mental health problems will become more severe and chronic in nature. As your amendment highlights, the time to act is now.

Established in 1909, the National Mental Health Association is the nation's oldest and largest advocacy organization dedicated to all aspects of mental health and mental illness. In partnership with our 340 state and local Mental Health Association affiliates nationwide, NMHA works to improve policies, understanding, and services for individuals with mental illness and substance abuse disorders.

Sincerely,

MICHAEL M. FAENZA, M.S.S.W.,
President and CEO.

Mr. AKAKA. The costs of the war we are fighting today will continue to add up long after the final shot is fired, mainly in the form of veterans' health care and benefits.

I urge my colleagues to join us in this effort to see that they are provided the care they are currently earning.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, we appreciate the comments of the Senators from Hawaii and Washington concerning the situation in our Veterans Affairs Department and the concerns that they expressed about returning veterans who are now moving into the VA system and questioning whether there are sufficient funds available to take care of the needs in Veterans' Administration hospitals and other different health care facilities throughout the country.

The subcommittee that has jurisdiction over veterans affairs held a hearing recently during which they questioned the Secretary of Veterans Affairs on this subject. They were assured

that the Department is not in a crisis requiring emergency appropriations. The fact is, less than 1 percent of the veterans population is made up of new eligibles who are entering into the Veterans' Administration system, and most of those who are requiring health care assistance and hospital care are older veterans who have already been in the system for a number of years.

Because of that, the Department has not asked for any emergency appropriations to be included in this bill. The administration says that sufficient funds exist now in the Department of Veterans Affairs budget to take care of this fiscal year's needs.

We are now in April and a new fiscal year will begin in October and we are already considering the request for the administration for next year's funding. We have had a budget resolution adopted. Some of these issues were raised during the consideration of this issue by the Budget Committee. I think the Senator from Washington offered an amendment to the budget resolution along the lines that she is urging the Senate to consider today, and the committee rejected the amendment.

That committee reviewed the issue closely and they have included in the budget resolution authority for funding for the fiscal year beginning next October. This Senator's amendment suggests the funds appropriated in this amendment, $1.9 billion, should be made available until expended, which means not only is this a suggestion that an emergency appropriation is needed—although the amendment does not say on its face it is an emergency appropriation—it sounds as if this is in addition to this fiscal year's budget that will go on into next fiscal year. So it is an amendment to this fiscal year's funding authority as well as to the next fiscal year and the next. ''Until expended'' is the way the amendment reads.

I am suggesting that the Senate should look at the information we have before us from the administration: The Secretary of Veterans Affairs, the Department of Defense, which is caring for injured veterans now in the military hospital system. These are not veterans hospitals, where those who have been injured in Iraq or Afghanistan are being cared for. Some may later be cared for there, and may be later cared for as part of the veterans system. But those who are returning now are at Walter Reed Hospital or other hospitals in the Department of Defense system.

I am not the person in charge of the Veterans' Affairs Committee who monitors veterans' needs on a regular basis. The Senator from Idaho, Mr. CRAIG, is chairman of that committee. I have discussed the amendment with him. I expect he wants to be heard on the amendment. The Senator from Texas, Mrs. HUTCHISON, is chair of the appropriations subcommittee that has jurisdiction over the Veterans Affairs funding, and she is available to discuss the merits of the amendment. We have talked informally with her.

At this time I hope the Senate will certainly consider the arguments that have been made by the Senators from Hawaii and Washington. I respect their concerns. I know their concerns are shared by other Senators. I share them. I don't know of any Senator who wants to come into the Chamber and vote against an amendment to fund veterans programs. It is hard to go home and explain to veterans why you voted against an appropriation for veterans health care.

What we are being told by the administration is the funds are not needed, we have the funds available to care for the veterans population. There may be problems in the system that need the attention of the administration and administrators of individual health care centers and hospitals, and certainly they ought to be addressed and we urge that they are. But it is not a matter of not having the money. If there are problems that need to be addressed we can do that, but we are assured that none of the funds being asked for in this amendment are needed for that purpose.

Mr. President, awaiting the arrival of other Senators, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER (Mr. BURR). Without objection, it is so ordered.

Mr. KERRY. Mr. President, I ask unanimous consent that the current amendment be temporarily set aside so we can take up two amendments quickly.

Mr. COCHRAN. Mr. President, reserving the right to object, may I inquire of the Senator? We were in the process of considering the amendment of the Senators from Washington and Hawaii on Veterans Affairs and funding for that Department. The chairman of the committee has arrived on the floor to speak to that amendment. I had told the Senator from Massachusetts I would have no objection to offering his amendment and then setting it aside.

I inquire: How much time will Senator KERRY require?

Mr. KERRY. Seven minutes very quickly, and then I am happy to set those aside.

Mr. COCHRAN. Is there a problem with the Senator from Idaho?

Mr. CRAIG. How long does the Senator plan to speak?

Mr. KERRY. Seven minutes.

Mr. CRAIG. I would like to make my comments. I think we are under unanimous consent to close down at 12:30.

Mr. COCHRAN. The Senator is correct.

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed, and after I have completed the Senator from Idaho be permitted to make his statement before we recess.

The PRESIDING OFFICER. Is there objection?

Mr. COCHRAN. I have no objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Massachusetts.

Mr. KERRY. Mr. President, I thank the Senator from Mississippi.

AMENDMENTS NOS. 333 AND 334 EN BLOC

Mr. KERRY. Mr. President, I call up amendments numbered 333 and 334.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY] proposes amendments numbered 333 and 3334 en bloc.

Mr. KERRY. Mr. President, I ask unanimous consent that reading of the amendments be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments are as follows:

(Purpose: To extend the period of temporary continuation of basic allowance for housing for dependents of members of the Armed Forces who die on active duty)

On page 169, between lines 8 and 9, insert the following:

EXTENSION OF PERIOD OF TEMPORARY CONTINUATION OF BASIC ALLOWANCE FOR HOUSING FOR DEPENDENTS OF MEMBERS OF THE ARMED FORCES WHO DIE ON ACTIVE DUTY

SEC. 1122. Section 403(l) of title 37, United States Code, is amended by striking ''180 days'' each place it appears and inserting ''365 days''.

(Purpose: To increase the military death gratuity to $100,000, effective with respect to any deaths of members of the Armed Forces on active duty after October 7, 2001)

On page 159, strike line 6 and all that follows through page 160, line 22, and insert the following:

SEC. 1112. (a) INCREASE IN DEATH GRATUITY.—

(1) AMOUNT.—Section 1478(a) of title 10, United States Code, is amended by striking ''$12,000'' and inserting ''$100,000''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on October 7, 2001, and shall apply with respect to deaths occurring on or after that date.

(3) NO ADJUSTMENT FOR INCREASES IN BASIC PAY BEFORE DATE OF ENACTMENT.—No adjustment shall be made under subsection (c) of section 1478 of title 10, United States Code, with respect to the amount in force under subsection (a) of that section, as amended by paragraph (1), for any period before the date of the enactment of this Act.

(4) PAYMENT FOR DEATHS BEFORE DATE OF ENACTMENT.—Any additional amount payable as a death gratuity under this subsection for the death of a member of the Armed Forces before the date of the enactment of this Act shall be paid to the eligible survivor of the member previously paid a death gratuity under section 1478 of title 10, United States Code, for the death of the member. If payment cannot be made to such survivor, payment of such amount shall be made to living survivor of the member otherwise highest on the list under 1477(a) of title 10, United States Code.

On page 161, line 23, strike ''$238,000'' and insert ''$150,000''.

Mr. KERRY. Mr. President, many of us in the Senate have had the privilege

of traveling to Iraq where we have visited some of the most remarkable young men and women our country has produced. We have met with hundreds of American soldiers, airmen, Marines and naval personnel, all of whom are doing a magnificent job under, obviously, very difficult conditions. I support this supplemental bill and for the obvious reasons.

The election and increased training and the clarity of a plan that has been put forth and the increased effort of the Iraqis themselves combined provide an important opportunity for the transformation of Iraq. It is obviously vital in these circumstances to make sure our troops have the ability to be safe but to also be able to get the job done. We have always said that. But also I believe we need to do more. Supporting the troops means not just supporting them in the field and in the theaters, but it also means supporting them here at home. It means understanding that their lives, both as warriors fighting for their Nation and as spouses, parents, brothers, sisters, sons and daughters struggling to see that the needs of their families are met—the fact is that too many military families suffer when duty calls. Thousands of reservists take a very significant pay cut when they are called up. Suddenly, single parents are left to struggle with the bills. One in five members of the National Guard don't have any health insurance at all. That is devastating to their families. It is damaging to troop readiness.

I believe that everyone here understands the simple tenet that the Government has to keep faith with our troops. To do that we need to put in place a comprehensive military family bill of rights that puts action behind the promise to support our troops. I understand that the supplemental bill is not the place to ask for the full consideration of that military family bill of rights, so I am not going to propose the entire bill as an amendment here. But I am bringing two amendments to the floor that are broken out of this bill of rights that I believe we could all agree on and which would make an enormous difference in the lives of our soldiers. In agreeing to these, we can take an important step in demonstrating our support for a military family bill of rights which is long overdue.

More than a year ago, I proposed increasing the benefits paid to surviving military families to $500,000 through existing insurance benefits and an increase in the death gratuity. I am not alone in this effort. Members on both sides of the aisle have introduced legislation to improve these benefits, and with very good reason.

Today, families receive only $12,420 to supplement whatever insurance a loved one may have purchased. That $12,420 is completely inadequate. In fact, it is a disgrace. We do right by our fallen police officers and firefighters in America. Their families receive $275,000, and it is time that we did the same for our soldiers. Their survivors' lives remain to be lived, and though no one can ever put a price on the loss of a loved one, it is important for us to be as generous as we can and as realistic as we can as we help people to be able to put their lives back together. I was heartened when the administration embraced a formula to reach the $500,000 threshold, and I am glad the Appropriations Committee has included a benefit increase in this particular bill, but the bill needs to go further and eliminate any distinction between combat and noncombat deaths.

This is important for a number of different reasons.

First of all, the benefit, as matter of principle, ought to go to any American who loses their life while serving our country, and we shouldn't draw a distinction between that kind of service. The fact is that the uniformed leadership of our military doesn't believe we should, either.

GEN Richard Myers, Chairman of the Joint Chiefs of Staff, testified on this matter before the Armed Services Committee, and a number of other leaders. Let me share with colleagues.

GEN Richard Cody said:

> It is about service to this country, and I think we need to be very careful about making decisions based upon what type of action. I would rather err on the side of covering all deaths rather than trying to make a distinction.

Admiral Nathman said:

> This has been about how do we take care of the survivors, the families and the children? They can't make a distinction, and I don't think that we should either.

GEN Michael Moseley of the Air Force said:

> I believe a death is a death and our service men and women should not be represented that way.

—i.e, they shouldn't be distinguished as to where it took place.

If you are a pilot flying in the Navy off an aircraft carrier and you are not in combat and you have a catapult failure and die, that family faces the same crisis as a family of somebody who is shot down. We need to understand that. I'm glad the bill addresses that situation, but there are other circumstances it does not.

GEN William Nyland of the Marine Corps said:

> I think we need to understand that before we put any distinctions on the great services of these wonderful men and women, they are all performing magnificently. I think we have to be careful about drawing any distinctions.

The amendment I offer today with Senators PRYOR and OBAMA expands this benefit to every member of the Armed Forces who dies on active duty.

I have a second amendment at the desk to help military families lessen the disruption that a death brings to the family.

At the present time, the survivors of those killed in action have to move out of military housing in 180 days. But for those with young children in school, that becomes entirely disruptive often with respect to the school district kids are able to go to, and it is a very difficult burden in many cases for widows and widowers to have to try to confront all of the difficulties of that transition, including the efforts of finding housing. The 180 days may mean starting a school year in one State and finishing it in another. I don't believe that is a message we ought to be extending to the families of those who give their lives in service to our country.

Given all of the disruption the loss of a parent brings to their lives, I propose allowing survivors the option to keep their housing for a whole year as they deal with the countless other challenges. It may seem like a small change, but I have heard from enough different folks on active duty in the military about the significance of this particular need, and it can make a huge difference for a family who is struggling with the loss of a father or a mother.

Investing in our military families is not just appropriating the money for the equipment or the latest technology for the deployment itself, it is investing in the families themselves. And it is not as an act of compassion, it is a smart investment in America's military. Good commanders know that while you may recruit an individual soldier or marine, you retain a whole family. That is the way we ought to look at our policies.

Nearly 50 percent of America's service members are married today. If we want to retain our most experienced service members, particularly after we have invested millions of dollars in their training, then it is important—especially for the noncommissioned officers who are the backbone of the military—that we keep faith with their families. If we don't, and those experienced enlisted leaders begin to leave, we as a nation are weakened.

The two amendments I have proposed today are the beginning of a larger effort to do right by our military families. I believe it is a strong beginning. By joining measures to take care of military families at home with legislation to take care of those remarkable young men and women serving abroad, we are going to take a firm step toward putting meaning behind the promise to support our troops. I hope these amendments are agreed to.

I yield to the Senator from Idaho.

The PRESIDING OFFICER. The Senator from Idaho is recognized.

AMENDMENT NO. 344

Mr. CRAIG. Mr. President, I thank the Senator from Massachusetts for his cooperation in the unanimous consent propounded that allows me the flexibility to speak. I will be brief. We are at the lunch hour.

The chairman of the appropriations subcommittee on MILCON and Veterans Affairs is also on the floor with me. Let me speak for a moment about the concerns we have in relation to the Murray amendment.

First and foremost, let me say for the record that in no way do I question the integrity of the Senator from Washington. She and I have worked very closely together on veterans issues. She is a valuable member of the Veterans Committee, as is the Presiding Officer.

Without question, our dedication to veterans I hope is unquestioned. The reality is are we dealing with an emergency in an emergency supplemental, or is there a very real need out in veterans land and with the Veterans Administration and the systems that it funds and operates to meet current veterans' and incoming veterans' needs? I say certainly without question that there is always a need. We could expand budgets well beyond where they are today to meet needs, but by what definition? Critical, necessary, important for the moment, dealing with the most needy veterans, the most handicapped, or simply spreading it out and making it more available?

Those are some of the tough choices you and I and members of that subcommittee and certainly members of the subcommittee on appropriations have to make. The Senator from Washington has appropriately challenged us to look at a variety of other aspects that have value. The question is, Are they an emergency at the moment? Do they serve veterans who are not being served? In some instances, that would be arguably yes. But are those veterans of critical service in the sense they can find health care elsewhere in the sense of priority?

Let me talk briefly about what we are doing. We have just finished trying to shape through a budget resolution the 2006 budget. We included $450 million more than the President's request, and we have increased the 2006 budget over the 2005 budget by about $1.2 billion—a substantial increase by anybody's observation. We have also done that without turning to veterans in the less needy categories and saying they will have to pay more for their services. We have been able to assume and bring into the system a good deal of that, which is important.

I find the number of $1.98 billion additional, not spread out over fiscal year 2006 but spent now in 2005 and the balance of 2005 in this emergency, a dramatic increase. Can the Veterans' Administration effectively and responsibly spend that kind of a bump up in money? I question that.

It is important to look at what is necessary. According to VA, they have seen approximately 48,000 OIF and OEF veterans since the war began. With Senator MURRAY's $2 billion, it would be $41,000 per patient, an extraordinary amount by any measure.

The PRESIDING OFFICER. Would the Senator suspend? Would the Senator request unanimous consent to extend past 12:30?

Mr. CRAIG. Mr. President, I ask unanimous consent I be allowed to continue. There are three Members in the Senate. I ask unanimous consent we extend to no later than 12:45.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAIG. Mr. President, I have given a figure of $41,000 per patient. That is an extraordinary amount by any measure. The VA's average cost per patient is about $5,000.

My point in making this an issue is I want to work with the Senator from Washington. I am never going to argue that there aren't real needs in the Veterans' Administration. I am not going to argue that there ought to be some priorities—mental health and those things that the Senator from Washington and I have shared as a common interest and a common concern.

Let me yield time to the Senator from Texas. She will take a few moments and give the Senator from Washington adequate time to respond before the 12:45 time.

I am willing to work with the Senator from Washington, to examine her numbers, but a $1.98 billion or $2 billion bump-up to be spent before close of business in September—I am getting signals from the Senator we are dealing with a 2-year appropriation. Let's look at those numbers.

I close by saying, in my opinion, there is not an emergency in the VA. This is an emergency supplemental. I will work with the Senator to see where we might go. It is wrong in an emergency to talk about things that are long term in character and necessary to finance.

I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, as the chairman of the Veterans' Administration appropriations committee, I certainly want to look further at Senator MURRAY's numbers, but adding almost $2 billion to the Department of Veterans Affairs for the next 6 months, we have to look very carefully where we would spend that money and what the emergency nature of the request is.

In fact, we had our appropriations hearing with the Veterans' Administration Secretary. I asked the Secretary specifically—we would certainly be looking at supplemental appropriations in the near future; then we would be looking at our full budget for next year—I asked if there were enough resources to meet the needs of all returning veterans from Iraq and Afghanistan for the current year, 2005. The Secretary said, yes, the VA does have the necessary resources in 2005 to continue meeting the needs of all returning veterans from Iraq and Afghanistan.

The key is when people return from Iraq and Afghanistan, we want to make sure their medical needs are met. That is something we all share. Most of the people returning from Iraq and Afghanistan are still in the Department of Defense. They are either on active duty or they are activated as Guard and Reserve. The bulk of them are still treated for their medical needs in the Department of Defense, not in Veterans Affairs. We have to look at how many people are returning and how many people actually go into the VA system, how many people actually are leaving the military service. The number comes down significantly. We have to look at this number.

All Members have the same goal, that we are going to ask for the amount of money we need to give the medical care to our returning service men and women and to people leaving the military. That is why I asked the question of our Secretary of Veterans Affairs, Do you have enough? Then I further asked if the 2006 budget was adequate for the returning veterans. The response was, yes.

I certainly want to do everything we need to do for the purpose of providing the care these veterans who have served our country, who are protecting freedom, deserve from our Government. But we have to look at the fact that is an emergency not in the 2006 budget. That would start October 1 of this year. Then we need to look further down the road at that budget, which our committee certainly intends to do.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. I ask for regular order.

The PRESIDING OFFICER. The Senator's amendment is now pending.

AMENDMENT NO. 344, AS MODIFIED

Mrs. MURRAY. I send a modification to the desk on our amendment.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 344), as modified, is as follows:

On page 188, after line 20, add the following:

CHAPTER 5

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, outpatient and inpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans as described in paragraphs (1) through (8) of section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the department and including medical supplies and equipment and salaries and expenses of health-care employees hired under title 38, United States Code, and to aid State homes as authorized under section 1741 of title 38, United States Code; $1,975,183,000 plus reimbursements: *Provided*, That of the amount under this heading, $610,183,000 shall be available to address the needs of servicemembers deployed for Operation Iraqi Freedom and Operation Enduring Freedom; *Provided further*, That of the amount under this heading, $840,000,000 shall be available, in equal amounts of $40,000,000, for each Veterans Integrated Service Network (VISN) to meet current and pending care and treatment requirements: *Provided further*, That of the amount under this heading, $525,000,000 shall be available for mental health care and treatment, including increased funding for centers for the provision of readjustment counseling and related mental health services under section 1712A of title 38, United

States Code (commonly referred to as ''Vet Centers''), including the staffing of certified family therapists at each center, increased funding for post traumatic stress disorder (PTSD) programs, including funding to fully staff PTSD clinical teams at each Veterans Affairs Medical Center and to provide a regional PTSD coordinator in each VISN and in each Readjustment Counseling Service region, funding for the provision of primary care consultations for mental health, funding for the provision of mental health counseling in Community Based Outreach Centers (CBOCs), and funding to facilitate the provision of mental health services by Department of Veterans Affairs facilities that do not currently provide such services: *Provided further*, That the amount under this heading shall remain available until expended: *Provided further*, That the amount provided under this heading is designated as an emergency requirement pursuant to Section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

Mrs. MURRAY. Mr. President, let me make a couple of comments. I thank the Senators from Idaho and Texas for working with us on this critical issue. I know both of them have worked very long and hard on veterans issues and care deeply about making sure the men and women who serve are taken care of when they return home, as we promised.

Let me remind everyone, of the 240,000 men and women separated from our services since the beginning of the war in Iraq, 50,000 have already asked the VA for services. Many more of them will continue to do that as they come home and as they get back into their homes and look for services, especially mental health services, as all know who have worked with veterans for a long time.

This is an emergency. If any Members work with veterans in our States, talk to our directors at home, and talk with soldiers who have returned home, we will realize the long lines they are waiting in, the clinics that were promised that have not been opened, the tremendous services that are not being provided.

As I discussed in my opening statement, beds are held together by duct tape in our facilities. This is not how we should be treating our veterans. It is an emergency because more veterans return in higher numbers with the care not available for them.

I am willing to work with the Senators from Idaho and the Senators from Texas over the next several hours, or whatever it takes to come up with a number. If they believe $1.98 billion is too high, I would like to talk to them about that. We can work together. I know both care about this issue, and we want to find a way to make sure our veterans are taken care of.

I remind everyone when we send our men and women overseas, one of the promises we make to them is we will have the care available when they return. When we have veterans who are in beds that are held together by duct tape, when we have veterans who have to endure long waiting lines for simple services, that is an emergency.

I clarify, the money in this bill will be used until it is expended. It does not have to be expended this year. It will be used until expended, allowing our veterans and our veteran services to put in place facilities they need for our men and women coming home.

I close at this time, and I will work with Senators from Idaho and Texas and the chairman of the Appropriations Committee because I believe this is an emergency. I believe we have a responsibility. I will make sure our veterans get the care they need.

I yield the floor.

Mr. AKAKA. Mr. President, the Department of Veterans Affairs has been a recognized leader in the treatment of Post-Traumatic Stress Disorder, PTSD. With its outreach efforts and expert mental health staff, VA has made great strides in its treatment of those suffering from the psychological wounds of war. Unfortunately, VA still has a long way to go before it will achieve the level of PTSD treatment our veterans deserve. Demonstrating this fact is a February 2005 GAO report, which found that VA has not fully met any of the 24 clinical care and education recommendations made in 2004 by VA's Special Committee on PTSD.

Titled ''VA Should Expedite the Implementation of Recommendations Needed to Improve Post-Traumatic Stress Disorder Services,'' this report raises serious concerns about VA's ability to treat our veterans' mental health. In fact, I would like to quote one of the report's most disturbing points: ''VA's delay in fully implementing the recommendations raises questions about VA's capacity to identify and treat veterans returning from the Iraq and Afghanistan conflicts who may be at risk for developing PTSD, while maintaining PTSD services for veterans currently receiving them.'' Further adding to the seriousness of this statement is that GAO reported in September 2004 that officials at six of seven VA medical facilities said they may not be able to meet an increased demand for PTSD services. Moreover, the Special Committee reported in 2004 that ''VA does not have sufficient capacity to meet the needs of new combat veterans while still providing for veterans of past wars.

This is further proof of the need for increased funding for VA health care. If we do not give VA the necessary funds, how can we expect it to properly care for the flux of new veterans when it cannot even care for those it currently treats? In fact, VA officials have cited resource constraints as the primary reason for not implementing many of the Special Committee's recommendations.

In all, GAO found that based on the time frames in VA's draft mental health strategic plan, 23 of the 24 recommendations may not be fully implemented until fiscal year 2007 or later. The remaining recommendation is targeted for full implementation by fiscal year 2005, 4 years after the Special Committee first recommended it.

Additionally, the GAO report found that ten of the recommendations are longstanding, as they are consistent with those made in the Special Committee's first report in 1985. VA agreed then that these recommendations would improve the provision of PTSD services to veterans, yet the changes still are not scheduled for full implementation for another two years at the earliest. These delayed initiatives include developing a national PTSD education plan for VA, improving VA collaboration with DoD on PTSD education, and providing increased access to PTSD services.

PTSD is caused by an extremely stressful event and can develop years after military service. Mental health experts estimate that the intensity of warfare in Iraq and Afghanistan could cause more than 15 percent of servicemembers returning from these conflicts to develop PTSD, with a total of nearly 30 percent needing some kind of mental health treatment. While there is no cure for PTSD, these experts believe early identification and treatment of PTSD symptoms may lessen their severity and improve the overall quality of life for individuals with this disorder.

Congress required the establishment of VA's Special Committee on PTSD in 1984, with the original purpose primarily to aid Vietnam-era veterans diagnosed with PTSD. One of the Special Committee's main charges is to carry out an ongoing assessment of VA's capacity to diagnose and treat PTSD and to make recommendations for improving VA's PTSD services.

In addition, a March 20, 2005, article in the Los Angeles Times pointed out how concerned veterans' advocates and even some VA psychiatrists are with VA's handling of PTSD services, saying VA hospitals are ''flirting with disaster.'' The article highlighted the situation at the VA Greater Los Angeles Healthcare System, specifically the Los Angeles VA hospital, which last year closed its psychiatric emergency room. A decade ago, VA hospitals in Los Angeles had rooms to treat 450 mentally ill patients each day. After a series of cutbacks and consolidations, however, the main hospital can now accommodate only 90 veterans overnight in its psychiatric wards. During the same 10-year period, the overall number of mental health patients treated by the VA Greater Los Angeles increased by about 28 percent, to 19,734 veterans in 2004. If this is how VA handles PTSD care for our veterans at the Nation's largest VA hospital, how does that bode for the rest of the nation?

VA must make strides in its provision of mental health services and outreach efforts to servicemembers returning from Iraq and Afghanistan. If we are not careful and do not give VA proper resources, progress will be impossible. As Ranking Member of the Committee on Veterans' Affairs, I will work to ensure that does not happen. As such, I am pleased to tell you that

today I am offering an amendment to the Supplemental to partially fix this problem. Our Nation's veterans deserve the best care possible, for both their physical wounds and mental.

I ask unanimous consent that the article from the Los Angeles Times be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Los Angeles Times, Mar. 20, 2005]

MENTAL HEALTH CARE FOR VETERANS DISPUTED; WHILE NEED HAS GROWN, INPATIENT SERVICES HAVE BEEN DRASTICALLY CUT IN THE LAST DECADE.

CRITICS SAY OUTPATIENT PROGRAMS CAN'T DO THE JOB.

(By Charles Ornstein)

As troops return from Iraq and Afghanistan—including thousands with combat-related mental disorders—they enter a Veterans Affairs healthcare system sharply divided about how to care for them.

In the last decade, veterans hospitals across the country have sharply reduced the number of inpatient psychiatric beds, replacing them with outpatient programs and homeless services.

The new offerings, officials say, cost less and are just as effective.

''It used to be with mental illness that once you got it, you never got rid of it,'' said Dr. Mark Shelhorse, a national VA mental health official. But ''mental illness is perceived as a disease now just like hypertension and diabetes. We have medicines to treat it. We know that people recover and lead fully normal lives.''

But veterans' advocates and even some VA psychiatrists say the hospitals, including the massive Veterans Affairs Greater Los Angeles Healthcare System, are flirting with disaster. They say the facilities are ill-equipped to deal with veterans who need the most extensive help for psychosis, substance abuse, suicidal impulses and post-traumatic stress disorder.

Last year, the Los Angeles hospital closed its psychiatric emergency room, a move that heightened the anger of the VA's critics.

''We were too easily swayed in the past by the argument that after a while, it [PTSD] will go away,'' said Jay Morales, a Vietnam veteran who chairs the mental health consumer advisory council at the Los Angeles hospital. ''But there are Vietnam vets walking around today, 30 years after the war ended, having these problems.''

Dr. William Wirshing, a psychiatrist for 23 years at the Greater Los Angeles VA, agreed. ''It's absurd how much they've cut—and it's absurd how much they continue to cut,'' he said.

A decade ago, VA hospitals in Los Angeles had rooms to treat 450 mentally ill patients each day. After a series of cutbacks and consolidations, the main Wadsworth hospital on Wilshire Boulevard can now accommodate only 90 veterans overnight in its psychiatric wards.

During the same 10-year period, the overall number of mental health patients treated by the VA Greater Los Angeles increased by about 28 percent, to 19,734 veterans in 2004.

The VA hospital in Los Angeles, the largest veterans hospital in the nation, treats 80,000 veterans annually with a budget of more than $450 million. It includes the hospital, nursing homes, a domiciliary, three main outpatient care sites and 10 community clinics. There are an estimated 510,000 veterans in Los Angeles County alone.

VA officials say that despite the cutbacks, the Los Angeles VA hospital offers more mental health services today than ever. Instead of keeping patients in locked wards overnight, the VA offers them outpatient programs and temporary accommodations in partnership with nonprofit groups, officials say.

''It's not like we went into a hospital that was fully occupied and we said, 'We don't need this unit anymore,''' said Dr. Andrew Shaner, the hospital's acting director of mental health. ''We built programs that kept people relatively well and therefore out of the hospital, and that's why we were able to do it.''

The question remains: Are the current offerings enough?

A report last fall by the U.S. Government Accountability Office cited estimates that 15% of service members stationed in Iraq and Afghanistan would develop post-traumatic stress disorder. As of December, about 1 million troops had spent time in one of the two war zones (about one-third have done more than one tour).

The GAO determined that the VA did not have enough information to know if it could meet the increased demand.

Shelhorse, the VA's acting deputy consultant for patient care services for mental health, said the agency is monitoring the situation carefully and is pumping millions of dollars into mental health programs.

The shift from inpatient to outpatient mental health services has become a controversial issue throughout the VA system. A 1996 federal law prohibits the VA from reducing specialized treatment and rehabilitation for disabled veterans, including mental health services.

A VA committee has found that the agency hasn't abided by that law. While VA hospitals may be treating more mentally ill patients, they aren't spending as much money doing so. At the West Los Angeles VA, the amount spent on mental health has decreased from $74 million in fiscal 1997 to $64.4 million in fiscal 2003, according to a national monitoring system.

Experts disagree on whether outpatient care can replace inpatient treatment.

''I don't think that intensive community treatment can take care of all the people that no longer have the availability of inpatient beds,'' said Dr. H. Richard Lamb, a psychiatry professor at USC.

Lamb said the trend has led to an increase in homeless mentally ill and those in jails.

But Dr. Robert Rosenheck, director of the VA's Northeast Program Evaluation Center, said changes in the VA system have not produced those results.

Studies, he said, have not shown an increase in jailed veterans after inpatient psychiatric beds have been cut. Nor, he said, have there been significant increases in suicides or veterans showing up at non-VA hospitals for care.

''Veterans very much preferred coming in and being in a supportive environment for an extended period of time,'' Rosenheck said. But ''when you look at objective outcomes, we don't see scientific evidence of adverse effects'' because of the cutbacks.

Even so, veterans' advocates and psychiatrists have been complaining for years about cutbacks at the Greater Los Angeles VA.

For many, the final straw came in May when the hospital closed the psychiatric emergency room and shifted mental health emergencies to the main ER. Troubled patients are now cared for by nurses and other staff who, according to the critics, are not adequately trained to handle psychiatric emergencies.

Critics point to several instances since the transition in which psychiatric patients were admitted to inpatient wards without any written orders or treated with disrespect by ER nurses who didn't understand their disorders. At least one female patient with PTSD attempted suicide.

''This is a dangerous situation,'' said Guy Mazzeo, a veteran and member of the L.A. mental health consumer advisory council. ''None of us'' was consulted before the change, he said, referring to advocates for veterans and the VA's outside advisory groups. And none agree with it, he said.

The veterans and their doctors have been joined in their criticism by Rep. Henry A. Waxman (D-Los Angeles), whose district includes the VA health center.

He asked the VA in January to hire a full-time psychiatrist for the emergency room and arrange for specially trained psychiatric nurses to work there, among other things. The VA declined his requests.

''I'm disappointed that the VA has not responded more aggressively,'' Waxman said in an interview. ''With Iraq and Afghanistan war veterans returning, these demands are only going to increase.''

VA officials say the criticism is unfair. Care in the main ER is more coordinated than the care given in the stand-alone psychiatric emergency room, they say. Patients can get their medical and mental problems treated in one place, instead of having to be shuttled between two.

Administrators say ER staff members have received extensive training. And they say that there's no evidence that patients are receiving inferior care.

Dr. Dean Norman, the hospital's chief of staff, said the closure of the psychiatric ER made sense because the number of patients using it had been decreasing for years, and the hospital did not have enough staff.

''One of our goals is to be good stewards of taxpayer dollars,'' Norman said. ''We didn't make this in a precipitous or reckless fashion. This was well thought out, and we had good reasons for doing this.''

Mrs. BOXER. Mr. President, I am pleased to join Senator MURRAY in cosponsoring this important amendment

to increase veterans health care funding. We owe it to our veterans, who have so bravely served our country, to give them the best medical care possible. It is disappointing that funding for veterans programs, especially veterans health care, has not kept pace with either the increased number of veterans in the system or medical inflation. This amendment is crucial to providing veterans with the services they have earned.

As I have talked to veterans in California—and as I have met with returning soldiers from Iraq and Afghanistan—I have come to one disturbing conclusion: we are not serving all of the needs of our veterans now and we are not prepared to serve the tens of thousands of veterans who will be returning over the next couple of years.

Senator MURRAY's amendment begins to address this situation. It will increase veterans health care funding by almost $2 billion. This includes $610 million for new veterans returning from Iraq and Afghanistan. Funding for these veterans is not included in the current VA budget. In addition, each of the 21 veterans regions will receive $40 million to address their budget shortfalls. This will allow each region to determine how the funds can best be used to benefit their veteran population.

I am especially pleased that this amendment includes funding designated for veterans mental health care. Specifically, $525 million is designated to expand mental health services, with $150 million targeted for the treatment of Post Traumatic Stress Disorder—PTSD. The VA has estimated that 30 percent of men and women currently serving in the Armed Forces will need treatment for mental illness or readjustment issues. That is why this funding is so critical.

This amendment has the support of many veterans organizations, including the Veterans of Foreign Wars, AMVETS, Disabled American Veterans, and Paralyzed Veterans of America. They realize, as I do, how crucial it is that this funding be made available. Without it, the VA will not be able to meet the needs of the men and women who have so bravely served our country. I urge my colleagues to support this amendment.

Mrs. LINCOLN. Mr. President, today, I rise in support of an amendment to the emergency supplemental to provide an additional $1.98 billion for veterans health care. I am a cosponsor of this amendment because I believe that when we talk about the costs of war, we cannot forget the brave men and women who are returning from war every single day.

In the past couple months, my home State of Arkansas has seen the return of over 3,000 brave men and women from the Army National Guard, who answered their Nation's call to serve in Operation Iraqi Freedom. Many of them will need ready access to health care as they attempt to transition back to the civilian lives they knew before the war.

I am troubled because they are returning to a veterans health care system that is underfunded and overburdened. Increasing health care costs and an influx of thousands of new veterans each month makes it essential that we do what we can to provide for veterans health care, and we do it now.

This amendment would enable the VA to absorb the new veterans being added to the system and would reverse many of the critical budget shortfalls that have left many VA facilities without the medical staff or equipment they desperately need. It would also provide $40 million for every veterans regional network so they can better meet their local needs.

My father fought in Korea and I was raised from an early age to have tremendous respect for the unselfish service of the men and women of the Armed Services. As a United States Senator, I believe we have an obligation to provide them with the health care they were promised and to honor the benefits they have earned. I urge my colleagues to support this amendment because it is the right thing to do, it is our moral responsibility, and it should be a priority for each and every one of us.

Mr. JEFFORDS. Mr. President, the Bush administration has decided that all funding for the conflicts in Iraq and Afghanistan be requested as supplemental emergency funding. I believe, therefore, that we must include in this supplemental funding legislation, additional monies to cover the cost of the war incurred by the Veterans Administration.

The President's budget did not request sufficient funding to cover the significant increases in medical costs of veterans wounded in Iraq and Afghanistan. While severely wounded service members are remaining longer in the Department of Defense health care system than in past conflicts, the VA provides all care for these men and women after they are released from the military, and provides care to Guard members and Reservists beginning immediately after they return home from a deployment.

We must cover these expenses. We cannot turn away these veterans. We also cannot turn away other veterans and deny them care in deference to the newest veterans. That would not be right either.

I am pleased to join Senators MURRAY and AKAKA in offering this amendment to provide $1.9 billion in additional funding to the Veterans Administration. Passage of this amendment would go a long way to covering existing shortfalls and allowing the VA to ramp up to meet the current and expected needs for the coming year. I am pleased that this amendment addresses the critical issue of mental health by providing $525 million specifically for mental health care and treatment.

Unlike prior wars, where soldiers were expected to lay down their guns upon returning home and forget about the war, service members returning from Iraq and Afghanistan understand that it is very important for their mental health and the well-being of their family, that they deal with both the mental effects of the war and the emotional effects on their families of a long and stressful separation. Vet centers exist all across the country to help veterans and their families deal with the ghosts of war and manage the transition back home. These centers do a phenomenal job, but they are generally very small and have been handling a limited case load. With veterans returning from Iraq in huge numbers, particularly members of the National Guard and Reserve who do not live on or near military bases the job of the Vet centers has increased more than a hundred-fold. The Vet centers need an increase in both staff and resources commensurate with the demands now placed upon them.

We have learned from prior wars that much can be done to ease the transition back to civilian life if it is done immediately. Immediate mental health care can prevent the onset of more difficult diagnoses, such as post traumatic stress disorder. The VA has developed expertise in the diagnosis and treatment of PTSD, well beyond that of the private sector. The challenge now is to spread this expertise throughout the VA system. This takes resources. We also have learned that those soldiers who have suffered physical wounds will often need ongoing mental health assistance to face the challenges of life with a disability. We must not turn our backs on them.

The bill before the Senate is designed to cover the costs of these two conflicts. We cannot say we have done so if we do not cover the costs of the physical and emotional wounds from these conflicts. The only way that this can be done with the funding provided by the President's budget is if our obligations to other veterans are set aside. This would be wrong. The only way we can truly honor our obligations to all of our veterans is to support the amendment by the Senator from Washington, Mrs. MURRAY.

I urge my colleagues to support the Murray amendment.

RECESS

Mr. COCHRAN. I ask unanimous consent we stand in recess under the previous order.

The PRESIDING OFFICER. Under the previous order, the hour of 12:30 having arrived, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:39 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. VOINOVICH).

The PRESIDING OFFICER. The Senator from Mississippi.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT, 2005—Continued

AMENDMENT NO. 344, AS MODIFIED

Mr. COCHRAN. Mr. President, it is my intention to make a point of order in connection with the amendment that has been offered by Senators MURRAY and AKAKA. But I do not want to do that if they are not here on the floor. I will wait to give them an opportunity to make any statements or motions they may deem appropriate. So I do not want to foreclose anyone from having an opportunity to express themselves on that issue. But I do make that announcement just for the information of all Senators, that we have pending before us an amendment that purports to add as a matter of emergency appropriations $1.9 billion to the Veterans' Administration accounts.

The administration has not asked for these funds. Testimony before the relevant committees of jurisdiction, the Veterans Affairs' Committee and the Appropriations subcommittee that funds or recommends funding for veterans programs, has not led Senators to request funds for inclusion in the committee mark. So there is a disparity between the proponents of the amendment and what they are urging the Senate to approve and what is being requested as a matter of emergency appropriations.

In addition, the language of the amendment actually has a provision that the moneys appropriated under the amendment would be available until expended, which means the funding would carry over into the next fiscal year. We are, right now, having committees consider the funding levels that are needed in the next fiscal year, beginning October 1.

So with no requests for funds, with the administration saying they have enough funds to run the VA health programs and hospital programs between now and the end of this fiscal year, we are going to suggest that this is subject to a point of order. It is my intention to make that point of order.

Seeing that the Senators are on the floor now, Mr. President, pursuant to section 402 of S. Con. Res. 95 of the 108th Congress, I make a point of order that the amendment contains an emergency designation.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I move to waive the point of order and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, a vote now occurs on the motion to waive, right?

The PRESIDING OFFICER. That is right.

Mr. COCHRAN. Mr. President, there is a question about how much time is going to be——

The PRESIDING OFFICER. The motion to waive is debatable.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, there is some confusion on my part. I thought the Senators were going to debate this, but there was a suggestion that we could agree on a time for a vote on the motion to waive the Budget Act. So I inquire of Senators whether that is the feeling on the other side. We would be willing to enter into an agreement for a vote to occur at a time certain that might suit the convenience of all Senators.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I am happy to talk to the chairman of the Appropriations Committee in order to work out a time agreement. I do have more I would like to say. This amendment is extremely serious. It is an emergency. We would like some more time, so I am happy to talk to the chairman about having an agreement on time, if he would like to do that.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I appreciate the comments of the Senator. Let me suggest, then, if there is no objection, that we enter into an agreement that we have a vote that will occur at 3:30 this afternoon.

Would that be satisfactory with the Senator?

Mrs. MURRAY. Mr. President, I assume the time will be equally divided between now and 3:30 on this amendment. That would be satisfactory.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Senate vote on the motion to waive the Budget Act with respect to the Murray amendment at 3:30 p.m. today, with debate until the vote equally divided in the usual form and no amendments in order to the amendment prior to the vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. COCHRAN. I thank the Chair and thank the Senator.

The PRESIDING OFFICER. Who yields time?

The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield to the Senator from North Dakota.

Mr. DORGAN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I rise in support of the amendment offered by my colleague, Senator MURRAY. Senator MURRAY, I believe, offered this identical amendment in the Appropriations Committee when it marked up the appropriations supplemental bill. I was very pleased to support her then.

I want to refer back to a time when we held a hearing with the Secretary of Defense. My colleague, Senator MURRAY, was at that hearing. She asked some questions, and other colleagues did, and I did, about this issue of health care, health care for soldiers and health care for veterans. One of the questions we asked was, What is the continuum here between a soldier and a veteran?

I would guess all of us in this Chamber have driven to Bethesda Naval Hospital and Walter Reed Medical Center to visit young men and women who have been wounded with respect to hostilities in Iraq. I have made many such visits. I have seen these brave soldiers lying in their hospital bed, often with an arm missing or a leg missing or other serious wounds, convalescing and recovering. In most cases, God willing, when they recover, they will get rehabilitation, and then they will, in most cases, be discharged from the service.

We asked the Secretary of Defense, at that point, What is the difference between a soldier on active duty and a young soldier who has just been released from Walter Reed Medical Center who is then discharged but continues to need medical help for the wounds they suffered in the war? Is there really any difference? And should there really be a difference in the health care that is delivered?

I am enormously proud of the men and women who work at hospitals such as Walter Reed Medical Center and Bethesda Naval Hospital, those we see most often when we visit. That health care could not be better. They do an extraordinary job.

There was recently an article about the job they do in a publication called the Washington Monthly. I discussed that article with Mr. Principi, then the head of the VA. I said, you ought to send this article out to every single employee of the VA because without sufficient money—and they have not had sufficient money—they have done an extraordinary job.

But the question is, When someone becomes a veteran, having come off active duty with a war wound, what happens? Is there full funding in that case for the kind of health care they need? The answer is no.

My colleague from the State of Washington, Senator MURRAY, understands that. She has led the fight on this issue for a long while, to say: Can't we have full funding for health care for veterans?

You can go any place in this country these days and talk about America's service men and women, and people respond to it. They care about the people who wear this country's uniform, and they want to support them. But that support does not just occur with respect to when they are in a hospital such as Walter Reed or Bethesda. That support must occur with respect to VA hospitals and community-based veterans clinics.

As you know, the President's budget does not provide funding for the clinics

that were promised, the clinics that would allow a veteran who has health care issues to show up at a local storefront VA clinic instead of having to drive, particularly in rural States, hundreds and hundreds and hundreds of miles. Well, that is not funded by the President's budget. Even though they had decided they were going to do that, the President says, no, we do not have the money.

My colleague from the State of Washington, Senator MURRAY, asks the question: What is more important in this country? I am not asking you for 10 things, but just give us a couple. What is more important than keeping our promise of health care to veterans? Just give me a couple of things that are more important. These are the people to whom we offered a promise, who answered the call: Uncle Sam wants you. Wear the uniform of this country. Put yourself in harm's way, perhaps lose an arm, perhaps lose a leg, maybe lose your life.

What is more important than saying to those people who answered that call that when you need medical help in our veterans medical system, we will have adequate funding to make sure you get that help?

I recall one day a father calling me and saying: I have a son who fought in the Vietnam war, and he suffered a head wound, a bullet to the brain. It was a very serious head wound that left him in devastating condition, and because of that brain wound and his incapacity, he was suffering muscle atrophy, and at some point he had to have a toe removed. They said, well, to have that toe removed, you have to take this young veteran to Fargo, ND, which was about 250 miles away—500 miles round trip.

So for this young man, who suffered a wound to the head in a war and was incapacitated as a result of it, put him in a car and drive him 500 miles round trip to have a toe removed. I said: Isn't there some common sense here? Couldn't this be done somewhere closer? We finally resolved that.

But the fact is, the money that was left out of the President's budget for the storefront community clinics for veterans, that is exactly the kind of thing they can do in many cases. Yet somehow this is not an urgent priority, with all of the young veterans coming back with wounds from this war, the Iraqi war, and with all of the World War II veterans now reaching that age where they need maximum care, the maximum claim on health care they were promised.

If ever we need to decide as a priority in this Congress that we need to keep our promise to veterans, it is now. That is all the Senator from the State of Washington is saying: Let's keep this promise. There seems to be money for a lot of other priorities around here that rank far lower than health care for America's veterans.

All of us have stories about these veterans, about those we have visited who were involved in World War II, Korea, Vietnam, and now the gulf war. Those stories, individually and collectively, talk about heroism and commitment and service, duty, honor, country. Duty and honor, it seems to me, for us is to make the right choice.

It is always about choices in Congress. Who among us will decide today that it is the wrong choice to fully fund veterans health care in this country? Who among us will decide that is the wrong choice? For me, it is the right choice to decide veterans deserve to know we keep our promise. That is the import of the amendment from Senator MURRAY. I am proud to stand here and speak for it and support it and vote for it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. Mr. President, I rise in strong support of the Murray amendment. This is an emergency supplemental bill. We are considering funding for our troops in Iraq and Afghanistan. I voted against this war. I didn't think we were prepared. I didn't think we had a coalition to stand behind us that would send in the soldiers and bring the resources to the battle. Our military went into this war and performed admirably. We were well prepared for the military invasion. Clearly we were not prepared for what happened afterward.

For 2 years now we have been in Iraq and Afghanistan. For 2 years we have seen the casualties come home and we have seen the body bags and caskets come home as well. We have lost over 16,000 of our best and bravest in Iraq to this day. Among our allies, thank goodness there have been fewer losses. But in comparison it shows we are carrying the burden of battle. Our sons and daughters are carrying the burden of battle. The taxpayers, with this bill, will put the resources into material and equipment so these soldiers can do their job and come home safely.

How many of us have stood up on the floor of the Senate on both sides of the aisle praising these men and women in uniform, saying we have to stand behind them, keep them in your thoughts and prayers, don't be ashamed to wave that flag? We are all proud Americans.

Senator MURRAY comes to us today and asks whether our pride in our fighting men and women is enough for us to declare it an emergency to make sure our veterans hospitals and clinics are up to the task of serving these men and women. For us to give all the great speeches about how much we admire the soldiers and then, when they are hurt and come home, to throw them into a VA system unprepared to take care of them is a mockery. If we truly believe in the goodness of the men and women who risk their lives for America, why wouldn't we vote for the Murray amendment to put the money in the veterans hospitals so the very best doctors and nurses and equipment is there for our sons, our daughters, the husband, and wives of people we love.

Let me tell you about one element of this which I am particularly proud that Senator MURRAY has added at my request. It is estimated that at least one out of every five soldiers who serves will come home and face a condition known as posttraumatic stress disorder. What is it? If you saw the movie ''Patton,'' you can recall that scene where George C. Scott, playing Patton, went in the military hospital, saw a soldier on a cot and asked: Where were you hit, soldier? The soldier responded: I wasn't hit. I just can't do it anymore. And Patton reached down and slapped him. He slapped that soldier and that slap reverberated across America, a scandalous headline that this general would slap a soldier because he couldn't face battle.

In all honesty, it is that attitude and denial which have led the United States to ignore this very real problem. It wasn't until 1980, 25 years ago, that the Veterans' Administration acknowledged the fact that when you take men and women in America, train them to be soldiers and sailors, marines and airmen, serve in the Coast Guard, put them into battle, they can have life experiences and witness events which will have a dramatic impact on them personally. They may need help and counseling to come home and set their lives on the right path. The first time we acknowledged posttraumatic stress disorder was 1980. They used to call it shell shock and battle fatigue. But it was never acknowledged as a medical problem that needed attention until 1980.

A few weeks ago I went across my State of Illinois. I went to five different locations for roundtables. I invited medical counselors from the Veterans' Administration to tell me about the soldiers who were trying to come to grips with this torment in their minds over what they had done and what they had seen. I was nothing short of amazed at what happened. In every single stop, these men and women came forward and sat at tables before groups in their communities, before the media, and told their sad stories of being trained to serve this country, being proud to serve, and going into battle situations which caused an impact on their mind they never could have imagined, and coming home with their minds in this turmoil over what they had done and seen, and many times having to wait months and, in one case, a year before they could see a doctor at a VA hospital.

I couldn't believe the stories of World War II veterans. A veteran in southern Illinois who was in the Philippines couldn't come to my meeting because ''I just can't face talking about it,'' 60 years after his experience. Veterans from Korea where my two brothers served, veterans from Vietnam who came home rejected by many, who couldn't resolve their difficulties because they were afraid to even acknowledge they were veterans, tormented by this for decades.

The ones that gripped my heart the most were the Iraqi veterans. I will never forget these men and women. The one I sat next to at Collinsville, a bright, handsome, good looking young marine, talked about going into Fallujah with his unit and how his point man was riddled with bullets, and he had to carry the parts of his body out of that street into some side corner where he could be evacuated, at least the remains could be evacuated. Then he served as point man and went forward. A rocket-propelled grenade was shot at him, and it bounced off his helmet. One of the insurgents came up and shot him twice in the chest. This happened in November. He was there. He survived.

When he came home, he couldn't understand who he was because of what he had seen and been involved in. He had problems with his wife, difficult, violent problems, and he turned to the VA for help.

I said to this young marine: I am almost afraid to ask you this, but how old are you?

He said: I am 19.

Think of what he has been through. Thank goodness he is in the hands of counselors. Thank goodness he is getting some help, moving in the right direction.

But in another meeting in southern Illinois, another soldier said, in front of the group: As part of this battle, I killed children, women. I killed old people. I am trying to come to grips with this in my mind as I try to come back into civilian life.

A young woman, an activated guardswoman from Illinois, said when she came out, still in distress over what she had seen and done, they stopped her at Camp McCoy in Wisconsin and sat her down and asked: Any problems? Of course, that should have been the time for her to come forward and say: I have serious problems. She didn't. Because if you said you had a problem, you had to stay at Camp McCoy for 3 more months. She was so desperate to get home she said: No problems.

She came home and finally realized that was not true. She had serious psychological problems over what she had been through. When she turned to the VA and asked for help, they said: You can come in and see a counselor at the VA in 1 year.

What happens to these veterans, victims of posttraumatic stress disorder, without counseling at an early stage? Sadly, many of them see their marriages destroyed. One I met was on his fourth marriage. Many of them self-medicate with alcohol, sometimes with drugs, desperate to find some relief from the nightmares they face every night. These are the real stories of real people, our sons and daughters, our brothers and sisters, our husbands and wives who go to battle to defend this country and come home with the promise that we will stand behind them.

If we stand behind them, we need to stand by the Murray amendment—$2 billion to make sure these hospitals and clinics have the very best people to treat our soldiers coming home; money as well to make certain that there is family therapy, something that is often overlooked. How many times do you hear the story of the wife who says: Who is this man who came back from battle? He is not the soldier I sent away. He is so distant. He doesn't talk to me. He gets angry in a hurry. He wants to be away from us. That is not the man I sent to battle. The spouses and their children need help, too.

I implore my colleagues. I know it is considered unusual to come in on a President's request and add money for the Veterans' Administration. But we are not doing our duty as Senators to only provide the money for the troops for the battle. We have to do more. We must do that. But we need to provide the physical and mental medical help these same soldiers need when they come home.

I thank Senator MURRAY for her leadership on this amendment. I wish it were a bipartisan amendment. There is certainly bipartisan support for our troops. But maybe when the vote comes, we will find if the same Senators who have said such glowing things about the men and women in uniform will stand by them when they come home and need a helping hand.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I thank my colleague from Illinois for his heartfelt statement. I know he has worked in his State, talking to young men and women who are coming home. He has looked them in the eyes as I have. I was with him in Kuwait and Iraq a few weeks ago talking to soldiers who are coming home.

The No. 1 question was: We are hearing that services are not going to be available for us when we get home. We are hearing that the veterans from Vietnam and World War II are waiting in line. We have been over here for a year.

They fear this country has forgotten them despite all the rhetoric on this floor. The Senator from Illinois is right. This is not a Republican issue. It is not a Democratic issue. This is an American issue. This is about our American men and women serving us honorably and who deserve to have the services when they come home.

The Senator from Illinois is right. To look into the eyes of a young family where one of them is suffering from posttraumatic stress syndrome affecting their marriage, job, their entire community, and what are we saying? Wait in lines. You don't get in to be served? That is not an emergency?

What we have now in front of us is a point of order saying this is not an emergency. If it is not an emergency to take care of our men and women who are now serving us overseas, who have come home, then I don't know what is. When I am going out and talking to service organizations and every single VISN in this country is telling us they are working under debts, they are not hiring doctors and nurses to replace those who are leaving, they have beds that are being held together by duct tape—if that is not an emergency, then I can't think of one that is.

We have talked to veterans in every single VISN. Every single one of them has given us dramatic stories of the wait lines, of clinics that have been promised and not opened, of service men and women from previous wars who are not getting served. This is not an emergency? I disagree.

I ask unanimous consent to add Senators SCHUMER, JOHNSON, CORZINE, LINCOLN, LANDRIEU, and DORGAN as cosponsors of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. I ask unanimous consent to print two letters of support in the RECORD. They are from the national veterans service organizations: The American Legion, the Veterans of Foreign Wars, Amvets, Paralyzed Veterans of America, and Disabled American Veterans.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE AMERICAN LEGION,
Washington, DC, April 11, 2005.

Hon. PATTY MURRAY,
U.S. Senate,
Washington, DC.

DEAR SENATOR MURRAY: Thank you for offering an amendment to the H.R. 1268, FY 2005 emergency supplemental appropriations, to add $2 billion for the Department of Veterans Affairs (VA) medical care. VA medical care is truly the ongoing cost of war. You have The American Legion's full support.

VA is not meeting the health care needs of America's veterans. Currently, certain veterans are actually denied access to the VA health care system even though they are willing to make co-payments and have third-party health care insurance, while other face lengthy delays in accessing care. Although providing quality health care, VA cannot meet its own timely access standards simply because it lacks the health care professionals to meet the demand for services.

In 2003, the President's Task Force to Improve Health Care Delivery For Our Nation's Veterans cited ''eliminating the mismatch between demand and funding'' as a major obstacle. Last year, VA officials claimed to need between 10 and 14 percent annual increases just to maintain current services because of Federal payraises and medical inflation. VA health care is still the best value for the taxpayer's dollar.

As former active-duty service members, especially National Guard and Reservists, transition to their civilian lifestyles, many new veterans will turn to VA to address their health care concerns, especially those with mental health problems associated with combat. VA is a world leader in effective treatment of post-traumatic stress disorder (PTSD) and other readjustments problems. VA must be funded to make sure this newest generation of wartime veterans are properly cared for in a timely manner and not displace other veterans seeking care due simply to limited resources.

Once again, thank you for offering an amendment to add $2 billion for VA medical

care. Timely access to VA medical care is an earned benefit from a grateful nation.

Sincerely,

STEVE ROBERTSON,
Director,
National Legislative Commission.

THE INDEPENDENT BUDGET,
Washington, DC, April 6, 2005.

DEAR SENATOR: On behalf of the co-authors of The Independent Budget, AMVETS, Disabled American Veterans, Paralyzed Veterans of America, and the Veterans of Foreign Wars, we are writing to express our support for the proposed Murray-Akaka amendment to the FY 2005 Emergency Supplemental that would provide $1.9 billion in much needed funding for veterans' health care.

Providing health care to returning servicemembers is an ongoing cost of our national defense. Servicemembers who participate in a theater of combat are eligible for health care from the Department of Veterans Affairs for two years after separation or release from active duty, without regard for strict eligibility rules. VA hospitals are facing budget deficits and moving to reduce services. Neither the Administration's FY 2006 budget request nor the recently passed budget resolution, addressed the costs of providing needed health care. The Independent Budget has recommended an increase for VA health care of $3.5 billion for FY 2006. This amendment would provide the funding needed to care for these returning veterans, as well as provide the resources the VA needs to meet shortfalls that are affecting veterans today.

We ask you to support this amendment and to provide the dollars needed to care for servicemembers returning from Iraq and Afghanistan, as well as all veterans who rely upon the VA to provide their health care.

Sincerely,

RICK JONES,
National Legislative Director, AMVETS.
RICHARD B. FULLER,
National Legislative Director, Paralyzed Veterans of America.
JOSEPH A. VIOLANTE,
National Legislative Director, Disabled American Veterans.
DENNIS CULLINAN,
National Legislative Director, Veterans of Foreign Wars of the United States.

Mrs. MURRAY. Mr. President, the VA is not prepared to deal with the soldiers who are coming home. So far 240,000 soldiers have come out of our service and are now available or have available to them veterans services; 50,000 already have asked the VA for care. This is an emergency.

As I talked about this morning, in State after State, in Alaska, where priority 7 veterans who are not enrolled in VA primary care are not getting appointments to date; in Colorado, where they have a $7.25 million shortage this year; in California where the VA hospital in Los Angeles has closed its psychiatric ward at the exact time we have generals telling us that at least 30 percent of our soldiers who are coming home from Iraq will need mental health care capacity and we have psychiatric emergency rooms being closed; in Florida, where there is $150 million deficit; in Idaho, where we have the Boise Idaho VA facility with a hiring freeze; in Kentucky, where we are having soldiers lie on broken tables because there is simply no money to replace any equipment there. In Maine, we have a $12 million deficit; in Minneapolis, $7 million shortfall—I remind the Senate, there are four facilities that see the most difficult, complex injuries once they have been discharged. Minnesota is one of them, and they have a $7 million shortfall.

The list goes on and on. This is an emergency. I cannot think of a more important issue facing our country today. I can't go home and look at my veterans in north central Washington who have to drive over a mountain pass 150 miles to get care today, who have been promised the health care clinic, and say: Sorry, my colleagues don't see this as an emergency.

Any one of us who has taken the time to sit down with our soldiers when they are discharged from the service and out in their communities—they tell us the stories such as the Senator from Illinois talked about, about the help they need getting through the nightmares, the posttraumatic stress syndrome, getting help with serious injuries where they have lost arms and legs.

We should not say on this Senate floor this is not an emergency. I am appalled that that is what the argument has come down to. I believe this vote is about whether we stand with our men and women. It is about whether you are going to vote with our veterans. I am stunned that there are those who say this one issue is not something that is an emergency.

Any one of us who has been out there working with our veterans—I come to this floor as a daughter of a disabled veteran. I lived with my father who was in a wheelchair most of his lifetime. I worked at a VA hospital long before I even thought about being in the Senate. I worked at the Seattle VA hospital during the Vietnam war. Any one of us who has taken the time to talk to people who served in wars and have come home know that if we don't have the care for them, we are doing a disservice not only to the men and women who serve today, but to the men and women whom we are going to ask to serve us in the wars to come.

This is an emergency. I don't care if the administration is saying the VA hospitals have the money they need. When we talk to them, they are all telling us they have a budget deficit, a hiring freeze; they are not replacing the doctors and nurses who are leaving, and they have equipment that is old, decrepit, falling apart, and dangerous. That is an emergency. It is one we have to deal with.

Mr. President, I see my colleague from Minnesota on the floor. I yield 2 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota is recognized.

Mr. DAYTON. Mr. President, I thank my colleague from Washington for her leadership on this very important amendment. I share her dismay and astonishment that the other side doesn't recognize this is an emergency. It is an emergency in Minnesota and to the Minneapolis veterans hospital, which has been designated as one of the primary recipients of those returning home injured in the war in Iraq, and which does not have the money even to meet the needs of veterans already in Minnesota, much less the additional demand.

It seems to me incredible that anybody can say they support our troops, as we all do, but then when they come home injured, wounded, even maimed, we are not going to provide them with the resources necessary and everything they need to resume healthy and normal lives.

This is a fundamental question of priorities for this body and for the administration. If we don't believe that sending soldiers to Iraq constitutes an emergency, if we don't believe that supplying them and equipping them, as we will vote to do—as I have supported every time and will again here—constitutes an emergency outside of the normal budget processes, but this instance now where we talk about providing health care to those most in need, in the most emergency-type situations of their lives imaginable, that this is not an emergency expenditure that should be approved unanimously by this body, then I frankly don't see how we can say with any integrity that we support our troops.

We support our troops in Iraq and now we need to support them when they return home. This amendment of the Senator from Washington will accomplish that. I would be astonished if anyone in this body would oppose it.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington is recognized.

Mrs. MURRAY. Mr. President, how much time do we have on this side?

The PRESIDING OFFICER. The Senator has 7 minutes 16 seconds.

Mrs. MURRAY. Mr. President, I note that there is nobody from the other side on the floor. I am frankly not surprised, because I don't see how anyone can argue against making sure that our service men and women get the health care they need, whether it is for a mental or a physical need. We sent them to war. We should be there for them when they come home. Regarding this amendment, I have been trying to do this since the beginning of the year and I have been told this is not the time or the place.

I let my colleagues know this is our last chance this year to make sure our veterans have the care they need. There is no other opportunity. We are going to get to the budget at some point and to the appropriations cycle, and we are going to get to the point where we have an appropriations bill on the floor, and the budget already says there is no more money. We hear the administration say—when we talk

about the VISNs, everyone tells us they don't have the resources. If you look at it, you will see these men and women don't have the care they need.

Mr. DAYTON. Will the Senator yield for a question?

Mrs. MURRAY. Yes.

Mr. DAYTON. The Senator knows this is an emergency supplemental, so it is not subject to the normal budget process. In my 4-plus years here, I have not witnessed another occasion where a budget point of order has been raised against any part of the emergency supplemental appropriations. Is the Senator aware of this happening before, or are veterans being singled out in this instance?

Mrs. MURRAY. Mr. President, I have to agree with my colleague from Minnesota. I have not seen that done before. What we are going to vote on is whether our veterans are an emergency so they can be included in the supplemental.

Mr. DAYTON. We are talking about an $82 billion supplemental here that the Senator has amended, which fits within the President's request—or most of it does. It is a small part of this, and it is the least we should be doing on behalf of veterans.

Mrs. MURRAY. The Senator is correct. Actually, the President sent us an $82 billion supplemental. The Senate is considering $80.1 billion. We have the means to still be less than what the President has sent us by adding this amendment. I sincerely cannot think of any other issue more important than to make sure that those men and women who served us, when they come home, have the services they need.

Ms. STABENOW. Will the Senator yield for a question?

Mrs. MURRAY. Yes.

Ms. STABENOW. I first thank the Senator from Washington State. She is exactly on the mark. I have joined with her on a number of occasions and appreciate her leadership on this issue of veterans health care.

Would she not agree that veterans should not have to go through the process every year, fighting every year to try to get what they need and, at the same time, knowing that they give us everything they are asked to do in terms of putting their lives on the line, keeping us safe? Our men and women in Iraq right now are doing that and we have made a promise to them. Would she not agree that as a country, every year it seems as though we are back here trying to keep the promise.

Mrs. MURRAY. The Senator from Michigan is correct. Frankly, I have joined her in trying to make veteran services mandatory so we are not here. It is disturbing to me that we are desperately pleading to our colleagues to call this an emergency. What are we doing to our soldiers when we tell them we are in a desperate fight on the floor of the Senate that we are going to lose on a partisan vote over our veterans? That is the wrong message to send to the men and women in the services. It should be part of our budget, part of the appropriations every year, that if you serve your country, you get your care. We don't have that now, so we are here in our last-ditch effort, last attempt, last ability to try to provide these services for the men and women in the services.

I find that appalling, but I will fight hard because I believe more than anything that we should be making sure if a young man or woman comes home from Iraq or Afghanistan, they are not turned away at their VA hospital. We need to make sure that anybody who serves in any war—Vietnam, Korea, or anywhere—is not turned away at a VA hospital. They should not be put in a bed held together by duct tape. That is wrong. That is why we are here arguing now that this is an emergency, because we have not dealt with it in the past. We now have to deal with it, and I urge my colleagues to join with us on the last chance we have this year to keep our word to the men and women who have served this country honorably.

Ms. STABENOW. Will my colleague yield?

Mrs. MURRAY. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 2 minutes 15 seconds.

Mrs. MURRAY. I yield for a question.

Ms. STABENOW. I wanted to share with my colleague—and then ask a question—the fact that this is an emergency in Michigan. We have a big State, 10 million people, a very large State geographically, where folks often have to drive a long way in order to get to VA assistance. They are now in a situation of having to wait up to 6 months oftentimes to see a doctor and to get the services they need.

I ask my colleague if she is hearing those similar stories around the country—that we wait 6 months, we drive hours and hours to get to a facility right now? Without the additional dollars, that is only going to continue and get worse. I wonder if that is what she is hearing as well.

Mrs. MURRAY. The Senator is exactly right. We are hearing that from every region, including yours. That is why this amendment is before us.

I have little time left. I see some colleagues on the other side are on the floor. They are going to make their arguments. Again, this is an emergency; this is part of the supplemental. We should not tell our soldiers that they are not an emergency when they come home.

I yield to my colleagues on the other side.

The PRESIDING OFFICER. Who yields time?

Mr. COCHRAN. Mr. President, I yield such time as she may consume to the Senator from Texas, Mrs. HUTCHISON.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I want to answer some of the concerns raised by the Senator from the State of Washington.

First, there is not a Senator in the entire Senate who doesn't want to make sure that the veterans are taken care of, whether they served in World War I, II, Korea, or any other war. I have to say I am mentioning World War I because I was at a veterans event about 6 months ago, and I asked people to stand by the wars in which they served and I didn't mention World War I. This very irate veteran in a wheelchair in front of me suggested that I left out World War I. So I want to say that I am most appreciative of the veterans who are here having served in World War I and every other war.

We want to take care of our veterans. We want to make sure that we have the money to do it. We do not have a supplemental request from the administration for the Veterans' Administration. This doesn't mean that some veterans hospitals out in our country are not saying they would like to have more money; it doesn't mean that a clinic hasn't been built yet that is on the drawing boards to be built. Most certainly, we have areas that we need to address in veterans care, and I want to make sure we have the money to do it.

But I have to say that the Veterans' Administration is telling us they have the money they need to fulfill this year's budget and, specifically, to fulfill their needs.

We asked the Secretary of Veterans Affairs if he needed more money in the 2005 year—the year we are in budgetwise—for returning veterans from the Iraqi war and from the Afghanistan area. The answer was: No, we have everything we need to cover those veterans. We asked him if he needed more money than was in the current Presidential budget for 2006, which we will be considering in my subcommittee for those same returning veterans. The answer was: No, we have enough in that budget.

Now, I have to say that, as chairman of the Veterans' Affairs Subcommittee in Appropriations, I am going to look at that and I am going to try to determine for myself if there is enough for 2006. But I have to say in this budget year, 2005, which has about 6 more months to run, the Veterans Affairs Department says they have enough to cover Iraq and Afghanistan.

This does not mean everything is going exactly the way I would want it in the Veterans' Administration. There is a hospital in Dallas that is particularly being noted by the GAO investigators as not performing up to the standards we would expect, and I am asking our Secretary of Veterans Affairs to address that particular hospital. I am sure there are other specific instances.

It is not that we do not have the money put in there. It is that we have had a management problem there, and we are seeking to address that situation immediately.

I asked the Secretary to put in writing what the situation is, and I ask

unanimous consent that the April 5, 2005, letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

THE SECRETARY
OF VETERANS AFFAIRS,
Washington, DC, April 5, 2005.

Hon. KAY BAILEY HUTCHISON,
Chairman, Subcommittee on Military Construction and Veterans Affairs, Committee on Appropriations, U.S. Senate, Washington, DC.

DEAR MADAM CHAIRMAN: Before I begin the main purpose of this letter, I want to take this opportunity to thank you for the consideration and interest you have shown VA through your leadership in this year's appropriation hearing and many other endeavors on behalf of our veterans. I very much appreciate your proactive involvement and commitment to providing for those who have served this country with such dedication.

I write to you today to address certain issues regarding VA's FY 2005 fiscal situation. I know some have said that VA must have emergency supplemental funds to continue providing the services for which veterans depend on us—timely health care and delivery of benefits. Whenever trends indicate the need for refocusing priorities, VA's leaders ensure prudent use of reserve funding for these purposes. That is just simply part of good management. It does not, however, indicate a ''dire emergency''. I can assure you that VA does not need emergency supplemental funds in FY 2005 to continue to provide the timely, quality service that is always our goal. We will, as always, continue to monitor workload and resources to be sure we have a sustainable balance. But certainly for the remainder of this year, I do not foresee any challenges that are not solvable within our own management decision capability.

I look forward to continuing to work with you as we strive to provide the very best service possible for those veterans who depend on us the most. Thank you again for your leadership in this important area.

Sincerely yours,

R. JAMES NICHOLSON.

Mrs. HUTCHISON. Now, that is the Secretary of Veterans Affairs who says there is reserve funding available if an emergency arises, and the Veterans Affairs Department does not need extra funding.

One thing has to be determined, and that is the difference between people who are returning who are on active duty, who are at our military hospitals, who are being treated in the Department of Defense because they are active duty. The Veterans Affairs Department is where the people who are going out of our military service go for their health care. There are fewer coming home in the Veterans Affairs' influence where they would be giving the service, as opposed to active duty where they are going to Bethesda, Walter Reed, and other hospitals that are treating our Active-Duty military.

So I think we have to look at where the Veterans Affairs part of this budget is, and do they need more. In fact, of the 240,000 who have gone out of our service in the last 3 years, only 48,000 have even come in to the Veterans Affairs service capability. Some already have insurance. Some might come later but that is something that we can monitor. Right now, we are told we have the reserve funding to be able to handle anyone who is going out of Active-Duty service, out of Active-Duty military health care and into the Veterans' Administration, and that we have the money to cover it.

So I do not want to take the $2 billion that is in this amendment out of other areas such as our armed services, our Active-Duty military who are on the ground, the equipment we are giving them in this supplemental. That is why I must oppose Senator MURRAY's amendment, although I do agree with her overall goal and will continue to work with her as chairman of the subcommittee to monitor the situation. Let us get our numbers right. Let us act when it is on the budget with the hearings and the anticipation of the needs, rather than adding $2 billion to the emergency appropriations that is before us today and taking it from something else, such as Active-Duty military equipment and preventive measures that we must cover for those who are on the ground today.

With all of this said, we will reach our goal of assuring the very best military veterans' care not by adding $2 billion to the funding for the next 6 months but, instead, planning for it since we are told by the Secretary of Veterans Affairs we have the money we need for this year.

The PRESIDING OFFICER (Mr. COLEMAN). Who yields time? The Senator from Mississippi.

Mr. COCHRAN. Mr. President, the Senator from West Virginia was not able to be on the Senate floor when this was initially discussed, and in deference to his right to speak on this amendment, I yield 10 minutes from our side to the Senator from West Virginia.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, I thank the distinguished chairman of the Appropriations Committee, Senator COCHRAN of Mississippi, for his generosity and for his very gracious and courteous action in this regard. I thank him for the time. I will not use the entire 10 minutes. I take it I may yield some of that time, if I wish, to other Senators.

The wars in Iraq and Afghanistan have strained America. The cost of these wars has strained the Federal budget. The deployments of the National Guard and the Reserves have strained American families. The toll of the wars on our troops and their equipment has strained the readiness of our Armed Forces. But there is no one who bears more of the strains of these wars than the veterans who have served our country in combat.

According to the Department of Defense, nearly 12,000 troops have been wounded in Iraq and another 442 have been wounded in Afghanistan. These troops have received the finest medical care our military can offer, but untold numbers of service men and women will require long-term care from the Department of Veterans Affairs. However, the VA is also feeling the strains of war. VA hospitals are seeing more and more veterans from the wars in Iraq and Afghanistan at the same time the aging veterans from World War II, Korea, and Vietnam are most in need of the VA's health care services, to which they are entitled. However, the administration has not met this growing demand for VA health care services with budget increases.

Fortunately, Congress has stepped in and added billions in needed funds in recent years. Last year, Congress added $1.2 billion to the President's request for veterans health care. Two years ago, Congress added $1.57 billion to the President's budget for VA health care. But the shortfalls in the veterans budget continue. The Disabled American Veterans, in its independent budget for fiscal year 2006, estimated that the White House budget for VA health care is $3.4 billion less than what is required to care for all veterans who are entitled to care. Clearly, more needs to be done to care for veterans.

The Murray-Akaka-Byrd, and others, amendment would increase veterans health care by $1.98 billion. These funds are targeted to provide care for veterans returning from Iraq and Afghanistan to increase mental health services and to support local VA hospitals and clinics. This is a commonsense amendment to support the men and the women who have borne the wounds of battle. I urge my colleagues to support the amendment.

Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 6 minutes.

Mr. BYRD. I thank the Chair and again thank my chairman, Mr. COCHRAN.

May I yield the remaining time to Senator MURRAY and Senator AKAKA?

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I yield some of that time to the Senator from Hawaii, as much time as he will choose to use.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. AKAKA. Mr. President, I thank the chairman of the committee, Senator COCHRAN, and also Senator BYRD and Senator MURRAY for the time.

Mr. President, the amendment before us addresses the costs of providing health care to troops serving in Iraq and Afghanistan.

My colleagues in the Senate have already recognized the need to provide funds that would allow VA to absorb an influx of new patients from Operations Iraqi and Enduring Freedom. We recognized that need in 2003, when Congress added $175 million for VA to the Supplemental Appropriations bill. I again point out that this amount was provided only one month after the war in Iraq began and before we knew about the level of troop commitment.

Does this body believe that things are better in VA today or that massive

amounts of troops will not actually come for care? I don't think so.

Our amendment allows VA to provide care for returning troops—without displacing those veterans currently using the system.

The amount of this amendment—$1.9 billion—is drawn from what we know about past use of the VA health care system coupled with what we know to be the costs associated with preparing VA for veterans from the global war on terror.

Earlier we shared data and stories from VA hospitals and clinics across the country. My colleagues on the other side refute the fact that facilities are in crisis situation. I urge my colleagues to talk to VA personnel in their home States.

Perhaps the administration is reluctant to share details of budget shortfalls. Or perhaps network directors have not been allowed to request additional money. But these deficits are real, and they are deficits which will hurt veterans. In my mind that is an emergency.

To reiterate: we know of shortfalls in each and every State. The worst deficits are occurring in Florida, South Dakota, New Hampshire, Washington State, Iowa, and Ohio. These are not fiction.

I urge my colleagues to do what is right for VA hospitals and the veterans served by them.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, how much time is left?

The PRESIDING OFFICER. The Senator has 3 minutes.

Mrs. MURRAY. How much time is left on the other side?

The PRESIDING OFFICER. There remain 14½ minutes.

Mrs. MURRAY. Mr. President, I do not see anybody on the other side who is going to speak. Let me just reiterate for everyone here. What we are talking about is an amendment for veterans, to make sure they have the health care and support they need when they come home from the war in Iraq and the war in Afghanistan.

What we have been very clear about is in every region across this country there is a debt and a shortfall. We have facilities that are decaying, and no money is being put in to fix them. We have long waiting lines. We have veterans in rural areas who are being told they cannot have health clinics. We are being told that veterans, the men and women who served us, have to travel over mountain passes and travel long distances to get the care they need. Most of it is inaccessible.

We are telling veterans who live in urban areas that the long lines in which they are waiting have to be there. We are telling suburban parents if they send their young son or daughter off to war, we are not going to be there for them when they come home.

I believe this is a emergency. I have outlined it this morning. I have outlined it again this afternoon. I heard from our colleagues on the other side that the Veterans Affairs Secretary, Secretary Nicholson, is saying he has the money he needs. He was on the job for 2 weeks when he said that. I invite the Secretary and any one of us to go out on the ground, go out to Michigan and Minnesota, go to Kentucky, go to Illinois, go to California, go to Texas, go to Idaho, go to any veterans facility and look and tell me there is not an emergency. Look in the eye of any VA doctor or nurse and tell them there is not an emergency. But more importantly, look in the eyes of the young men and women who served us.

I was in Iraq and Kuwait several weeks ago. I had to look in the eyes of 150 Guard and Reserve members who had just finished in Iraq for a year. Their No. 1 concern is they are hearing the facilities will not be available for them when they get home. Their No. 1 concern? Stress. A year on the ground in Iraq. They had heard from soldiers who had already gone home about the troubles they had with migraines, post-traumatic stress syndrome, reintegrating in the community. They want to come home, and we know the support is not there, and we tell them that is not an emergency.

I find it outrageous that this body can send to war our sons and daughters, husbands and wives, and say we will not be there for you when you come home; that we will tell them you will have to wait, your budgets are not a priority, your issues are not a concern to this body. I cannot think of a more important issue, I cannot think of a more important emergency, and I cannot think of anywhere else we are going to be able to deal with this this year.

If we do not provide the funds on the emergency supplemental before us, we will be here a year from now with story after story of young men and women who served us and then came home and were told no. That is an emergency.

The PRESIDING OFFICER. The time of the Senator has expired.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, we had a full debate of this issue. This is not the first time this issue has been presented to the Senate. As a matter of fact, before this fiscal year began, 2005, there was a question about how much money would be needed by the Veterans' Administration to provide health care benefits and other services to veterans.

The President had submitted a budget request for this year, but after hearings in our Appropriations Committee, the subcommittee recommended an increase over and above what the President had requested.

As we all know, there is a considerable time gap after the President's completion of his budget submission. The hearing process takes place in Congress, a budget resolution is developed, and then the Appropriations Committee conducts hearings and reviews what the facts are and if there have been any changes in the situation that can be reflected in the recommendations made in the Appropriations Committee.

Last year, the Appropriations subcommittee recommended to the full committee an increase in funding over and above the request of the President by $1.2 billion—a substantial increase. That was approved.

In this fiscal year's budget which we are now talking about, the President has already received $1.2 billion that he did not request. As we moved into the year, there have been suggestions that additional funds might be needed. We are already, though, preparing for the next fiscal year, 2006. The other day when we had a budget resolution before the Senate, this was again presented as an issue to the Senate. Senators offered an amendment and debated it, and we had a vote on that resolution. By a vote of 53 to 47, an amendment by the Senator from Hawaii to add about $3 billion to the budget resolution was defeated by the Senate. It was well debated. It was considered carefully. And here we are again.

We have an emergency supplemental now on the floor of the Senate dealing with funds needed to successfully complete, we hope, operations in Iraq and Afghanistan at the soonest possible date so we can have a more stable and peaceful situation, not only in that part of the world but in the war against terror generally, to protect the security of American citizens.

This supplemental is directed, in large part, to that concern and to those needs—the needs of the Department of Defense and the Department of State for depleted accounts in programs under the jurisdiction of that department.

There are some other accounts that are funded in this urgent supplemental, but there are no funds requested by the administration for the Veterans' Administration programs.

The other day there was a hearing on this subject. The Secretary, as the distinguished Senator from Texas pointed out, was questioned about the need for additional funds by the Veterans' Administration. The answer was unequivocal. It was clear. It was precise. Then, to clarify that, the Senator from Washington said that was weeks ago, that was early, and all the needs weren't known then. Here is the letter, dated April 5, 2005. This is what the Secretary of the Veterans' Administration said in response to the suggestions being made by the proponent of this amendment:

> I can assure you that VA does not need emergency supplemental funds in FY 2005 to continue to provide the timely quality service that is always our goal. We will, as always continue to monitor workload and resources to be sure we have a sustainable balance, but certainly for the remainder of this year I do not foresee any challenges that are not solvable within our own management decision capability.

That is about as clear and persuasive a statement about the need for the

funds at this time, for the remainder of this fiscal year, as you could possibly ask for by the person who has the responsibility for carrying out these programs and administering these programs for the benefit of our Nation's veterans.

There is another point I am going to make before my time expires.

The Secretary testified not only were the funds sufficient for fiscal year 2005 but that the financial plan is manageable. He said the Department is not in a crisis requiring emergency appropriations.

Then, on the point of the number of servicemen coming back to the States from the wars in Iraq and Afghanistan, the highest projection that has been made, if one looks at the numbers of persons entering the VA system in any given 1 year, the highest projection might be 48,000.

To put that in perspective with respect to the entire system and the entire workload of the Veterans' Administration, returning service members from the Iraqi war entering the VA system will be less than 1 percent of the total VA population.

The Senator from Texas made a point that was very persuasive. I think it should be repeated; that is, most veterans who are coming back to the States at this point and need medical care are still in the Department of Defense. They are at Walter Reed. They are at other hospitals that are under the jurisdiction of the Department of Defense. They are not going to the veterans hospitals. People who are coming back from Iraq are a small percentage of the population, and they are not as likely as older veterans to need services from the Veterans' Administration. The older veterans in the system are a much larger group and require more appointments, medical care, and assistance medications than the younger population coming into the system now.

For these reasons, I urge the Senate to reject the request of the Senators to open this emergency supplemental bill and add the additional $1.9 billion that has been requested.

I am prepared to yield the remainder of our time. I think we talked about the vote being scheduled for 3:30. As I understand, there is before the Chair a motion on the part of the Senator from Washington to waive the Budget Act. Is that correct?

The PRESIDING OFFICER. The Senator has moved to waive the point of order that was raised against her amendment.

Mr. COCHRAN. I ask for the yeas and nays on that motion.

The PRESIDING OFFICER. They have been ordered on that motion.

Mr. COCHRAN. I yield the floor and I yield our time.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, I understand the other side yielded this time. Let me simply respond by saying we are talking about a supplemental bill that talks about the cost of the war. Part of the cost of war is caring for the men and women when they return home. As President Lincoln said:

> We all have an obligation to care for him who shall have borne the battle and for his widow and for his orphan.

That is what this vote is about, whether we carry forward our obligations to care for those we sent to war.

I ask my colleagues to vote with us to override this motion that says this is not an emergency so our veterans can receive the care they deserve.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the motion. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The yeas and nays resulted—yeas 46, nays 54, as follows:

[Rollcall Vote No. 89 Leg.]

YEAS—46

Akaka	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Harkin	Nelson (NE)
Biden	Inouye	Obama
Bingaman	Jeffords	Pryor
Boxer	Johnson	Reed
Byrd	Kennedy	Reid
Cantwell	Kerry	Rockefeller
Carper	Kohl	Salazar
Clinton	Landrieu	Sarbanes
Conrad	Lautenberg	Schumer
Corzine	Leahy	Specter
Dayton	Levin	Stabenow
Dodd	Lieberman	Wyden
Dorgan	Lincoln	
Durbin	Mikulski	

NAYS—54

Alexander	DeMint	Martinez
Allard	DeWine	McCain
Allen	Dole	McConnell
Bennett	Domenici	Murkowski
Bond	Ensign	Roberts
Brownback	Enzi	Santorum
Bunning	Frist	Sessions
Burns	Graham	Shelby
Burr	Grassley	Smith
Chafee	Gregg	Snowe
Chambliss	Hagel	Stevens
Coburn	Hatch	Sununu
Cochran	Hutchison	Talent
Coleman	Inhofe	Thomas
Collins	Isakson	Thune
Cornyn	Kyl	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	Warner

The PRESIDING OFFICER (Mr. MARTINEZ). On this vote the yeas are 46, the nays are 54. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The point of order is sustained and the emergency designation is removed.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. CRAIG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, I make the point of order that the amendment violates section 302 of the Budget Act.

Mrs. MURRAY. Mr. President, I move to waive the applicable sections of the Budget Act, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

Mrs. MURRAY. Mr. President, what we voted on was whether to make the VA funding emergency funding. This vote is to say that the veterans funding is a priority for this Congress.

The PRESIDING OFFICER. The question is on agreeing to the motion. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 46, nays 54, as follows:

[Rollcall Vote No. 90 Leg.]

YEAS—46

Akaka	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Harkin	Nelson (NE)
Biden	Inouye	Obama
Bingaman	Jeffords	Pryor
Boxer	Johnson	Reed
Byrd	Kennedy	Reid
Cantwell	Kerry	Rockefeller
Carper	Kohl	Salazar
Clinton	Landrieu	Sarbanes
Conrad	Lautenberg	Schumer
Corzine	Leahy	Specter
Dayton	Levin	Stabenow
Dodd	Lieberman	Wyden
Dorgan	Lincoln	
Durbin	Mikulski	

NAYS—54

Alexander	DeMint	Martinez
Allard	DeWine	McCain
Allen	Dole	McConnell
Bennett	Domenici	Murkowski
Bond	Ensign	Roberts
Brownback	Enzi	Santorum
Bunning	Frist	Sessions
Burns	Graham	Shelby
Burr	Grassley	Smith
Chafee	Gregg	Snowe
Chambliss	Hagel	Stevens
Coburn	Hatch	Sununu
Cochran	Hutchison	Talent
Coleman	Inhofe	Thomas
Collins	Isakson	Thune
Cornyn	Kyl	Vitter
Craig	Lott	Voinovich
Crapo	Lugar	Warner

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 54. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected. The point of order is sustained and the amendment falls.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

Mr. ALLARD. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. ALLARD. Mr. President, I request 15 minutes to speak on the bill.

The PRESIDING OFFICER. The Senator is recognized.

Mr. ALLARD. Mr. President, I rise today to discuss the fiscal year 2005 Emergency Supplemental Appropriations bill. I commend Senator COCHRAN, the manager of this bill and the chairman of the Appropriations Committee, for the way he has put together this bill. His leadership was critical in ensuring that provisions in this bill are truly emergencies and are vital to our troops in the field.

I also acknowledge the work done by Senator STEVENS, the chairman of the Appropriations Subcommittee on Defense. Most of the funding in this bill comes from his subcommittee, and I know he has worked hard to ensure every penny will be wisely spent.

Both Senator COCHRAN and Senator STEVENS have also gone out of their way to assist me and Senator MCCONNELL in tackling an important issue related to our nation's chemical weapons stockpile. I will discuss this issue in greater detail in a moment.

The bill before us includes critically-needed funding for our men and women in uniform. It also ensures that the operations against the global war on terror is not interrupted. It provides certain benefits for our troops, including an increased death gratuity, life insurance extensions, and hazardous pay. I strongly support these provisions and believe they will greatly enhance the effectiveness of our military forces.

The bill also includes several provisions related to the Department of Defense chemical demilitarization program. These provisions seek to force the Department of Defense to move forward with the design and construction of two chemical weapons destruction facilities at Pueblo, CO and Blue Grass, KY.

Since the program's inception, the Department of Defense management has been dismal and ineffective. The program is behind schedule and over-budget. In 1986, Congress was told that the program was going to be completed before 2007 at a cost of approximately $2.1 billion. And now, we are told the program could possibly cost as much as $37 billion and be completed as late as 2030.

The Department of Defense has consistently failed to provide sufficient funding for this program, forcing those who run it to make programmatic decisions that pit demilitarization sites against each other.

The Department of Defense has failed to provide adequate program management. It has repeatedly stopped and restarted design work and operations, adding huge start-up costs and considerable schedule delays.

The department has failed effectively to communicate its intentions and plans to the States in which permitting is necessary, nor to local communities whose support is essential.

An example of these failures is the department's handling of the destruction of the chemical weapons stockpile at the Pueblo Depot in Colorado. In 2002, the department accelerated the destruction of the weapons at Pueblo with the goal of completing its work by the 2012 Chemical Weapons Convention deadline.

However, in 2004, the department changed its mind. Without telling Congress, the State of Colorado, or the people in Pueblo, the department unilaterally decided to cease all design work and assign the project in Pueblo to in care-taker status for the next 6 years.

After six months of no activity, the Department of Defense changed its mind again. It ordered a study on whether the stockpile in Pueblo should be relocated to an operational incineration site, even though such an option is illegal under current law and has already been studied at least three times in the past.

A month after that, the department changed its mind again by ordering the start of preparatory construction and the redesign of the facility.

Today, the future of the project still remains uncertain and judging by the department's past performance, it seems likely that the project will be changed many more times.

I am frustrated, and the people of Colorado are frustrated. Try as we might, we cannot seem to get straight answers from the department. One day I was told by department officials that the stockpile would not be relocated outside of Colorado. The very next day, the department ordered the study of transportation options.

In an Armed Services Committee hearing yesterday, the only answer we could get out of department officials was that they needed to conduct more studies on the technology and more studies on transportation options. From my perspective, we can study this issue into eternity and never get anything done. It is time to move forward with destroying these weapons. It is time to eliminate the danger these weapons pose to the local communities. And, it is time for the department to recognize the necessity of complying with our international obligations.

I am very troubled by the Department of Defense's apparent willingness to violate the Chemical Weapons Convention, a treaty this body ratified. I believe the United States has a moral obligation to comply with it. Our Nation's reputation and moral standing are at stake.

If we are not careful, we will find it impossible to hold others to this treaty and to other treaties as well.

The department seems to be on a path towards blaming Congress for its future non-compliance. Yesterday, a DoD official actually told the Armed Services Committee that it would be the fault of Congress if the department could not meet the treaty deadline. This official seems to believe that relocating the stockpiles in Pueblo and Kentucky to operational sites would solve the problem.

I strongly reject that line of thinking. Congress is not to blame for the department's bungling of this program. The fact is that the Congress has been more than willing to provide the funds and political support to get this program done. Last year alone, the Congress added $50 million for the project at Pueblo. I am certain that if the Department of Defense requested additional funding for the overall program, Congress would be more than willing to support its request.

The fact of the matter is that the department has been trying to destroy these weapons since 1986, nearly 20 years, and has spent billions upon billion of taxpayer's hard-earned dollars. And yet we have destroyed less than 40 percent of our Nation's stockpile, which is no where near the 100 percent requirement of the Chemical Weapons Convention.

Let us also be clear that Congress has been very up front about the transport of chemical munitions across State lines. The law that prohibits this activity has been on the books since 1994. Nothing has changed since then. In fact, such a proposal would be dead on arrival if the department ever offered it in this Congress.

Let there be no mistake about it: I will fight this proposal.

The department should heed the words of Congress and get on with the business of destroying these weapons. Conducting more studies is a waste of time and money. We need to move forward, and we need to move forward now.

I believe it is important at this point to mention I am not alone in this fight. The senior Senator from Kentucky, MITCH MCCONNELL has been pushing the department to destroy our chemical weapons stockpile for nearly two decades. Over this time, he has led the fight in forcing the department to work with State and local communities to get this program off the ground.

There is no doubt in Senator MCCONNELL's mind or in my mind that the department has been inconsistent and unreliable regarding this program. We both strongly believe that it is past time for Congress to intervene.

That is why we worked with Senator COCHRAN and Senator STEVENS to include four provisions related to the Chemical Demilitarization program in this bill. These provisions will require the department to stop dragging its feet and move forward with the design and construction of the chemical demilitarization facilities in Pueblo, CO, and Blue Grass, KY.

Specifically, the provisions in this bill will require the Department to do the following:

transfer within 30 days all previous funding appropriated for the Pueblo and Blue Grass facilities to the program manager of the ACWA program;

require the Program Manager to spend at least $100 million within 120 days;

prevent the department from using the funding appropriated for the Pueblo and Blue Grass for any other purpose; and

prohibit the use of appropriated funding from any study pertaining to the transportation of chemical weapons across state lines.

These provisions prevent the department from dragging its feet and requiring more studies. The treaty deadline is fast approaching and cannot be ignored. The department must move quickly if we are to comply with the treaty, and I assure you today that we intend to hold them to it.

I thank the chair for the opportunity to speak on the supplemental appropriations bill. I urge my colleagues to support this bill and get this funding to our troops as quickly as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, for the information of Senators, there are no other amendments that I know of that will be offered this afternoon or this evening. There were two amendments that were offered earlier in the day which we set aside to dispose of the amendment of the Senator from Washington. These are offered by the Senator from Massachusetts, Senator KERRY, amendments numbered 333 and 334. It will be the intention of the manager of the bill to move to table these amendments when we convene tomorrow. We will be pleased to continue to set them aside and have them available for debate during the remainder of today's session. So if Senators want to speak on these amendments, this is the time to do it. Tomorrow when we convene and go to the bill, it will be the intention to move to table these amendments if there is no further debate.

In the meantime, we encourage Senators to let the managers know of their amendments that need to be considered to the bill. We are prepared to move forward. We remind Senators that this is an emergency appropriations bill. These funds are needed so that the Departments of Defense and State can proceed with other agencies that are funded in this bill to carry out their responsibilities.

We know that after we complete action on the bill here in the Senate, we will have to confer with the House to work out differences between the House-passed and Senate-passed bills. That will require some time as well.

This is a matter of some urgency. We encourage the Senate to continue to consider the bill and act expeditiously on amendments that may be offered so we can complete action on the bill and work with our colleagues in the House to have a final bill presented to the President as soon as possible. We appreciate very much having the cooperation of all Senators in that regard.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent the pending business be set aside and I be allowed to file an amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 356

Mr. DURBIN. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Illinois [Mr. DURBIN], for himself, Ms. MIKULSKI, Mr. ALLEN, and Mr. CORZINE, proposes an amendment numbered 356.

Mr. DURBIN. I ask unanimous consent the reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred)

On page 153, between lines 15 and 16, insert the following:

SEC. 1110. NONREDUCTION IN PAY WHILE FEDERAL EMPLOYEE IS PERFORMING ACTIVE SERVICE IN THE UNIFORMED SERVICES OR NATIONAL GUARD.

(a) SHORT TITLE.—This section may be cited as the ''Reservists Pay Security Act of 2005''.

(b) IN GENERAL.—Subchapter IV of chapter 55 of title 5, United States Code, is amended by adding at the end the following:

''§ 5538. Nonreduction in pay while serving in the uniformed services or National Guard

''(a) An employee who is absent from a position of employment with the Federal Government in order to perform active duty in the uniformed services pursuant to a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10 shall be entitled, while serving on active duty, to receive, for each pay period described in subsection (b), an amount equal to the amount by which—

''(1) the amount of basic pay which would otherwise have been payable to such employee for such pay period if such employee's civilian employment with the Government had not been interrupted by that service, exceeds (if at all);

''(2) the amount of pay and allowances which (as determined under subsection (d))—

''(A) is payable to such employee for that service; and

''(B) is allocable to such pay period.

''(b)(1) Amounts under this section shall be payable with respect to each pay period (which would otherwise apply if the employee's civilian employment had not been interrupted)—

''(A) during which such employee is entitled to reemployment rights under chapter 43 of title 38 with respect to the position from which such employee is absent (as referred to in subsection (a)); and

''(B) for which such employee does not otherwise receive basic pay (including by taking any annual, military, or other paid leave) to which such employee is entitled by virtue of such employee's civilian employment with the Government.

''(2) For purposes of this section, the period during which an employee is entitled to reemployment rights under chapter 43 of title 38—

''(A) shall be determined disregarding the provisions of section 4312(d) of title 38; and

''(B) shall include any period of time specified in section 4312(e) of title 38 within which an employee may report or apply for employment or reemployment following completion of service on active duty to which called or ordered as described in subsection (a).

''(c) Any amount payable under this section to an employee shall be paid—

''(1) by such employee's employing agency;

''(2) from the appropriation or fund which would be used to pay the employee if such employee were in a pay status; and

''(3) to the extent practicable, at the same time and in the same manner as would basic pay if such employee's civilian employment had not been interrupted.

''(d) The Office of Personnel Management shall, in consultation with Secretary of Defense, prescribe any regulations necessary to carry out the preceding provisions of this section.

''(e)(1) The head of each agency referred to in section 2302(a)(2)(C)(ii) shall, in consultation with the Office, prescribe procedures to ensure that the rights under this section apply to the employees of such agency.

''(2) The Administrator of the Federal Aviation Administration shall, in consultation with the Office, prescribe procedures to ensure that the rights under this section apply to the employees of that agency.

''(f) For purposes of this section—

''(1) the terms 'employee', 'Federal Government', and 'uniformed services' have the same respective meanings as given them in section 4303 of title 38;

''(2) the term 'employing agency', as used with respect to an employee entitled to any payments under this section, means the agency or other entity of the Government (including an agency referred to in section 2302(a)(2)(C)(ii)) with respect to which such employee has reemployment rights under chapter 43 of title 38; and

''(3) the term 'basic pay' includes any amount payable under section 5304.''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 55 of title 5, United States Code, is amended by inserting after the item relating to section 5537 the following:

''5538. Nonreduction in pay while serving in the uniformed services or National Guard.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to pay periods (as described in section 5538(b) of title 5, United States Code, as amended by this section) beginning on or after the date of enactment of this Act.

Mr. DURBIN. Mr. President, I have offered this amendment before. It has passed the Senate twice. For some reason, as soon as it passes the Senate and goes to a conference committee, it disappears, it dies. I don't understand it. It seems that the Senate by overwhelming numbers supports the concept of this amendment, but somewhere, either in the executive branch of this Government or in the House of Representatives, there is opposition to this amendment.

When I explain the amendment and what it does, you may be as puzzled as I am. Here is what the amendment says in a few words: If you are a Federal employee who is activated to serve in either a Guard or Reserve unit, the Federal Government will make up the difference in pay while you serve.

That is it. You understand, I am sure, as we all do, that we have thousands of men and women across America who are members of Guard and Reserve units who are now being activated and deployed overseas for extended periods

of time, interrupting their daily lives and putting some hardship on their families and their businesses, but they serve their country. We find that many employers have decided to do not only the right thing but the patriotic thing and have said: We will stand behind our employees. If they are going to serve America, we will make up any loss of pay which they experience during the period of their service activation.

It is something we all applaud. In fact, the President has given speeches about it. There are not too many Senators who have not given speeches applauding those employers who stand behind these Guard families and Reserve families.

It turns out, when we look at all the employers across America, there is one notable omission. The U.S. Government does not make up the difference in pay between the guardsmen and reservists who are activated. So you find many Federal employees going off to serve our country are serving next to someone from the private sector who has the helping hand of their employer while those employees of our Federal Government are being disadvantaged.

America's Federal employees are a valuable asset to our Nation, not just in the public service they perform every day to keep America's Government going but today about 120,000 Federal employees serve America as well in the National Guard or Reserve—120,000. Indeed, about 17,000 have been mobilized and deployed overseas as I speak—17,000 Federal employees. Unfortunately, their employer, the U.S. Federal Government, lags behind leading businesses and States and local governments, which provide support to their workers who are activated. The Federal Government does not.

The amendment I propose is an opportunity to correct this shortcoming, update the Federal Government's support for these workers, and keep pace with the high standards set by other employers. For many years now every employer in America has had to consider how to respond to having workers activated in the Guard and Reserve. In times of peace, companies must accommodate staffing, schedule duties for the requirement for workers to be sent for training or drills. The law requires that they do this, and they follow the law.

In wartime, however, workers can be called away for duty for months, sometimes even years. It is a big challenge for employers.

How are they responding? What we have seen since 9/11 is that America's business communities and State and local governments not only provide the employment and reemployment protections required by law, but many of them go above and beyond requirement and patriotically provide even greater benefits and protections for their workers mobilized for duty in the Guard and Reserve. Many of these same businesses and State and local governments continue health insurance and fringe benefits for the families of those Guard and Reserve soldiers who are overseas. Some provide continued full salary for a few months, and more and more employers make up the difference in lost pay that the workers suffered during mobilization.

Covering the pay gap is an important benefit because some Reserve component members suffer a loss of income during mobilization. A recently released Department of Defense study in May of 2004 reveals that 51 percent of the members of our National Guard and Reserve suffer a loss of income when mobilized for long periods of active duty because military pay is less than pay in their civilian jobs. The average reservist loses $368 a month. That calculates out to about $4,300 a year in income. For many families, that $368 a month has a significant impact. Not only must they deal with the absence of someone they love but now on top of it must also tighten the family financial belt a notch or two and endure a decline in perhaps their standard of living, pressure on the family back home, and certainly more pressure on the soldier who worries about them as they serve our country overseas.

While the average monthly income loss was $368, the DOD Status of Forces Survey found that some reservists were losing a lot more. Eleven percent of all reservists report losing income of more than $2,500 a month, $30,000 a year for the year that they are activated and deployed. That is a huge sacrifice to make in the service of your country on top of risking your life every single day.

The Department of Defense operates a program called Employer Support of the Guard and Reserve—ESGR for short. Its purpose is to help employers understand and comply with the new law regarding protections for members of the Reserve. The program highlights and recognizes those employers who do more than the law requires, particularly those who are supportive of the Guard and Reserve.

To publicize these outstanding employers, ESGR lists them on their Web site. If you scroll down the Web site, you will see listed more than 1,000 companies across America, nonprofit organizations, State and local governments, all of which stand behind their Guard and Reserve while the Federal Government does not. Of those that are listed, more than 900 are saluted for providing pay differential. Think of it: 900 companies, 900 units of government that say, We will stand behind that soldier, we will make up the difference in pay.

On the first page, you will see 3M, A.G. Edwards, Abbot Laboratories, ADT Security Service, and Aetna. That is just the beginning. If you scroll down, you will see ICBM. I am proud to say you will see Sears & Roebuck from my State of Illinois, General Motors, United Parcel Service, and Ford Motor Company. In my State of Illinois, not only Sears but Boeing, State Farm Insurance, the State of Illinois, the city of Chicago, and many other Illinois companies, local governments, and institutions cover the pay differential for Reserve and Guard members called to active duty.

More and more American employers are providing a pay differential benefit to their workers who are mobilized for active duty. The number of ''outstanding employers'' recognized on the ESGR Web site for providing pay differential has been steadily growing. Even as the war goes on, more and more companies are stepping up for their people. They are stepping up in the private sector for their employees. How can we in the Federal Government do anything less? While the major employers in America are rushing to support the guardsmen and reservists, our Federal Government has not done so.

In a recently released DOD survey, they asked Reserve component members what factors they took into consideration before they decided to leave the National Guard and Reserve.

Let me show you that list. First, as I mentioned earlier, 51 percent of those in the Reserve who are activated lose income when they are mobilized, and 11 percent lose more than $2,500 per month.

I also mentioned this Web site. The employer-supported Guard and Reserve Web site based out of Arlington, VA, has a long list of over 1,000 employers who helped their activated Guard and soldiers, and 900 of them have provided pay differential for indefinite periods of time, some for 12 months and some for 6 months. But they are standing behind their Guard and Reserve units.

When you take a look at the number of outstanding employers who are making a greater sacrifice for their members of Guard and Reserve units, look at what happened since October of 2003. The number of employers making the pay differential for their employees called to Reserve duty has been increasing. But the U.S. Government is still not one of them. They ask the members of the Reserve and Guard: Why didn't you re-up, why didn't you reenlist? Here are the reasons they gave in a survey: 95 percent said it was too great a family burden, 91 percent said too many activations and deployments, 90 percent said activations-deployments are too long, and 78 percent said income lost.

This is a factor in retention and recruitment. It is a factor in the lifestyles of these families of Guard and Reserve unit members.

How can we come before this Congress asking for additional funds for the soldiers overseas and overlook the obvious? The Federal Government is not providing its share of helping these same soldiers. How can we throw bouquets, as we should, to all of these other employers who meet their responsibility and fail to meet our own?

With recruiting numbers falling short in virtually every branch of service, we need to do everything we can to

lessen the burden. By ensuring Federal employees, if they are mobilized, that their families will not have to endure loss of income, we can help reduce one of the major factors that drive people away from the Guard and Reserve.

This measure is not only good employee support, it is not only in keeping with the standards established by other leading employers, it is not only the patriotic thing to do, it is prudent management of our Reserve component forces. Reserve component soldiers face different family and professional situations than Active-Duty soldiers. They must not only perform military duties in addition to their civilian career, they have to shift back and forth between these two responsibilities.

Additionally, these Reserve component soldiers bring to their military service something special: all of their accumulated civilian time and civilian career experience.

In Iraq, thanks to Guard and Reserve forces, we have experienced teachers, construction supervisors, civil administrators, engineers, professionals over a wide range of skills, skills particularly helpful in rebuilding that ravaged nation. This derives from the unique nature of the Reserve component service and its value to the nation we must protect.

This provision has already passed the Senate twice. In October 2003, it was agreed to by vote of 96 to 3 as an amendment to the supplemental for fiscal year 2004. In June of 2004, it was agreed to by a voice vote as an amendment to the national defense authorization bill. On both occasions, I watched as this measure went into the bipartisan conference committee and disappeared. Apparently someone is opposed to the Federal Government making up the difference in pay for activated Guard and Reserve soldiers. The same Government that is praising businesses for doing this is deep-sixing this provision when it comes time to consider it in the conference committees.

I have just been handed a letter from the Reserve Officers Association of the United States. I am happy to report it to my colleagues in the Senate.

The Reserve Officers Association, representing 75,000 Reserve component members, supports your amendment to the emergency supplemental appropriation to provide an income offset for mobilized Federal employees.

I might add that it goes on to quote an Army Times article dated March 7, 2005, entitled ''Compensating for lost pay a bad idea, reserve head says.'' It inferred in this article that a Reserve pay differential would be unfair to Active-Duty troops.

This retired Major General Mcintosh goes on to say:

It is a shame that it is considered OK for Reservists to accept year-after-year pay losses during mobilization on top of the losses from missed promotions, missed contributions to a retirement account, missed incremental pay increases with their civilian job.

Helping to maintain the financial health of our military positively affects everyone by ensuring a strong economic position for the country.

I ask unanimous consent that this letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

RESERVE OFFICERS ASSOCIATION
OF THE UNITED STATES,
Washington, DC, April 12, 2005.

Hon. RICHARD J. DURBIN,
U.S. Senate,
Washington DC.

DEAR SENATOR DURBIN: The Reserve Officers Association, representing 75,000 Reserve Component members, supports your amendment to the emergency supplemental appropriation, SR 109–052, to provide an income offset for mobilized federal employees.

The Guard and Reserve face financial challenges whenever they are mobilized and ROA continues to hear stories of lost businesses, increasing credit card debt, and families forced to sell their homes. Many employees pay the difference between the civilian and military salary for mobilized Reservists; yet one of the largest employers, the federal government, does not.

In the Army Times Article, ''Compensating for lost pay a bad idea, reserve head says'', dated March 7, 2005, it was inferred a reserve pay differential would be unfair to active-duty troops. It is a shame that it is considered okay for Reservists to accept year-after-year of pay losses during mobilization on top of the losses from missed promotions, missed contributions to a retirement account, missed incremental pay increases with their civilian job.

Helping to maintain the financial health of our military, positively affects everyone by ensuring a strong economic position for the country. Congressional support for our nation's military men and women in the Guard and Reserve is and always will be appreciated.

Sincerely,

ROBERT A. MCINTOSH,
Major General (Ret), USAFR,
Executive Director.

Mr. DURBIN. Thank you very much, Mr. President. These folks who passed this amendment twice recognized reality.

Since the end of the Cold War, employment of our Reserve Forces has shifted profoundly from being primarily an expansion force to augment Active Forces during major war to the situation we face today where the Department of Defense acknowledges that no significant operation can be undertaken without the Guard and Reserve. Today, more than 40 percent of the forces fighting the global war on terrorism are members of our Guard and Reserve. Our part-time warriors have become full-time protectors of freedom.

The Federal Government is the Nation's largest employer. We must set an example. We must show the initiative. We must stand behind the men and women of the Federal workforce who are risking their lives for us overseas. Similar legislation has been enacted in at least 23 other States.

The Presiding Officer and I had a rare opportunity not long ago. We flew into Baghdad 2 or 3 weeks ago. It was a harrowing trip in the back of a C–130. We were strapped into our combat armor, body armor, with helmets on our head, in the C–130 as it made a corkscrew landing into Baghdad. We shared a wonderful, unforgettable opportunity to meet not only the leadership in the Green Zone but to meet with the marines and soldiers who are there risking their lives.

I sat down across the table from those three marines, recalled the guard unit I met the night before, and I thought to myself, we owe them something, not simply thanks but something significant and something tangible.

For those who work in the Federal workforce, this is something tangible we can do. We can make up the difference in lost pay. We can say to them, worry about coming home safely, but don't worry about whether your family is going to make the mortgage payment and pay the utility bills and keep things together while you are overseas.

That is what this amendment is all about. We express our gratitude in many different ways for the men and women in uniform, but this amendment which I have offered with Senator MIKULSKI, Senator ALLEN, and Senator CORZINE, says to my colleagues, on a bipartisan basis, let us offer to these men and women in uniform not only our thanks and our praise but the financial support they need to give them peace of mind.

Mr. GREGG. Mr. President, the pending Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Tsunami Relief for 2005, H.R. 1268, as reported by the Senate Committee on Appropriations, provides a net $80.582 billion in budget authority and $32.790 billion in outlays in fiscal year 2005. Of this amount, $74.763 billion is for defense activities, and the balance of $5.819 billion is for non-defense activities.

This bill is $1.299 billion less than the President's request in budget authority, but is $0.699 billion more in outlays. Compared to the House-passed bill, the Senate-reported version is $0.759 billion less in budget authority, but is $0.608 billion more in outlays.

Nearly every individual appropriation item in the bill is designated as an emergency. In total, the bill designates $81.592 billion in budget authority as an emergency, the outlays flowing from that budget authority also have the emergency designation; in fiscal year 2005, the associated outlays are estimated to be $32.790 billion. The bill includes rescission totaling $1.010 billion in budget authority only.

For the information of my colleagues, I would like to briefly summarize where the Senate stands in relation to budgetary enforcement of appropriation bills in 2005. Although the conference report on the 2005 budget resolution was not adopted by both the House and Senate, enactment of the 2005 Defense Appropriations bill, P.L. 108–287, section 14007, did give effect to some of the provisions in that resolution, including a 302(a) allocation to

the Appropriations Committee and sections 402 and 403 of the 2005 budget resolution relating to emergency legislation and overseas contingency operations.

First, any appropriation for 2005 that is not designated as an emergency or as an overseas contingency would be subject to a 302(f) point of order because appropriations enacted to date have already exceeded the allocation provided for 2005.

Second, of the total amount designated as an emergency in H.R. 1268, $74.763 billion in budget authority is designated as an emergency for defense activities, which is exempt from the emergency designation point of order. Section 403 of the 2005 budget resolution provided that $50 billion was assumed in the resolution for 2005 appropriations for overseas contingency operations, which would not even require an emergency designation. The same law that gave effect to sections 402 and 403 of the 2005 budget resolution also provided $25 billion for overseas contingency operations that were designated an emergency, but the funds were provided in 2004. One way to think about the $74.763 billion in emergency defense funds provided in this bill is that it exceeds by almost $25 billion in the amount contemplated for overseas contingency operations for fiscal year 2005 in the 2005 budget resolution.

Third, the remaining amount that is designated as an emergency in H.R. 1268—$6.829 billion—is all for nondefense activities. As a result, any member of the Senate may use the emergency designation point of order under section 402 of the 2005 budget resolution to question, or strike, the emergency designation attached to each individual nondefense appropriation item in the bill or an amendment thereto. Such a point of order can be waived with 60 votes. If the point of order is not waived, the designation would be struck from the bill or amendment, leaving only the appropriation, which, absent its emergency designation, which would have prevented the item from ''counting'' for budget enforcement purposes, would then count against the committee's allocation, meaning a 302(f) point of order would lie against the bill or amendment.

May I also point out to my colleagues that the emergency designation point of order requires that if ''a provision of legislation is designated as an emergency requirement . . . the committee report and any joint explanatory statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria,'' which are defined as follows: ''Any such provision is an emergency requirement if the underlying situation poses a threat to life, property, or national security and is—(I) sudden, quickly coming into being, and not building up over time; (II) an urgent, pressing, and compelling need requiring immediate action; (III) . . . unforeseen, unpredictable, and unanticipated; and (IV) not permanent, temporary in nature'' with the proviso that an ''emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.'' I note that the committee report does not include any discussion of how each individual item in this bill that is designated as an emergency meets all of these criteria.

This supplemental appropriations bill has been requested by the President, and the Congress has responded. It will be conferenced quickly and signed by the President. I know the temptation is strong, almost irresistible, for my colleagues to attempt to amend the bill with extraneous items that may be quite important—but this is not the place for them. I will strongly object to making this supplemental appropriations bill ''Christmas in April'' for various nondefense discretionary items and for new or expanded mandatory spending.

I commend the distinguished Chairman of the Appropriations Committee for bringing this legislation before the Senate, and I ask unanimous consent that a table displaying the Budget Committee scoring of the bill with comparisons to the House-passed bill and the President's request be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

H.R. 1268, 2005 EMERGENCY SUPPLEMENTAL—SPENDING COMPARISONS—SENATE-REPORTED BILL

[Fiscal year 2005, in millions of dollars]

	Defense (050)	Non-Defense	Total
Senate-reported bill:			
Budget authority	74,763	5,819	80,582
Outlays	31,605	1,185	32,790
House-passed:			
Budget authority	77,175	4,166	81,341
Outlays	31,497	685	32,182
President's request:			
Budget authority	75,315	6,566	81,881
Outlays	31,219	902	32,121
Senate-reported bill compared to:			
House-passed:			
Budget authority	−2,412	1,654	−759
Outlays	108	500	608
President's request:			
Budget authority	−552	−747	−1,299
Outlays	386	283	669

Note: Details may not add to totals due to rounding. Totals adjusted for consistency with scorekeeping conventions.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. VOINOVICH. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXCHANGE RATE OF CHINESE CURRENCY

Mr. VOINOVICH. Mr. President, I rise today to discuss last Wednesday's vote against tabling the Schumer amendment. The Schumer amendment would call on China to move toward a flexible rate or face corrective tariffs on their exports to the United States. Passing the amendment would be a responsible way for the Senate to address the significant problems caused by China fixing the exchange rate of its currency, known as the renminbi or yuan, to the United States dollar.

I have been concerned about China's trade policies for some time. I am particularly concerned about the undervaluation of the Chinese currency caused by China's currency peg. Presently, the yuan is undervalued between 15 and 40 percent. This systematic undervaluation of China's currency makes China's exports less expensive and puts United States workers at a severe disadvantage. As a result, the United States has lost thousands of manufacturing jobs due to the unfair competition with China's exports with prices that are artificially low on account of the undervaluation of the yuan. This is both unfair and it is unacceptable.

China's undervalued currency also harms China's economy. The Chinese people pay much higher prices for their imports and China is presently forced to keep its interest rates artificially low to support the currency peg, which is causing inefficient investment and excessive bank lending in China. Moreover, this undervaluation of the Chinese currency is fueling the dramatic rise of the United States trade deficit with China and distorting trade relationships around the globe.

Currently, we have a $162 billion trade deficit with China, the largest that we have with any country in the world. Accordingly, supporting efforts to get China to move forward toward a flexible exchange rate is consistent with supporting a more open and efficient global marketplace.

I was recently in China and had the opportunity to meet with Premier Wen Jiabao, member of the Politburo Standing Committee and the Chinese Communist Party's Central Committee. I made precisely these points to him: That it is in China's best interest to move toward a flexible exchange rate, and that the Chinese currency peg benefits neither China nor the United States. I urged him to support moving China toward a flexible exchange rate.

One of the primary arguments Chinese officials made to defend China's currency peg is the banking system is not sufficiently developed for a flexible exchange rate, an argument that Secretary of the Treasury John Snow makes on occasion when he gives reasons why he is not pushing them harder for them to stop fixing their currency.

I have an article from The Economist that helps explain in detail why exchange rate flexibility is in China's best interest, along with the best interest of the United States. The title of the article from March 19, 2005 is: ''China Ought to Allow More Flexibility in Exchange Rate, Sooner Rather Than Later.''

I ask unanimous consent to have it printed in the RECORD.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Economist, Mar. 19, 2005]

ECONOMICS FOCUS—PUTTING THINGS IN ORDER

CHINA OUGHT TO ALLOW MORE FLEXIBILITY IN ITS EXCHANGE RATE, SOONER RATHER THAN LATER

The Chinese government says that it intends, eventually, to make its exchange rate more flexible and to liberalise capital controls. In the past year or so, it has already eased some controls on capital outflows and officials have said recently that they will open the capital account further this year. On the exchange rate, much less has been done. The yuan has been pegged to the dollar for a decade; and the government is loath to change much until the country's banking system is in healthier shape: this week the prime minister, Wen Jiabao, said that a shift would be risky. But is China putting the cart before the horse? Other countries' experience suggests that it is, and that it is better to loosen the exchange rate before, not after, freeing capital flows.

Most commentary on the Chinese yuan tends to focus on the extent to which it is undervalued. It has been pegged to the dollar for a decade, and there is a widespread belief that it is unfairly cheap. In fact, this is not clear-cut. For instance, the increase in China's official reserves is often held up as evidence that the yuan is undervalued. Yet this largely reflects speculative capital inflows lured by the expectation of a currency revaluation. Such inflows could easily be reversed. Given the huge uncertainty about the yuan's correct level, it makes more sense for China to make its currency more flexible than to repeg it at a higher rate. Greater flexibility would be in China's interest: it would afford the country more independence in monetary policy and a buffer against external shocks. By fixing the yuan to the dollar, China has been forced to hold interest rates lower than is prudent, leading to inefficient investment and excessive bank lending.

The problem is that Chinese officials, along with many foreign commentators, tend to confuse exchange-rate flexibility and capital-account liberalisation. A commonly heard argument is that China cannot let its exchange rate move more freely before it has fixed its dodgy banking system, because that could encourage a large outflow of capital. A recent paper* by Eswar Prasad, Thomas Rumbaugh and Qing Wang, all of the International Monetary Fund, argues that, on the contrary, greater exchange-rate flexibility is a prerequisite for capital-account liberalisation.

Flexibility does not necessarily mean a free float. Initially, China could allow the yuan to move within a wider band, or peg it to a basket of currencies rather than the dollar alone. The authors first knock on the head the notion that the banking system must be cleaned up before allowing the exchange rate to move. Although financial reform is certainly essential before scrapping capital controls, the authors argue that with existing controls in place the banking system is unlikely to come under much pressure simply as a result of exchange-rate flexibility. Banks' exposure to currency risks is currently low and flexibility alone is unlikely to cause Chinese residents to withdraw their deposits or provide channels for them to send their money abroad.

The authors argue that it is also not necessary to open the capital account to create a proper foreign-exchange market. Because China exports and imports a lot, with few restrictions on currency convertibility for such transactions, it can still develop a deep, well-functioning market without a fully open capital account. A more flexible currency would itself assist the development of such a market. For example, firms would have more incentive to hedge foreign-exchange risks, encouraging the development of suitable instruments. The experience of greater exchange-rate flexibility would also help the economy to prepare for a full opening of the capital account. While capital controls shielded the economy from volatile flows, China would have time for reforms to strengthen the banking system.

China instead seems intent on relaxing capital controls before setting its exchange rate free. This ignores the history of the past decade or so: the combination of fixed exchange rates and open capital accounts has caused financial crises in many emerging economies, especially when financial systems are fragile. China would therefore be wise to move cautiously in liberalising its capital account, but should move more rapidly towards greater exchange-rate flexibility.

YUAN AT A TIME

The Chinese have tried to offset the recent upward pressure on the yuan by easing controls on capital outflows, for instance by allowing firms to invest abroad. While this is in line with the eventual objective of full capital-account liberalisation, it runs the risk of getting reforms in the wrong order. An easing of controls on outflows may even be counterproductive if it stimulates larger inflows. By making it easier to take money out of the country, investors may be enticed to bring more in.

Capital controls are not watertight. So although China will continue to be protected from international flows, its controls can be evaded through the under- or over-invoicing of trade. Multinationals can also use transfer prices (the prices at which internal transactions are accounted for) to dodge the rules. Despite extensive controls, a lot of capital left China during the Asian crisis in the late 1990s; recently, lots of short-term money has flowed in. Controls are likely to become even more porous as China becomes more integrated into the global economy. Thus, waiting for speculative and other inflows to ease before changing the exchange-rate regime might not be a fruitful strategy.

China ought to move to a flexible exchange rate soon, while its capital controls still work. Experience also suggests that it is best to loosen the reins on a currency when growth is strong and the external account is in surplus. China should take advantage of today's opportunity rather than being forced into change at a much less convenient time.

Mr. VOINOVICH. I also urge my colleagues to read a paper by the staff of the International Monetary Fund entitled ''Putting the Cart Before the Horse: Capital Account Liberalization and Exchange Rate Flexibility in China.'' That is a January publication by the IMF. I would have asked it be printed in the RECORD, but it is 30 pages long and I do not want to burden the CONGRESSIONAL RECORD with 30 pages. If my colleagues are interested in getting a copy of that article, I would be more than happy to supply it.

These papers show how exchange rate flexibility will facilitate economic development in China and why China does not have to wait until its banking system is more fully developed to move toward a flexible exchange rate.

Moreover, they note that China does not need to immediately float its currency to remedy the problems caused by an undervalued currency. All China needs to do is take steps in that direction, such as adopting a wider exchange rate ban or pegging the exchange rate to a basket of currencies instead of the dollar alone, for example, a basket of currencies in the ASEAN countries, including Japan. Either of these policies would likely cause an upward revaluation of the yuan. Unfortunately, the Bush administration has refused meaningful action to get China to move toward a flexible exchange rate.

Last year—I remember it well—on September 8—that happens to be my wedding anniversary—four of our leaders in this country summarily said there is no problem in terms of the exchange rate and they refused to go forward with something called a 301 investigation. The 301 investigation is allowable under the WTO. That is the way you bring into question whether somebody is following the rules. They said, no, we are not going to do it. Imagine what kind of a message that sent to the leaders of the Chinese Government, that we were not even willing to look at a 301 investigation. That was a mistake.

The United States-China Economic and Security Review Commission, a bipartisan commission established by Congress to examine China's trade policies, has concluded that China's exchange rate policy violates both its International Monetary Fund and World Trade obligations. That was a bipartisan commission that came together and issued this report. The commission said China is intentionally manipulating its currency for trade advantage in violation of its trading agreements. Yet the administration refuses to act. Unless the United States exerts direct pressure on China, however, it is unlikely that China will address the undervaluation of its currency. When I asked the question of Premier Wen, he said, We know there is a problem, but we are not sure when we will do it.

I can say they will not do it unless we continue to put pressure on them to do it and convince them that, again, it is not only in our best interest but their best interest if they want to be a player in the global marketplace.

That is why Wednesday's vote was important. It showed the Senate is willing to take matters into its own hands and take effective steps to address the serious problem if the administration continues to refuse to do so. No one wants to see tariffs imposed on Chinese exports, but the United States needs to take action to address China's unfair exchange rate policy. I hope Wednesday's vote will motivate the administration to do more to get China to address the serious market distortions caused by the undervaluation of China's currency.

I believe in fair trade and improving our trading relationship with China. I was one of the leaders in the Senate to

approve normal trade relations with China. I wrote articles in Ohio magazines. In fact, I gave a copy of an article to Premier Wen to prove to him I am not a protectionist, I am a free trader.

But I also believe in fair trade. It represents a huge potential market for our exports. If we want to have trade with China, though, China must be a better trading partner, starting with its exchange rate policies. Furthermore, if we want to have a free and fair global trading system, China must take actions to move toward a flexible exchange rate. I, therefore, believe Wednesday's vote was a responsible step aimed at advancing global trade and, in particular, America's long-term trading relationship with China.

I say to the Presiding Officer, as you know, there was an agreement made that it would be pulled down from the foreign relations authorization bill, and this is going to be considered again. There is an agreement, in the form of a UC, that we will be bringing it up again. I hope before the Senate considers voting on that amendment with an up-or-down vote the administration will get the message that they have to do something to show a little bit of spirit and indicate to us that they understand and know that the Senate and the House of Representatives are serious about moving forward to deal with this problem.

I also think the vote on this particular amendment sends a strong signal, a signal to Premier Wen and to President Hu that we are concerned about this issue. I know they are concerned about jobs. We are concerned about jobs. They have to understand that. I am hoping instead of the administration looking at this as some kind of a negative action on the part of the Senate, that they will see that we are helping them communicate the message to the people over there that we are serious about a problem.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CHAMBLISS). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. INHOFE. Mr. President, I ask unanimous consent that I be recognized for up to 30 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

GLOBAL CLIMATE CHANGE

Mr. INHOFE. Mr. President, today I continue my series of talks on the four pillars of climate alarmism. Last week I showed the first pillar, the 2001 climate change report by the National Academy of Sciences. It was really a farce, and we documented it very well. The same is true of the 2001 report of the IPCC. That is the Intergovernmental Panel on Climate Change. It supposedly provides irrefutable evidence of the global warming consensus. Simply put, it does not, as my speech today will demonstrate.

The media greeted the release of the IPCC's Third Assessment Report with the predictable hysteria with which they normally respond to things such as this. From the Independent newspaper of London:

> In a report published today by the United Nations Intergovernmental Panel on Climate Change (IPCC), hundreds of the world's leading scientists give their unqualified support to the view that global warming is real and that the release of manmade greenhouse gases is largely responsible.

It continues:

> The latest three-volume report, amounting to 2,600 pages of detailed analysis, leaves the reader in little doubt that the scientific uncertainties of the previous decade are being resolved in favor of an emerging, and increasingly pessimistic consensus.

The preceding quotes, and many that followed in the Independent's report, came from the Third Assessment's ''Summary for Policymakers.'' In fact, the media based much, if not all, of its reporting on the summary itself. It did this even though in some respects the summary distorted the actual context of the full report.

The National Academy of Sciences, in its 2001 report, criticized both how the summary was written and how the media portrayed it, as in this chart No. 1:

> The IPCC Summary for Policymakers could give an impression that the science of global warming is settled, even though many uncertainties still remain.

This clearly contradicts the claim of the Independent that there is little doubt that the scientific uncertainties in the previous decade are settled.

Another claim the media featured prominently was that temperature increases over the last century are unprecedented, at least when considered on a time scale of the last 1,000 years. According to the IPCC, the 1990s were the warmest decade on record, and 1998 was the warmest year since temperature records began in 1861. The basis for this claim is a so-called hockey stick graph, shown in chart No. 2. This is an interesting one because this plots out the temperatures over a period of time and then shows the blade, when it gets to be the 19th century, coming up.

The graph was constructed by Dr. Michael Mann of the University of Virginia and his colleagues using a combination of proxy data and modern temperature records. The hockey stick curve showed a gradual cooling period around 1400 A.D., which is the hockey stick handle—that is the horizontal line—then a sharp warming starting about 1900, the hockey stick blade. Its release was revolutionary, overturning widespread evidence adduced over many years confirming significant national variability long before the advent of SUVs. The IPCC was so impressed that the hockey stick was featured prominently in its Third Assessment Report of 2001.

As Dr. Roy Spencer, the principal research scientist at the University of Alabama, noted:

> This was taken as proof that the major climate event of the last 1,000 years was the influence of humans in the 20th century. One of its authors, Dr. Michael Mann, confidently declared in 2003 that the hockey stick ''is the indisputable consensus of the community of scientists actively involved in the research of climate variability and its causes.''

The hockey stick caused quite a stir, not just in the scientific community but also in the world of politics. It galvanized alarmists in their push for Kyoto. It is supposedly ironclad proof that manmade greenhouse gas emissions are warming the planet at an unsustainable degree. But here again, one of the essential pillars of the alarmists appears to be crumbling.

Two Canadian researchers have produced the most devastating evidence to date that the hockey stick is bad science. Before I describe their work, I want to make a prediction. The alarmists will cry foul, saying this critique is part of an industry conspiracy. And true to form, they will avoid discussion of the substance and engage in personal attacks. That is because one of the researchers, Stephen McIntyre, is a mineral exploration consultant. Dr. Mann already has accused them of having a conflict of interest. This is nonsense.

First, Stephen McIntyre and his colleague, Ross McKitrick, an economist with Canada's University of Guelph, received no outside funding for their work. They are both very well recognized professional people. Second, they published their peer-reviewed critique in geophysical research letters. This is no organ of big oil, but an eminent scientific journal, the same journal, in fact, which published the version of Dr. Mann's hockey stick that appeared in the IPCC's Third Assessment Report. Apparently the journal's editor didn't see much evidence of bias. The remarks of one editor are worth quoting in full:

> S. McIntyre and R. McKitrick have written a remarkable paper on a subject of great importance. What makes the paper significant is that they show that one of the most widely known results of climate analysis, the ''hockey stick'' diagram of Mann [and company], was based on a mistake in the application of a mathematical technique known as principle component analysis.

Further, he said:

> I have looked carefully at the McIntyre and McKitrick analysis, and I am convinced that their work is correct.

What did McKitrick and McIntyre find? In essence, they discovered that Dr. Mann misused an established statistical method called principal components analysis, PCA. As they explained, Mann created a program that ''effectively mines a data set for hockey stick patterns.'' In other words, no matter what kind of data one uses, even if it is random and totally meaningless, the Mann method always produces a hockey stick. After conducting

some 10,000 data simulations, the result was nearly always the same. ''In over 99 percent of cases,'' McIntyre and McKitrick wrote, ''it produced a hockey stick shaped PCI series.'' Statistician Francis Zwiers of Environment Canada, a government agency, says he agrees that Dr. Mann's statistical method ''preferentially produces hockey sticks when there are none in the data.'' Even to a non-statistician, this looks extremely troubling.

But that statistical error is just the beginning. On a public web site where Dr. Mann filed data, McIntyre and McKitrick discovered an intriguing folder titled ''BACKTO_1400–CENSORED.'' What McIntyre and McKitrick found in the folder was disturbing: Mann's hockey stick blade was based on a certain type of tree—a bristlecone pine—that, in effect, helped to manufacture the hockey stick.

Remember, the hockey stick shows a relatively stable climate over 900 years, and then a dramatic spike in temperature about 1900, the inference being that man-made emissions are the cause of rising temperatures. So why is the bristlecone pine important? That bristlecone experienced a growth pulse in the Western United States in the late 19th and early 20th centuries. However, this growth pulse, as the specialist literature has confirmed, was not attributed to temperature. So using those pines, and only those pines, as a proxy for temperature during this period is questionable at best. Even Mann's co-author has stated that the bristlecone growth pulse is a ''mystery.''

Because of these obvious problems, McIntyre and McKitrick appropriately excluded the bristlecone data from their calculations. What did they find? Not the Mann hockey stick, to be sure, but a confirmation of the Medieval Warm Period, which Mann's work had erased.

This is very interesting because the chart will show, if you would include the calculation—what we refer to as the Medieval Warm Period which, as everybody now understands, is a reality—then temperatures at that time exceeded the temperatures in the blade of the hockey stick. In fact, when I was over in Milan, Italy, at one of the big meetings, I pointed this out as evidence it was done, and done intentionally. Why would he start with the year when you have a level line going for 900 years and totally ignore the Medieval Warming Period, at which time the temperatures of the Earth exceeded the temperatures in this century?

As the CENSORED folder revealed, Mann and his colleagues never reported results obtained from calculations that excluded the bristlecone data. This appears to be a case of selectively using data—that is, if you don't like the result, remove the offending data until you get the answer you want. As McIntyre and McKitrick explained, ''Imagine the irony of this discovery . . . Mann accused us of selectively deleting North American proxy series. Now it appeared that he had results that were exactly the same as ours, stuffed away in a folder labeled CENSORED.''

McIntyre and McKitrick believe there are additional errors in the Mann hockey stick. To confirm their suspicion, they need additional data from Dr. Mann, including the computer code he used to generate the graph. But Dr. Mann refuses to supply it. As he told the Wall Street Journal, ''Giving them the algorithm would be giving in to the intimidation tactics that these people are engaged in.''

What we are talking about is he refused to give him the necessary computerized data to come to the conclusion. There is no way of analyzing it.

Who are ''these people''? And what ''intimidation tactics''? Mr. McIntyre and Mr. McKitrick are trying to find the truth. What is Dr. Mann trying to hide?

For many scientists, McIntyre and McKitrick's work is earth-shattering. For example, Professor Richard Muller of the University of California at Berkeley recently wrote in the MIT Technology Review that McIntyre and McKitrick's findings ''hit me like a bombshell, and I suspect it is having the same effect on many others. Suddenly the hockey stick, the poster-child of the global warming community, turns out to be an artifact of poor mathematics.'' Dr. Rob van Dorland, of the Royal Netherlands Meteorological Institute, and an IPCC lead author, said, ''The IPCC made a mistake by only including Mann's reconstruction and not those of other researchers.'' He concluded that unless the error is corrected, it will ''seriously damage the work of the IPCC.''

Or consider Dr. Hans von Storch, an IPCC contributing author and internationally renowned expert in climate statistics at Germany's Center for Coastal Research, who said McIntyre and McKitrick's work is ''entirely valid.'' In an interview last October with the German Newspaper Der Spiegel, Dr. von Storch said the Mann hockey stick ''contains assumptions that are not permissible. Methodologically it is wrong: rubbish.'' He stressed that, ''it remains important for science to point out the erroneous nature of the Mann curve. In recent years it has been elevated to the status of truth by the U.N. appointed science body, the Intergovernmental Panel on Climate Change, IPCC. This handicapped all that research which strives to make a realistic distinction between human influences and climate and natural variability.''

If McIntyre and McKitrick's work isn't convincing enough, consider the recent paper published in the February 10 issue of Nature. The paper, authored by a group of Swedish climate researchers, once again undercuts the scientific credibility of the Mann hockey stick. The press release for the study by the Swedish Research Council says, ''A new study of climate in the Northern Hemisphere for the past 2000 years shows that natural climate change may be larger than generally thought.''

According to the paper's authors, the Mann hockey stick does not provide an accurate picture of the last 1,000 years. ''The new results,'' they wrote, ''show an appreciable temperature swing between the 12th and 20th centuries, with a notable cold period around AD 1600. A large part of the 20th century had approximately the same temperature as the 11th and 12th centuries.''

In other words, here's evidence of the Medieval Warm Period and the Little Ice Age, demonstrating that climate, long before the burning of fossil fuels, varied considerably over the last 2,000 years. The researchers note that changes in the sun's output and volcanic eruptions appear to have caused considerable natural variations in the climate system. ''The fact that these two climate evolutions,'' they contend, ''which have been obtained completely independently of each other, are very similar supports the case that climate shows an appreciable natural variability—and that changes in the sun's output and volcanic eruptions on the earth may be the cause.''

Another important development chipping away at the so-called scientific consensus has to do with economics and statistics, and how both are used by the IPCC.

To determine how man-made greenhouse gases might affect the climate over the next century, the IPCC had to predict 100 years' worth of greenhouse gas emissions. Predicting emissions rates depends on several factors, including population growth, technological advances, and future economic growth rates in developed and developing countries.

Based on these and other factors, the IPCC's Third Assessment Report projected an average global temperature increase by 2100 ranging between 1.4 to 5.8 degrees Celsius, which is about 2.7 to 10.4 degrees Fahrenheit. This temperature range was determined from several different emission scenarios. In each of those scenarios, the IPCC arbitrarily assumed that incomes in poor countries and rich countries would converge by the year 2100. According to Warren McKibbin of Australia National University's Center for Applied Macroeconomics and the Brookings Institution, this assumption is unwarranted. Even if it were to happen, McKibbin and his colleagues write:

> The empirical literature suggests that the rate of convergence in income per capita would be very slow.

Even the IPCC agrees, stating:

> It may well take a century (given all the other factors set favorably) for a poor country to catch up to [income] levels that prevail in the industrial countries today, never mind the levels that might prevail in affluent countries 100 years in the future.

Nevertheless, the IPCC assumed poor and rich countries would achieve parity by the end of the century. To measure that growth over time, the IPCC

had to compare what income levels look like today. It did that by using market exchange rates, but this raises a major problem. Relying on exchange rates fails to account for price differences between countries. This has the effect of vastly overstating differences in wealth. ''This comparison is valid,'' says Ian Castles, formerly head of Australia's National Office of Statistics, now with the National Center of Development Studies at Australian National University.

Castles and his colleague David Henderson, former chief economist for the Organization of Economic Cooperation and Development, now of the Westminster Business School, discovered the IPCC's error last year and have published their findings in the distinguished scientific journal Energy and Environment.

Castles and Henderson note that using exchange rates is invalid because it is based on the assumption that ''[a] poor Bangladeshi family has converted the whole of its income into foreign currency, and spent it on goods and services at average world prices rather than [at much lower] Bangladeshi prices.''

Through the use of exchange rates, the IPCC concluded the average income of rich countries right now is 40 times higher than the average income in developing countries in Asia and 12 times higher than the average income in other non-Asian developing countries.

As my colleagues can see, there is a huge gap, which raises a significant point. If the initial income gap is large, then poor countries will have to grow incredibly fast to catch up. According to the IPCC, the greater the economic growth, the greater the emissions released into the atmosphere, and hence higher temperatures.

The IPCC, as the Economist Magazine wrote, is simply wrong. They said:

> The developing-country growth rates yielded by this method [market exchange rates] are historically implausible, to put it mildly. The emissions forecasts based on those implausibly high growth rates are accordingly unsound.

Castles and Henderson have shown convincingly that the IPCC's temperature range rests on a majority of major economic error and, therefore, is wildly off the mark. Because of this error, even the IPCC's low end emission scenario is implausible. As the Economist Magazine wrote:

> But, as we pointed out before, even the scenarios that give the lowest cumulative emissions assume that incomes in the developing countries will increase at a much faster rate over the course of the century than they have ever done before.

The Economist continued:

> Disaggregated projections published by the IPCC say that—even in the lowest-emission scenarios—growth in poor countries will be so fast that by the end of the century Americans will be poorer on average than South Africans, Algerians, Argentines, Libyans, Turks and North Koreans.

And I do not think any of us are ready to accept that.

Let us get a better sense of why that is odd. Under the IPCC's low-end scenario, the amount of goods and services produced per person in developing countries in Asia would increase 70-fold by 2100, and increase nearly 30-fold for other developing countries. To put that in perspective, the United States only achieved a 5-fold increase in per capita income growth in the 19th century, and Japan achieved a nearly 20-fold increase in the 20th Century.

The IPCC's mistakes are fatal. Jacob Ryten, a leading figure in the development, evaluation, and implementation of the United Nations International Comparisons Programme, said the IPCC suffers from ''manifest ignorance of the conceptual and practical issues involved in developing and using intercountry measures of economic product.''

The Economist said that the IPCC's method proved it was guilty of dangerous economic incompetence.

Castles and Henderson, along with the Economist and other scientists, have pressed the IPCC to abandon its use of market exchange rates in its upcoming Fourth Assessment Report. They say this is essential to provide a more accurate projection of future emissions. Thus far, the IPCC has ignored their request, but this is no surprise. The IPCC has become politicized and appears more intent on pursuing propaganda over science.

Consider the case of Dr. Christopher Landsea, the world's foremost expert on hurricanes. Dr. Landsea accepted an invitation to provide input on Atlantic hurricanes for the IPCC's Fourth Assessment Report due out in 2007. But over time, Dr. Landsea realized that certain key members of the IPCC were bent on advancing a political agenda rather than providing an objective, fact-based understanding of climate change. As a result, he resigned from the IPCC process.

Dr. Landsea was outraged that Dr. Kevin Trenberth, the lead author of observations for the upcoming Fourth Assessment, and other scientists participated in a politically charged press conference at Harvard University on the supposed causal link between global warming and extreme weather events. The press conference was promoted this way:

> Experts to warn global warming likely to continue spurring more outbreaks of intense hurricane activity.

In other words, they were trying to blame these catastrophes that come up on what they consider to be global warming.

As Dr. Landsea explained, the topic was bogus. It has no scientific basis, and none of the scientists who participated had any expertise in the matter.

In his resignation letter, Dr. Landsea wrote:

> To my knowledge, none of the participants in that press conference had performed any research on hurricane variability, nor were they reporting on any new work in the field . . . It is beyond me why my colleagues would utilize the media to push an unsupported agenda that recent hurricane activity has been due to global warming.

What is the real state of the science on this topic?

> All previous and current research in the area of hurricane variability has shown no reliable, long-term trend in the frequency or intensity of tropical cyclones, either the Atlantic or any other basin.

Dr. Landsea wrote, and this is in the chart:

> Moreover, the evidence is quite strong and supported by most recent credible studies that any impact in the future from global warming upon hurricanes will likely be quite small.

Dr. Landsea noted that the most recent science shows that ''by around 2080 hurricanes may have winds and rainfall about 5 percent more intense than today. It has been proposed that even this tiny change may be an exaggeration as to what may happen by the end of the 21st Century.''

Dr. Landsea concluded that because the IPCC process has been compromised, resigning was his only option. He said:

> I personally cannot in good faith continue to contribute to a process that I view as both being motivated by preconceived agendas and being scientifically unsound.

As with Castles and Henderson, the IPCC leadership has brushed off Dr. Landsea's concerns. This is outrageous. In doing so, the IPCC is seriously undermining its credibility.

One can only hope that the IPCC will change its ways. Otherwise, we can expect yet another assessment report that is unsupported by facts and science.

It is no surprising that alarmists want to fabricate the perception that there is consensus about climate change. We know the costs of this would be enormous. Wharton Econometrics Forecasting Associates estimates that implementing Kyoto would coast an American family of four $2,700 annually. Acknowledging a full-fledged debate over global warming would undermine their agenda. And what is that agenda? Two international leaders have said it best. Margot Wallstrom, the EU's Environment Commissioner, states that Kyoto is ''about leveling the playing field for big businesses worldwide.'' French President Jacques Chirac said during a speech at the Hague in November 2000 that Kyoto represents ''the first component of an authentic global governance.''

Look at this and you realize what is motivating these people. People ask me if science is not behind this and there is that much damage that can be effected, what is the motive? That is what the motive is.

Facts and science are showing that the catastrophic global warming consensus does not exist. The IPCC has been exposed as a political arm of U.N.'s Kyoto Protocol, with a mission to prop up its flawed scientific conclusions.

The Mann hockey stick, the flagship of the IPCC's claims that global warming is real, has now been thoroughly

discredited in scientific circles. Projections of future carbon emissions—which drive temperature model conclusions—have been proven to be based on political decisions that, by the end of the century, countries like Bangladesh will be as wealthy, or wealthier, than the United States.

A world renowned scientist has just resigned from the IPCC because it is too politicized, saying that the IPCC plans to make claims that contradict scientific understanding. Increasingly, it appears that the scientific case for catastrophic global warming is a house of cards that will soon come tumbling down.

Despite this, there are still some who choose to ignore science.

After I spoke about this last week, Duke Energy CEO Paul Anderson advocated a tax on carbon dioxide and other greenhouse gases. In doing so, the company has seemingly bought into the spurious notion that the science is settled. But perhaps it is not. Unfortunately, to some global warming advocates, the science is irrelevant.

As Myron Ebell of the competitive Enterprise Institute says:

> Duke Energy has now admitted that the costs will be significant. But the fact is it will only be expensive for their competitors. Nuclear plants don't emit carbon dioxide and Duke is already one-third nuclear generation. Moreover, the company has announced plans to build even more nuclear plants, giving it an even bigger competitive edge.

This is a lot of scientific stuff. I have said several times since I became chairman of the Environment and Public Works Committee that the first thing we did was study this because it was assumed that global warming is taking place and anthropogenic gases are causing it, methane and CO_2, only to find out that is not the case. Virtually all the science since 1999 has refuted these assertions. I think we have an obligation to recognize these far-left environmentalist extremist groups are huge contributors to campaigns and they have a lot of political power, but in the long run we have to be more concerned about America than we are about political campaigns.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. McCONNELL. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Kentucky is recognized.

MORNING BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent there now be a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOLDEN GAVEL AWARD

Mr. FRIST. Mr. President, on September 30, 2004, I had the pleasure to announce that Senator GORDON SMITH was the latest recipient of the Senate's Golden Gavel Award, marking his 100th hour of presiding over the Senate.

The Golden Gavel Award has long served as a symbol of appreciation for the time that Senators contribute to presiding over the Senate—a privileged and important duty. Since the 1960s, Senators who preside for 100 hours have been recognized with this coveted award.

On behalf of the Senate, I extend our sincere appreciation to Senator SMITH for presiding during the 108th Congress.

TRIBUTE TO DOUG FERTIG

Mr. FRIST. Mr. President, I rise today to pay tribute to a dedicated member of the Senate family, Doug Fertig, Human Resources Director of the Senate Sergeant at Arms office, who passed away on April 2, 2005, at the age of 54.

Doug Fertig came to the Sergeant at Arms in 1996 facing a formidable challenge to standardize processes, establish pay bands and job classifications and a leave accountability system to comply with the Congressional Accountability Act. Doug Fertig's dedication, knowledge and compassion to the Senate Sergeant at Arms organization turned the Human Resources Department into the professional organization it is today.

Doug Fertig was born in Columbus, OH, received his B.A. from Oberlin College in 1972, and held Masters Degrees from Stanford University and Ohio State University. Doug Fertig was a dedicated family man who was very proud of his wife Susan, daughter Emily, and son Andrew. He was passionate about education and any sport involving Ohio State University.

During his tenure with the Senate Sergeant at Arms, Doug Fertig was faced with many challenges, including anthrax in October 2001 and ricin in February 2004.

Because of Doug's experience and calm demeanor, the challenges of relocating the Human Resources operation and continuing to serve the Senate community were met with calm leadership and competent direction and stability.

Today we honor Doug for his dedication to the Senate, his love for his family, his compassion for the staff in the Human Resources department and the Senate Sergeant at Arms organization. His passing leaves the Senate community with a profound sense of loss. I hope it is of comfort to his family that so many people share their loss at this sad time.

TRIBUTE TO TOM STONEBURNER

Mr. REID. Mr. President, I rise today to recognize the life and work of Tom Stoneburner, a Nevada labor leader who passed away on February 21, 2005.

A veteran of the U.S. Marine Corps, Tom served as a deputy sheriff in Mono County, CA, before moving to Nevada in 1969. During his 36 years in Nevada, he became one of the most effective labor leaders in the State, fighting tirelessly on behalf of the working people of Nevada. As a casino security guard, he successfully organized union elections for guards at two Reno hotel casinos and later went on to serve as president of the United Plant Guard Workers.

Tom was dedicated to helping all of Nevada's workers. That is why in 1997 he formed the Alliance for Workers Rights, an organization expressly committed to advocating on behalf of workers in Nevada who had no union representation. Through his leadership of this organization, Tom successfully lobbied for strengthened State safety protections after several workers died in industrial accidents in 1998 and 2001.

His passion and determination in protecting the rights of Nevada's workers belied the soft-spoken and mild-mannered nature that many close to him have recalled since his passing. Tom's example has undoubtedly inspired many others who will carry on his work, including his wife Kathy who will continue his important work at the Alliance for Worker's Rights.

Mr. President, please join me in recognizing Tom Stoneburner's contributions to Nevada workers and in sending condolences to Tom's family for their loss.

THE DEATH OF POPE JOHN PAUL II

Mr. DORGAN. Mr. President, with the passing of Pope John Paul II, I take this opportunity to pay homage to one of the great spiritual leaders of our time. He was a truly gifted religious leader who touched people all over the world: young and old, rich and poor, the powerful and the underprivileged, Catholics and non-Catholics.

Pope John Paul II defied political labels and was constant in his beliefs. For him, defending life included opposing capital punishment and recourse to war as well as opposing abortion. Defending families meant a commitment to faith and moral uprightness, but it also meant standing up for just wages and a social safety net. These beliefs and convictions made him a respected leader all over the world.

One of John Paul's strengths was reaching out to young adults. World Youth Day was established by the Pope on Palm Sunday, 1984. He invited the Youth of Rome to celebrate the Holy Year of Redemption with him at Saint Peter's Square. It was a great success. Building upon this success and its popularity, the Pope held this worldwide event every 3 years.

Over the last 20 years, millions of young people from hundreds of countries have participated in World Youth

Day. One young woman who attended said that young people loved the Pope because the Pope loved them: ''People think that teenagers and young people are just out there and reckless, but he didn't see it that way. He said, 'You are the future and I love you for that.' ''

The world is now mourning the death of Pope John Paul II. In parishes from the Americas to Europe to Africa to Asia, millions are paying tribute to a leader whose central message was love, respect, faith and responsibility to our fellow man. That example is his legacy, and regardless of our individual faiths, it is an example for all of us of how to live and relate to our neighbors. May God grant Pope John Paul II eternal rest and peace, and we thank him for a life lived in the service of people everywhere.

IN HONOR OF THE 50TH ANNIVERSARY OF THE SUCCESSFUL SALK POLIO VACCINE TRIALS

Mr. LEVIN. Mr. President, I would like to take this opportunity to commemorate an historic event that changed the world. Fifty years ago today, Dr. Thomas Francis, Jr., director of the Poliomyelitis Vaccine Evaluation Center and founding chair of the Department of Epidemiology at the University of Michigan School of Public Health, announced that the Salk polio vaccine was ''safe, effective, and potent.''

That announcement marked the culmination of the most comprehensive field trials ever conducted, unprecedented in scope and magnitude. In the early 1950s, Dr. Jonas Salk, a postdoctoral student of Dr. Francis at the University of Michigan, developed a promising vaccine against poliomyelitis in his laboratory at the University of Pittsburgh. Dr. Salk returned to the University of Michigan to work with his longtime mentor, Dr. Francis, who led the year-long field trials demonstrating that ''the vaccine works.'' More than 300,000 individuals participated in the work of the trials, including 20,000 physicians and public health officers, 40,000 registered nurses, 14,000 school principals, and 200,000 volunteers. More than 100 statisticians and epidemiologists tabulated data from the approximately 1.8 million children across the United States, Canada, and Finland who were involved in the trial. These brave children, who stepped forward to receive a shot not knowing if it would be the real vaccine or a placebo or whether it would be safe or harmful, are now affectionately known as polio pioneers.

While we rarely consider the possibility of contracting polio today, let me remind you that for generations polio was one of the most feared childhood diseases. Poliomyelitis, a neuromuscular disease also known as infantile paralysis, is caused by the polio virus. The virus invades nerve cells in the spinal cord, resulting in weakness or paralysis of the limbs and muscles. Prior to the successful work of Drs. Salk and Thomas, no one knew how to prevent polio, and there was no cure for the disease. Hot weather in late summer was ''polio season,'' bringing on a rash of new cases of paralytic polio each year. In 1916, a devastating epidemic struck New York, killing 9,000 people and leaving 27,000 disabled. For the next 40 years, not a summer passed without an epidemic occurring somewhere in the U.S. In the 1940s and 1950s, the number of cases reported in the U.S. ranged from 40,000 to 60,000 each year. The warmer months of the year were termed ''nightmare summers of quarantine and contagion.'' President Roosevelt, who suffered personally from the effects of polio, founded the National Foundation for Infantile Paralysis, now called the March of Dimes, and called upon millions of private citizens to donate dimes to fund the foundation's work to fight polio. Today, polio has been nearly eradicated.

Fifty years ago this morning, before more than 500 scientists, physicians, and reporters at Rackham Auditorium in Ann Arbor, Dr. Francis told an anxious world of parents that the Salk vaccine had been proven to be effective in preventing polio. Please join me in honoring the success of Drs. Francis and Salk in combating this devastating disease.

ADDITIONAL STATEMENTS

COMMENDING THE EFFORTS OF BASKETBALL WITHOUT BORDERS

• Mr. DODD. Mr. President, I commend the efforts of Basketball without Borders, an initiative that promotes friendship, understanding, and healthy living for young people around the world.

Today, the National Basketball Association, NBA, and the International Basketball Federation, FIBA, announced that Basketball without Borders will hold four instructional camps in the coming year. For the first time, Basketball without Borders will be staged on four continents: North America, Europe, Asia, and Africa. It will feature professional basketball players from diverse backgrounds, including China's Yao Ming, Argentina's Manu Ginobili, Germany's Dirk Nowitzki, and Congo's Dikembe Mutombo.

The Basketball without Borders initiative is more than an opportunity for children to meet their favorite players and learn basketball skills. It is also a chance for them to learn important lessons about the world in which they live.

In addition to basketball instruction, the children who participate in Basketball without Borders will learn about HIV/AIDS prevention, the importance of education, and ways to lead a healthier life. They will also have the opportunity to meet children whose ethnicities, backgrounds, and cultures are different from their own.

I also applaud the NBA and FIBA for the charitable efforts that are part of the Basketball without Borders initiative. As part of this year's program, the NBA will be conducting several auctions on its website, with the proceeds funding community improvement efforts worldwide, particularly in disadvantaged areas.

As public figures, professional athletes can send a strong message by serving as role models both on and off the playing field. It is my hope that the players who are taking part in Basketball without Borders will inspire basketball fans around the world to take a closer look at ways they can extend a hand of friendship to diverse communities around the globe. I salute the athletes who are participating in this worthy venture, as well as all those whose hard work has made this initiative possible.•

TRIBUTE TO RALPH STURGES, CHIEF OF THE MOHEGAN TRIBE

• Mr. DODD. Mr. President, I honor Ralph Sturges, Chief of the Mohegan Tribe. On April 13, Chief Sturges will receive the Citizen of the Year award from the Chamber of Commerce of Eastern Connecticut.

Chief Sturges is known throughout southeastern Connecticut for his leadership, his community involvement, and his humility. Even as he has risen in the ranks of the Mohegan Tribe, from serving as a member of the Tribal Council in the 1980s to becoming lifetime chief in 1991, he has never lost a sense of who he is or what he stands for.

Born in 1918, Ralph Sturges served in our armed forces during the World War II as a security and intelligence officer. He went on to work for the Philadelphia Legal Aid Society and the Salvation Army, as well as the Legnos Boat Company.

Chief Sturges was renowned for his skills as a craftsman, particularly as a sculptor of traditional Mohegan cultural symbols. Among his many works were a whale sculpture donated to Governor Ella Grasso and the carving of a base for the headstone of the Mohegan chief Samuel Uncas.

When Ralph Sturges was elected lifetime chief of the Mohegan Tribe, as he puts it, he ''didn't have a telephone and didn't have an office.'' He devoted a great deal of time and energy over the coming decade to the cause of securing federal recognition for the Mohegans—a goal that was realized on March 7, 1994.

Today, the Mohegan Tribe stands as a remarkable success story. So much of this success is due to the efforts and dedication of Ralph Sturges, as well as countless others who worked with him over the years.

Chief Sturges is an outstanding citizen, a respected leader, and a devoted member of the Mohegan tribe. He has forged strong bonds between his tribe and the State of Connecticut, as well

as the Federal Government. These bonds have reaped tremendous benefits, not only for the Mohegan Tribe, but all of Southeastern Connecticut. The relationship between Connecticut and the Mohegan Tribe serves as a model that other states and tribal nations would do well to emulate.

The honor Chief Sturges will receive this Wednesday is well-deserved. I applaud Ralph Sturges for all of his accomplishments, I congratulate him on this distinguished award, and I wish him continued health and happiness.●

TRIBUTE TO MARTIN MACKEY

● Mrs. BOXER. Mr. President, I rise to share with my colleagues the memory of a very special man, Martin Mackey of Marin County, CA, who died on March 25, 2005. He was 87 years old. Martin Mackey was born in San Francisco. He earned his engineering degree from Stanford and entered the Navy Midshipman Reserve Training Program. He served in the Navy during World War II and was trained in antisubmarine warfare.

Martin met his wife Mary while on leave in Seattle during World War II. They were engaged 5 days later. Martin and Mary just celebrated their 61st wedding anniversary last December.

After the war and after 22 years of steel and concrete sales with a multinational company, Martin retired with a desire to change the world. The year was 1968, and he was deeply disturbed by social injustice and the assassinations of Martin Luther King, Jr., and Robert Kennedy. He went on a weekend retreat with his wife Mary to figure out what he should contribute to make our world a better place.

Martin played a key role in bringing affordable housing to Marin County. President Lyndon Johnson had just signed the Housing Act into law. Martin's good friend, Larry Livingston, who was a city and regional planner, told Martin that Marin County badly needed low and moderate-income housing. Martin was convinced. As chairman of the Social Concerns Committee at Marin County Unitarian Church, he called upon ministers throughout the county to form a social action group to respond to the community's housing needs. They met in a rent-free office in the attic of a convent. Then he called upon other leaders and friends in the community to join their efforts. This social action group of faith and community leaders began to raise money and became the Ecumenical Association for Housing, EAH, still in existence today.

EAH began with 24 organizations, each pledging $200. Martin selflessly accepted a salary of $1 to serve as executive director. EAH quickly took off and began lending money to architects and regional groups to build affordable housing projects throughout Marin. Their first project was Pilgrim Park, a 61 unit, low-income housing development in San Rafael.

For more than 22 years, Martin devoted himself to EAH and affordable housing. Martin worked to persuade citizens and elected officials to accept low and moderate-income housing in their wealthy communities. To develop his knowledge and save EAH outside consultant fees, Martin went to Catholic University in Washington, DC, to take a 2-month course in how to be a housing consultant. He eventually expanded his services and consulted for affordable housing projects in other parts of the Bay Area as well as Arizona.

From its origins as the fledgling group Martin founded in 1968 to a 325-person staff and $6 million budget, EAH has completed 62 projects and 4,556 housing units in the Bay area and beyond.

Martin was a dynamic figure in Marin County. My staff and I always knew we could call on him for invaluable information and sound advice. He was a passionate and effective advocate for affordable housing. He led EAH with a sense of humor and a deep appreciation for the dedicated individuals who worked with him. His accomplishments in creating affordable housing for Marin residents is legendary. He was also a respected member of the Marin community and a wonderful, inspiring man who will be deeply missed. We take comfort in knowing that countless future generations will benefit from his courage, his vision and his leadership.●

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–1596. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, the report of a rule entitled ''Air Quality Designations for the Fine Particles (PM2.5) National Ambient Air Quality Standards—Supplemental Notice'' (FRL No. 7896–8) received on April 7, 2005; to the Committee on Environment and Public Works.

EC–1597. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Air Quality Implementation Plans; Texas; Low-Emission Diesel Fuel Compliance Date'' (FRL No. 7895–9) received on April 7, 2005; to the Committee on Environment and Public Works.

EC–1598. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Approval and Promulgation of Implementation Plans; Texas; Locally Enforced Idling Prohibition Rule'' (FRL No. 7896–7) received on April 7, 2005; to the Committee on Environment and Public Works.

EC–1599. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''National Emission Standards for Coke Oven Batteries'' (FRL No. 7895–8) received on April 7, 2005; to the Committee on Environment and Public Works.

EC–1600. A communication from the Assistant Secretary for Fish, Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for the Astragalus jaegerainus (Lane Mountain milk-vetch)'' (RIN1018–AI78) received on April 7, 2005; to the Committee on Environment and Public Works.

EC–1601. A communication from the Assistant Secretary for Fish, Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Endangered and Threatened Wildlife and Plants: Establishment of a Nonessential Experimental Population for Two Fishes (Boulder Darter and Spotfin Chub) in Shoal Creek, Tennessee and Alabama '' (RIN1018–AH44) received on April 7, 2005; to the Committee on Environment and Public Works.

EC–1602. A communication from the Assistant Secretary for Fish, Wildlife and Parks, Division of Management Authority, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Revisions to General Permit Procedures'' (RIN1018–AC57) received on April 7, 2005; to the Committee on Environment and Public Works.

EC–1603. A communication from the Acting Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''7 CFR Part 1728, Specifications and Drawings for 12.47/7.2 kV Line Construction'' received on April 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1604. A communication from the Acting Administrator, Rural Utilities Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''7 CFR Part 1738, Rural Broadband Access Loans and Loan Guarantee'' (RIN0572–AB81) received on April 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1605. A communication from the Chairman and CEO, Farm Credit Administration, transmitting, pursuant to law, the report of a rule entitled ''Rules of Practice and Procedure; Adjusting Civil Money Penalties for Inflation'' (RIN3052–AC28) received on April 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1606. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Triflumizole; Pesticide Tolerances for Emergency Exemptions'' (FRL No. 7701–6) received on April 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1607. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Paecilomyces lilacinus strain 251; Exemption from the Requirement of a Tolerance'' (FRL No. 7708–4) received on April 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1608. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Buprofezin; Pesticide Tolerance'' (FRL No. 7691–8) received on April 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1609. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Acetamiprid; Pesticide Tolerance'' (FRL No. 7705–7) received on April 7, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–1610. A communication from the Vice President, Government Affairs, National Railroad Passenger Corporation, transmitting, pursuant to law, a report of the Corporation's intent to submit its annual Legislative and Grant Request for fiscal year 2006; to the Committee on Commerce, Science, and Transportation.

EC–1611. A communication from the Secretary of Commerce, transmitting, pursuant to law, the 2004 Annual Report of the Visiting Committee on Advanced Technology of the National Institute of Standards and Technology (NIST); to the Committee on Commerce, Science, and Transportation.

EC–1612. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Saab Model SAAB SF340A and 340B Series Airplanes;'' ((RIN2120–AA64) (2005–0126)) received on April 4, 2005; to the Committee on Commerce, Science, and Transportation.

EC–1613. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Airbus Model A330, A340–200, and A340–300 Series Airplanes'' ((RIN2120–AA64) (2005–0131)) received on April 4, 2004; to the Committee on Commerce, Science, and Transportation.

EC–1614. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Hartzell Propeller, Inc. Model HC B3TN 5 T10282 Propellers'' ((RIN2120–AA64) (2005–0125)) received on April 4, 2004; to the Committee on Commerce, Science, and Transportation.

EC–1615. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 747–400, 400D, and 400F Series Airplanes'' ((RIN2120–AA64) (2005–0118)) received on April 4, 2004; to the Committee on Commerce, Science, and Transportation.

EC–1616. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Saab Model SAAB SF340A and SAAB 340B Series Airplanes'' ((RIN2120–AA64) (2005–0117)) received on April 4, 2004; to the Committee on Commerce, Science, and Transportation.

EC–1617. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Dassault Model Falcon 10 Series Airplanes'' ((RIN2120–AA64) (2005–0116)) received on April 4, 2004; to the Committee on Commerce, Science, and Transportation.

EC–1618. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Bell Helicopter Textron Canada Model 222, 222B, 222U, 230, and 430 Helicopters'' ((RIN2120–AA64) (2005–0115)) received on April 4, 2004; to the Committee on Commerce, Science, and Transportation.

EC–1619. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Empresa Brasileira de Aeronautica SA Model EMB 135 and 145 Series Airplanes'' ((RIN2120–AA64) (2005–0122)) received on April 4, 2004; to the Committee on Commerce, Science, and Transportation.

EC–1620. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives: Boeing Model 707–100, 100B, 300B, and E3A Series Airplanes; Model 720 and 720B Series Airplanes; Model 737–100, 200, 200C, 300, 400, and 500 Series Airplanes; and Model 747 Airplanes'' ((RIN2120–AA64) (2005–0121)) received on April 4, 2004; to the Committee on Commerce, Science, and Transportation.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. CHAMBILSS for the Committee on Agriculture, Nutrition, and Forestry. Charles F. Conner, of Indiana, to be Deputy Secretary of Agriculture.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CRAIG (for himself and Mr. CRAPO):

S. 761. A bill to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. VOINOVICH (for himself, Mr. LEVIN, Mr. DEWINE, Ms. STABENOW, Mr. CORNYN, Mr. ALEXANDER, Mr. DEMINT, Mrs. DOLE, Mr. VITTER, Mr. MARTINEZ, Mr. ISAKSON, Mr. NELSON of Florida, Mr. LUGAR, Mr. BURR, Mr. COCHRAN, Mr. LOTT, Mrs. HUTCHISON, Mr. CHAMBLISS, Mr. BAYH, Mr. ALLEN, and Ms. LANDRIEU):

S. 762. A bill to amend title 23, United States Code, to increase the minimum allocation provided to states for use in carrying out certain highway programs; to the Committee on Environment and Public Works.

By Mr. DORGAN (for himself and Mrs. HUTCHISON):

S. 763. A bill to direct the Federal Railroad Administration to make welded rail and tank car improvements; to the Committee on Commerce, Science, and Transportation.

By Mr. CORZINE (for himself and Mr. LAUTENBERG):

S. 764. A bill to amend title XVIII of the Social Security Act to improve the coordination of prescription drug coverage provided under State pharmaceutical assistance programs with the prescription drug benefit provided under the medicare program, and for other purposes; to the Committee on Finance.

By Mr. WARNER (for himself and Mr. DURBIN):

S. 765. A bill to preserve mathematics- and science-based industries in the United States; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SANTORUM:

S. 766. A bill to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies; to the Committee on the Judiciary.

By Mr. BOND (for himself, Ms. MIKULSKI, Mr. TALENT, Mr. HARKIN, Mr. ROBERTS, and Mr. COLEMAN):

S. 767. A bill to establish a Division of Food and Agricultural Science within the National Science Foundation and to authorize funding for the support of fundamental agricultural research of the highest quality, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCHUMER (for himself and Mr. NELSON of Florida):

S. 768. A bill to provide for comprehensive identity theft prevention; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. FEINGOLD (for himself and Mr. HAGEL):

S. Res. 104. A resolution expressing the sense of the Senate encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations in creating an online database of international exchange programs and related opportunities; to the Committee on Foreign Relations.

By Ms. MURKOWSKI (for herself, Mr. AKAKA, Mr. ALLEN, Mr. BAYH, Mr. BINGAMAN, Mrs. BOXER, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CRAIG, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GREGG, Mr. HAGEL, Mr. ISAKSON, Mr. JOHNSON, Mr. KERRY, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. LEVIN, Mr. LOTT, Mr. MARTINEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. REED, Mr. SALAZAR, Mr. SANTORUM, Mr. SCHUMER, Mr. SESSIONS, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. THUNE, and Mr. BUNNING):

S. Res. 105. A resolution designating April 15, 2005, as National Youth Service Day, and for other purposes; considered and agreed to.

By Mr. CONRAD (for himself, Mr. SANTORUM, Mr. ALLARD, Mr. BAYH, Mr. BINGAMAN, Mrs. BOXER, Mr. CARPER, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. CORZINE, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mrs. FEINSTEIN, Mr. ISAKSON, Mr. JEFFORDS, Mr. JOHNSON, Ms. LANDRIEU, Mr. LEAHY, Ms. MIKULSKI, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SCHUMER, Mr. SPECTER, and Mr. STEVENS):

S. Con. Res. 26. A concurrent resolution honoring and memorializing the passengers and crew of United Airlines Flight 93; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 21

At the request of Ms. COLLINS, the name of the Senator from Rhode Island

(Mr. CHAFEE) was added as a cosponsor of S. 21, a bill to provide for homeland security grant coordination and simplification, and for other purposes.

S. 35

At the request of Mr. CONRAD, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 35, a bill to amend the Internal Revenue Code of 1986 to extend the credit for production of electricity from wind.

S. 77

At the request of Mr. SESSIONS, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 77, a bill to amend titles 10 and 38, United States Code, to improve death benefits for the families of deceased members of the Armed Forces, and for other purposes.

S. 103

At the request of Mr. TALENT, the name of the Senator from West Virginia (Mr. BYRD) was added as a cosponsor of S. 103, a bill to respond to the illegal production, distribution, and use of methamphetamine in the United States, and for other purposes.

S. 241

At the request of Ms. SNOWE, the names of the Senator from Idaho (Mr. CRAPO) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 331

At the request of Mr. JOHNSON, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 331, a bill to amend title 38, United States Code, to provide for an assured adequate level of funding for veterans health care.

S. 333

At the request of Mr. SANTORUM, the name of the Senator from Montana (Mr. BURNS) was added as a cosponsor of S. 333, a bill to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran.

S. 352

At the request of Ms. MIKULSKI, the names of the Senator from South Dakota (Mr. JOHNSON) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 352, a bill to revise certain requirements for H–2B employers and require submission of information regarding H–2B non-immigrants, and for other purposes.

S. 359

At the request of Mr. CRAIG, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 359, a bill to provide for the adjustment of status of certain foreign agricultural workers, to amend the Immigration and Nationality Act to reform the H–2A worker program under that Act, to provide a stable, legal agricultural workforce, to extend basic legal protections and better working conditions to more workers, and for other purposes.

S. 370

At the request of Mr. LOTT, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 370, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 397

At the request of Mr. CRAIG, the names of the Senator from Ohio (Mr. VOINOVICH) and the Senator from Utah (Mr. BENNETT) were added as cosponsors of S. 397, a bill to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others.

S. 398

At the request of Mr. SANTORUM, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 398, a bill to amend the Internal Revenue Code of 1986 to expand the expensing of environmental remediation costs.

S. 432

At the request of Mr. ALLEN, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 432, a bill to establish a digital and wireless network technology program, and for other purposes.

S. 438

At the request of Mr. ENSIGN, the names of the Senator from South Carolina (Mr. GRAHAM) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 438, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 477

At the request of Mr. DORGAN, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 477, a bill to amend the Homeland Security Act of 2002 to include Indian tribes among the entities consulted with respect to activities carried out by the Secretary of Homeland Security, and for other purposes.

S. 484

At the request of Mr. WARNER, the names of the Senator from Arkansas (Mr. PRYOR), the Senator from Vermont (Mr. LEAHY) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of S. 484, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 487

At the request of Mr. SMITH, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 487, a bill to amend title 10, United States Code, to provide leave for members of the Armed Forces in connection with adoptions of children, and for other purposes.

S. 494

At the request of Mr. AKAKA, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 494, a bill to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, and for other purposes.

S. 495

At the request of Mr. NELSON of Florida, his name was added as a cosponsor of S. 495, a bill to impose sanctions against perpetrators of crimes against humanity in Darfur, Sudan, and for other purposes.

S. 506

At the request of Mr. HAGEL, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 506, a bill to amend the Public Health Service Act to establish a scholarship and loan repayment program for public health preparedness workforce development to eliminate critical public health preparedness workforce shortages in Federal, State, local, and tribal public health agencies.

S. 512

At the request of Mr. SANTORUM, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 512, a bill to amend the Internal Revenue Code of 1986 to classify automatic fire sprinkler systems as 5-year property for purposes of depreciation.

S. 555

At the request of Mr. DEWINE, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 555, a bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 582

At the request of Mr. PRYOR, the names of the Senator from Montana (Mr. BURNS), the Senator from Michigan (Ms. STABENOW), the Senator from Minnesota (Mr. COLEMAN), the Senator from Montana (Mr. BAUCUS), the Senator from New Mexico (Mr. DOMENICI), the Senator from Oregon (Mr. WYDEN), the Senator from Kansas (Mr. BROWNBACK), the Senator from Indiana (Mr. BAYH), the Senator from Iowa (Mr. GRASSLEY), the Senator from New York (Mr. SCHUMER), the Senator from Kansas (Mr. ROBERTS), the Senator from California (Mrs. BOXER), the Senator from Nevada (Mr. REID), the Senator from Connecticut (Mr. DODD) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 582, a bill to require the Secretary of the Treasury to mint coins in commemoration of the

50th anniversary of the desegregation of the Little Rock Central High School in Little Rock, Arkansas, and for other purposes.

S. 586

At the request of Mr. BOND, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 586, a bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of certain disaster mitigation payments.

S. 595

At the request of Mr. SANTORUM, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 595, a bill to amend the Internal Revenue Code of 1986 to modify the work opportunity credit and the welfare-to-work credit.

S. 611

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 611, a bill to establish a Federal Interagency Committee on Emergency Medical Services and a Federal Interagency Committee on Emergency Medical Services Advisory Council, and for other purposes.

S. 619

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 619, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 626

At the request of Mr. NELSON of Nebraska, the name of the Senator from Indiana (Mr. BAYH) was added as a cosponsor of S. 626, a bill to amend title XVIII of the Social Security Act to improve access to diabetes self management training by designating certified diabetes educators who are recognized by a nationally recognized certifying body and who meet the same quality standards set forth for other providers of diabetes self management training, as certified providers for purposes of outpatient diabetes self-management training services under part B of the medicare program.

S. 627

At the request of Ms. CANTWELL, her name was added as a cosponsor of S. 627, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, to increase the rates of the alternative incremental credit, and to provide an alternative simplified credit for qualified research expenses.

S. 633

At the request of Mr. JOHNSON, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from North Carolina (Mrs. DOLE) were added as cosponsors of S. 633, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 642

At the request of Mr. FRIST, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 642, a bill to support certain national youth organizations, including the Boy Scouts of America, and for other purposes.

S. 656

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 656, a bill to provide for the adjustment of status of certain nationals of Liberia to that of lawful permanent residence.

S. 658

At the request of Mr. BROWNBACK, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 658, a bill to amend the Public Health Service Act to prohibit human cloning.

S. 662

At the request of Ms. COLLINS, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. 662, a bill to reform the postal laws of the United States.

S. 675

At the request of Mr. DORGAN, the name of the Senator from Minnesota (Mr. COLEMAN) was added as a cosponsor of S. 675, a bill to reward the hard work and risk of individuals who choose to live in and help preserve America's small, rural towns, and for other purposes.

S. 722

At the request of Mr. SANTORUM, the names of the Senator from Colorado (Mr. ALLARD), the Senator from North Dakota (Mr. CONRAD) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 722, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 725

At the request of Mr. DODD, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 725, a bill to improve the Child Care Access Means Parents in School Program.

S. 756

At the request of Mr. BENNETT, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 756, a bill to amend the Public Health Service Act to enhance public and health professional awareness and understanding of lupus and to strengthen the Nation's research efforts to identify the causes and cure of lupus.

S. 758

At the request of Mr. ALLEN, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 758, a bill to amend the Internal Revenue Code of 1986 to ensure that the federal excise tax on communication services does not apply to internet access service.

S. RES. 40

At the request of Ms. LANDRIEU, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 40, a resolution supporting the goals and ideas of National Time Out Day to promote the adoption of the Joint Commission on Accreditation of Healthcare Organizations' universal protocol for preventing errors in the operating room.

S. RES. 82

At the request of Mr. ALLEN, the names of the Senator from Ohio (Mr. DEWINE) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. Res. 82, a resolution urging the European Union to add Hezbollah to the Eurpoean Union's wide-ranging list of terrorist organizations.

S. RES. 85

At the request of Mr. THOMAS, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. Res. 85, a resolution designating July 23, 2005, and July 22, 2006, as ''National Day of the American Cowboy.''

AMENDMENT NO. 204

At the request of Mr. SMITH, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of amendment No. 204 proposed to S. Con. Res. 18, an original concurrent resolution setting forth the congressional budget for the United States Government for fiscal year 2006 and including the appropriate budgetary levels for fiscal years 2005 and 2007 through 2010.

AMENDMENT NO. 316

At the request of Mr. NELSON of Florida, the names of the Senator from Massachusetts (Mr. KENNEDY), the Senator from Arkansas (Mrs. LINCOLN) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of amendment No. 316 intended to be proposed to H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes.

AMENDMENT NO. 333

At the request of Mr. KERRY, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of amendment No. 333 proposed to H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes.

AMENDMENT NO. 334

At the request of Mr. KERRY, the names of the Senator from Illinois (Mr.

OBAMA), the Senator from New Jersey (Mr. CORZINE) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of amendment No. 334 proposed to H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CRAIG (for himself and Mr. CRAPO):

S. 761. A bill to rename the Snake River Birds of Prey National Conservation Area in the State of Idaho as the Morley Nelson Snake River Birds of Prey National Conservation Area in honor of the late Morley Nelson, an international authority on birds of prey, who was instrumental in the establishment of this National Conservation Area, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President, I rise today to introduce, along with my colleague, Mr. CRAPO, a bill to rename a National Conservation Area in the State of Idaho after the late Morley Nelson. This bill renames it the Morley Nelson Snake River Birds of Prey National Conservation Area.

After returning home as a decorated veteran of World War II, having served with the famed 10th Mountain Division in Italy, Morley Nelson recognized the unique importance of the Snake River area for birds of prey. He worked for its protection and various designations, culminating in its establishment by Congress as a National Conservation Area.

Starting in the 1950s, Morley Nelson spent decades convincing ranchers and farmers not to shoot raptors, but rather to accept them as an integral part of the ecosystem.

Morley Nelson raised public awareness about birds of prey through scores of speeches with an eagle on his fist, and through dozens of movies and TV specials starring his eagle or hawks, including seven films for Disney.

Morley Nelson recognized the longstanding problem with raptor electrocution from power lines and the associated power outages and even resulting wildfires. In cooperation with Idaho Power, and later with other utilities, he helped develop guards and redesigned power transmission lines to reduce raptor electrocution. This technology has since spread throughout the world.

Morley Nelson once said, ''This is where the wind and the cliffs and the birds are. This is where I'll always be.'' It seems only fitting that the Snake River Birds of Prey National Conservation Area should bear his name.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 761

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Morley Nelson Snake River Birds of Prey National Conservation Area Act''.

SEC. 2. RENAMING OF SNAKE RIVER BIRDS OF PREY NATIONAL CONSERVATION AREA.

(a) RENAMING.—Public Law 103–64 is amended—

(1) in section 2(2) (16 U.S.C. 460iii–1(2)), by inserting ''Morley Nelson'' before ''Snake River Birds of Prey National Conservation Area''; and

(2) in section 3(a)(1) (16 U.S.C. 460iii–2(a)(1)), by inserting ''Morley Nelson'' before ''Snake River Birds of Prey National Conservation Area''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Snake River Birds of Prey National Conservation Area shall be deemed to be a reference to the Morley Nelson Snake River Birds of Prey National Conservation Area.

(c) TECHNICAL CORRECTIONS.—Public Law 103–64 is further amended—

(1) in section 3(a)(1) (16 U.S.C. 460iii–2(a)(1)), by striking ''(hereafter referred to as the 'conservation area')''; and

(2) in section 4 (16 U.S.C. 460iii–3)—

(A) in subsection (a)(2), by striking ''Conservation Area'' and inserting ''conservation area''; and

(B) in subsection (d), by striking ''Visitors Center'' and inserting ''visitors center''.

By Mr. VOINOVICH (for himself, Mr. LEVIN, Mr. DEWINE, Ms. STABENOW, Mr. CORNYN, Mr. ALEXANDER, Mr. DEMINT, Mrs. DOLE, Mr. VITTER, Mr. MARTINEZ, Mr. ISAKSON, Mr. NELSON of Florida, Mr. LUGAR, Mr. BURR, Mr. COCHRAN, Mr. LOTT, Mrs. HUTCHISON, Mr. CHAMBLISS, Mr. BAYH, Mr. ALLEN, and Ms. LANDRIEU):

S. 762. A bill to amend title 23, United States Code, to increase the minimum allocation provided to states for use in carrying out certain highway programs; to the Committee on Environment and Public Works.

Mr. VOINOVICH. Mr. President, I rise today to introduce the Highway Funding Equity Act of 2005. I am joined on a bipartisan basis by Senators LEVIN, DEWINE, STABENOW, CORNYN, ALEXANDER, DEMINT, DOLE, VITTER, MARTINEZ, ISAKSON, NELSON of Florida, LUGAR, BURR, COCHRAN, LOTT, HUTCHISON, CHAMBLISS, BAYH, ALLEN, and LANDRIEU.

The Transportation Equity Act for the 21st Century, TEA–21 authorized more than $218 billion for transportation programs and expired in September 2003, but has been extended through May 2005. TEA–21 requires certain States, known as donor States, to transfer to other States a percentage of the revenue from federal highway user fees. Several of these donor States transfer more than 10 percent of every federal highway user fee dollar to other States. As a result, donor States receive a significantly lower rate-of-return on their transportation tax dollars being sent to Washington. Currently, over 25 States, including my State of Ohio, contribute more money to the Highway Trust Fund than they receive back.

My State of Ohio has the Nation's 10th largest highway network, the 5th highest volume of traffic, the 4th largest interstate highway network, and the 2nd largest inventory of bridges in the country. Ohio is a major manufacturing State and is within 600 miles of 50 percent of the population of North America. The interstate highways throughout Ohio and all the donor States provide a vital link to suppliers, manufacturers, distributors, and—consumers.

Maintaining our Nation's highway infrastructure is essential to a robust economy and increasing Ohio's share of federal highway dollars has been a longtime battle of mine. One of my goals when I became Governor 14 years ago was to increase our rate-of-return from 79 percent to 87 percent in the Intermodal Surface Transportation Efficiency Act of 1991, ISTEA. Then, in 1998, as chairman of the National Governors Association, I lobbied Congress to increase the minimum rate-of-return to 90.5 percent. The goal of the Highway Funding Equity Act of 2005 is to increase the minimum guaranteed rate-of-return to 95 percent.

The Highway Funding Equity Act of 2005 has two components. First, the bill would increase the minimum guaranteed rate-of-return in TEA–21 from 90.5 percent of a State's share of contributions to the Highway Trust Fund to 95 percent. The Minimum Guarantee under TEA–21 includes all major Core highway programs: Interstate Maintenance, National Highway System, Bridge, Surface Transportation Program, Congestion Mitigation and Air Quality, Metropolitan Planning, Recreational Trails, and any funds provided by the Minimum Guarantee itself.

Second, the bill uses the table of percentages now in Section 105 of Title 23 to guarantee States with a population density of less the 50 people per square mile a minimum rate-of-return that may exceed 95 percent of that State's share of Highway Account contributions. This provision is intended to ensure that every State is able to provide the quality of road systems needed for national mobility, economic prosperity, and national defense. Under the 2000 Census, this provision would benefit 15 States: Alaska, Arizona, Colorado, Idaho, Kansas, Maine, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, and Wyoming.

Increasing donor States' rate of return to 95 percent will send more than $60 million back to Ohio for road improvements we sorely need. The interstate system was built in the 1950s to serve the demands and traffic of the 1980s. Today, Ohio's infrastructure is functionally obsolete. Nearly every central urban interstate in Ohio is over capacity and plagued with accidents and congestion. Ohio's critical roadways are unable to meet today's traffic demands, much less future traffic which is expected to grow nearly 70

percent in the next 20 years. Like all the donor states, we need these funds in Ohio.

States can no longer afford to support others that are already self-sufficient. Each State has its own needs that far outweigh total available funding, especially in light of the so called ''mega projects'' coming due in the next decade. For example, the Brent Spence Bridge that carries Interstates 71 and 75 across the Ohio River into Kentucky is in need of replacement within the next 10 years at a cost of about $500 million. With the inclusion of the approach work, the total project could cost close to $1 billion.

The goal of this legislation is to improve the rate-of-return on donor States' dollars to guarantee that Federal highway program funding is more equitable for all States. Donor States seek only their fair share, and I look forward to working with my colleagues to improve highway funding equity during the upcoming surface transportation reauthorization process. I am pleased with the strong bipartisan support this legislation has received. In addition, I am hopeful that the highway bill will be brought to the Senate floor quickly, so that we can move to a conference. It is vital that our Nation's highway infrastructure needs be properly addressed to ensure continued economic growth.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 762

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Highway Funding Equity Act of 2005''.

SEC. 2. MINIMUM GUARANTEE.

Section 105 of title 23, United States Code, is amended—

(1) by striking subsection (a) and subsections (c) through (f);

(2) by redesignating subsection (b) as subsection (e);

(3) by inserting after the section heading the following:

''(a) GUARANTEE.—

''(1) IN GENERAL.—For each of fiscal years 2005 through 2009, the Secretary shall allocate among the States amounts sufficient to ensure that the percentage for each State of the total apportionments for the fiscal year for the National Highway System under section 103(b), the high priority projects program under section 117, the Interstate maintenance program under section 119, the surface transportation program under section 133, metropolitan planning under section 134, the highway bridge replacement and rehabilitation program under section 144, the congestion mitigation and air quality improvement program under section 149, the recreational trails program under section 206, the Appalachian development highway system under subtitle IV of title 40, and the minimum guarantee under this paragraph, equals or exceeds the percentage determined for the State under paragraph (2).

''(2) STATE PERCENTAGES.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), the percentage for each State referred to in paragraph (1) is the percentage that is equal to 95 percent of the ratio that—

''(i) the estimated tax payments attributable to highway users in the State paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available; bears to

''(ii) the estimated tax payments attributable to highway users in all States paid into the Highway Trust Fund (other than the Mass Transit Account) in the most recent fiscal year for which data are available.

''(B) EXCEPTION.—In the case of a State having a population density of less than 50 individuals per square mile according to the 2000 decennial census, the percentage referred to in paragraph (1) shall be the greater of—

''(i) the percentage determined under subparagraph (A); or

''(ii) the percentage specified in subsection (e).

''(b) TREATMENT OF FUNDS.—

''(1) PROGRAMMATIC DISTRIBUTION.—The Secretary shall apportion the amounts made available under this section that exceed $2,800,000,000 so that the amount apportioned to each State under this paragraph for each program referred to in subsection (a)(1) (other than the high priority projects program, metropolitan planning, the recreational trails program, the Appalachian development highway system, and the minimum guarantee under subsection (a)) is equal to the product obtained by multiplying—

''(A) the amount to be apportioned under this paragraph; and

''(B) the ratio that—

''(i) the amount of funds apportioned to the State for each program referred to in subsection (a)(1) (other than the high priority projects program, metropolitan planning, the recreational trails program, the Appalachian development highway system, and the minimum guarantee under subsection (a)) for a fiscal year; bears to

''(ii) the total amount of funds apportioned to the State for that program for the fiscal year.

''(2) REMAINING DISTRIBUTION.—

''(A) IN GENERAL.—Subject to subparagraph (B), the Secretary shall apportion the remainder of funds made available under this section to the States, and administer those funds, in accordance with section 104(b)(3).

''(B) INAPPLICABLE REQUIREMENTS.—Paragraphs (1), (2), and (3) of section 133(d) shall not apply to amounts apportioned in accordance with this paragraph.

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) such sums as are necessary to carry out this section for each of fiscal years 2005 through 2009.

''(d) GUARANTEE OF 95 PERCENT RETURN.—

''(1) IN GENERAL.—For each of fiscal years 2005 through 2009, before making any apportionment under this title, the Secretary shall—

''(A) determine whether the sum of the percentages determined under subsection (a)(2) for the fiscal year exceeds 100 percent; and

''(B) if the sum of the percentages exceeds 100 percent, proportionately adjust the percentages specified in the table contained in subsection (e) to ensure that the sum of the percentages determined under subsection (a)(1)(B) for the fiscal year equals 100 percent.

''(2) ELIGIBILITY THRESHOLD FOR ADJUSTMENT.—The Secretary may make an adjustment under paragraph (1) for a State for a fiscal year only if the percentage for the State in the table contained in subsection (e) is equal to or exceeds 95 percent of the ratio determined for the State under subsection (a)(1)(B)(i) for the fiscal year.

''(3) LIMITATION ON ADJUSTMENTS.—Adjustments of the percentages in the table contained in subsection (e) in accordance with this subsection shall not result in a total of the percentages determined under subsection (a)(2) that exceeds 100 percent.''; and

(4) in subsection (e) (as redesignated by paragraph (2)), by striking ''subsection (a)'' and inserting ''subsections (a)(2)(B)(ii) and (d)''.

Mr. LEVIN. Mr. President, today I join Senator VOINOVICH in introducing the Highway Funding Equity Act of 2005.

Our bill will allow States to get back a fairer share of what they contribute in gas taxes to the highway trust fund. We do this by increasing the Federal minimum guaranteed funding level for highways to 95 percent from the current 90.5 percent of a State's share of contributions made to the Federal Highway Trust Fund in gas tax payments.

Increasing this minimum guarantee to 95 percent will bring us one step closer to achieving fairness in the distribution of Federal highway funds to States.

Historically about 20 States, including Michigan, known as ''donor'' States, have sent more gas tax dollars to the Highway Trust Fund in Washington than were returned in transportation infrastructure spending. The remaining 30 States, known as ''donee'' States, have received more transportation funding than they paid into the Highway Trust Fund.

This came about in 1956 when a number of small States and large Western States banded together to develop a formula to distribute Federal highway dollars that advantaged themselves over the remaining States. They formed a coalition of about 30 States that would benefit from the formula and, once that formula was in place, have tenaciously defended it.

At the beginning there was some legitimacy to the large low-population predominately Western States getting more funds than they contributed to the system in order to build a national interstate highway system. Some arguments remain for providing additional funds to those States to maintain the national system and our bill will do that. However, there is no justification for any State getting more than its fair share.

Each time the highway bill is reauthorized the donor States that have traditionally subsidized other States' road and bridge projects have fought to correct this inequity in highway funding. It has been a long struggle to change these outdated formulas. Through these battles, some progress has been made. For instance, in 1978, Michigan was getting around 75 cents on our gas tax dollar. The 1991 bill brought us up to approximately 80 cents per dollar and the 1998 bill guaranteed a 90.5 cent minimum return for each State.

We still have a long way to go to achieve fairness for Michigan and other States on the return on our Highway Trust Fund contributions. At stake are tens of millions of dollars a year in additional funding to pay for badly needed transportation improvements in Michigan alone and the jobs that go with it. Based on FHWA data, we calculate that Michigan would have received over $55 million in additional funds in FY 2004 under the Voinovich-Levin 95 percent minimum guarantee bill. That's a critically important difference for Michigan each year. The same is true for other donor States that stand to get back millions more of their gas tax dollars currently being sent to other States. There's no logical reason for some States to be forced to continue to send that money to other states to subsidize their road and bridge projects and to perpetuate this imbalance is simply unfair and unjustifiable.

With the national interstate system completed, the formulas used to determine how much a State will receive from the Highway Trust Fund are antiquated and do not relate to what a State's real needs or contributions are.

The Voinovich-Levin bill is a consensus bill developed with the help of donor State Department of Transportation agencies and their coalition working group. This legislation would increase the minimum guarantee from 90.5 percent to 95 percent for all States. With this legislation, we intend to send a strong message to our colleagues and the authorizing Committee about the need to address the equity issue in the highway reauthorization bill. We are determined to make progress in this bill to distribute the highway funds in a more equitable manner so that every State gets its fair share.

This is simply an issue of fairness and we will not be satisfied until we achieve it.

By Mr. DORGAN (for himself and Mrs. HUTCHISON):

S. 763. A bill to direct the Federal Railroad Administration to make welded rail and tank car improvements; to the Committee on Commerce, Science, and Transportation.

Mr. DORGAN. Mr. President, today I am introducing bipartisan legislation to address improvements that need to be made to the Nation's rail tracks and tank cars. I am very pleased to be joined on this bill by Senator KAY BAILEY HUTCHISON.

It is vital that we address this issue of track and tank car safety. Rail accidents occur in our Nation too frequently, and can cause devastating harm, ranging from economic loss, environmental or health hazards, or the worst tragedy, the loss of human life.

In my own State of North Dakota a terrible derailment took place in Minot, ND in January of 2002. At approximately 1:37 a.m. on January 18, 2002, an eastbound Canadian Pacific Railway freight train, derailed 31 of its 112 cars about ½ mile west of the city limits of Minot, ND.

Five tank cars carrying anhydrous ammonia, a liquefied compressed gas, catastrophically ruptured, and a vapor plume covered the derailment site and surrounding area. About 146,700 gallons of anhydrous ammonia were released from the five cars, and a cloud of hydrolyzed ammonia formed almost immediately. This plume rose an estimated 300 feet and gradually expanded 5 miles downwind of the accident site and over a population of about 11,600 people. One resident was fatally injured, and 60 to 65 residents of the neighborhood nearest the derailment site had to be rescued. Over the next 5 days, another 74,000 gallons of anhydrous ammonia were released from six other anhydrous ammonia tank cars.

As a result of the accident, 11 people sustained serious injuries, and 322 people, including the 2 train crewmembers, sustained minor injuries. Damages exceeded $2 million, and more than $8 million was been spent for environmental remediation. Imagine the devastation that could have occurred if this accident had happened in a more populated area.

The National Transportation Safety Board (NTSB) investigated this terrible derailment, and in its report issued important safety recommendations on track inspections and tank car crashworthiness. The findings by the NTSB raised great concern. NTSB estimated that the pre-1989 tank cars were insufficiently crashworthy. The cars were estimated to make up approximately 60 percent of the pressure tank cars in the rail system, and with a 50-year lifespan, could continue operating until 2039. The risks posed by these cars are significant, and the NTSB set forth recommendations on addressing these safety issues.

Of further concern is the fact that statistics show that there were more than 1.23 million tank car shipments of hazardous materials in 2000, the last year for which the study had data available, in the United States and Canada. Of the top 10 hazardous materials transported by tank car, 5 were class 2 liquefied compressed gases, LPG, anhydrous ammonia, chlorine, propane, and vinyl chloride, that together accounted for more than 246,600 tank car shipments, or about 20 percent of all hazardous materials shipments by tank car.

Consequently, the NTSB specifically stated concerns about continued transportation of class 2 hazardous materials in pre-1989 tank cars. Because of the high volume of liquefied gases transported in these tank cars and the cars' lengthy service lives, the NTSB concluded that using these cars to transport DOT class 2 hazardous materials under current operating practices poses an unquantified but real risk to the public. The NTSB also concluded that research was needed on improving the crashworthiness of all tank cars.

With regards to track safety, the NTSB also found that improved track inspection, such as visual inspections, and additional oversight by the FRA was necessary. The accident was caused in part because of undetected cracks in the rail tracks, and NTSB concluded that track inspections to identify and remove cracked rail components before the cracks grow to critical size are the primary preventive measure to ensure safety.

The findings from the NTSB's report are extremely troubling, and require immediate action by the Federal Railroad Administration (FRA) to implement the safety recommendations. Our legislation incorporates these recommendations and others on track safety, and sets forth time frames for the FRA to act so that we ensure that these critical and potentially life-saving recommendations will move forward.

It is important to note that the terrible tragedy that took place in Madrid last year demonstrates that tank and track safety are vital to prevent not only against rail accidents, but also against terrorist attacks against our rail system. We cannot delay on investigating improvements to tank cars that travel every day across this country, often carrying dangerous loads of hazardous material. This is a necessary step in improving rail security.

We will now work with the Senate Commerce Committee and the Senate leadership to speed enactment of this important legislation. Last year similar provisions were included in a larger rail security bill that passed the Senate, and I am hopeful that we can proceed along the same route this year, as both measures are vital to protect our rail system. I invite my colleagues to join me in cosponsoring this bill.

I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 763

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Welded Rail and Tank Car Safety Improvement Act''.

SEC. 2. WELDED RAIL AND TANK CAR SAFETY IMPROVEMENTS.

(a) TRACK STANDARDS.—

(1) IN GENERAL.—Within 90 days after the date of enactment of this Act, the Federal Railroad Administration shall—

(A) require each track owner using continuous welded rail track to include procedures (in its procedures filed with the Administration pursuant to section 213.119 of title 49, Code of Federal Regulations) to improve the identification of cracks in rail joint bars;

(B) instruct Administration track inspectors to obtain copies of the most recent continuous welded rail programs of each railroad within the inspectors' areas of responsibility and require that inspectors use those programs when conducting track inspections; and

(C) establish a program to review continuous welded rail joint bar inspection data from railroads and Administration track inspectors periodically.

(2) Whenever the Administration determines that it is necessary or appropriate the Administration may require railroads to increase the frequency of inspection, or improve the methods of inspection, of joint bars in continuous welded rail.

(b) TANK CAR STANDARDS.—The Federal Railroad Administration shall—

(1) validate a predictive model to quantify the relevant dynamic forces acting on railroad tank cars under accident conditions within 1 year after the date of enactment of this Act; and

(2) initiate a rulemaking to develop and implement appropriate design standards for pressurized tank cars within 18 months after the date of enactment of this Act.

(c) OLDER TANK CAR IMPACT RESISTANCE ANALYSIS AND REPORT.—Within 1 year after the date of enactment of this Act the Federal Railroad Administration shall conduct a comprehensive analysis to determine the impact resistance of the steels in the shells of pressure tank cars constructed before 1989. Within 6 months after completing that analysis the Administration shall—

(1) establish a program to rank those cars according to their risk of catastrophic fracture and separation;

(2) implement measures to eliminate or mitigate this risk; and

(3) transmit a report to the Senate Committee on Commerce, Science, and Transportation and the House of Representatives Committee on Transportation and Infrastructure setting forth the measures implemented.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Federal Railroad Administration $1,000,000 for fiscal year 2006 to carry out this section, such sums to remain available until expended.

By Mr. CORZINE (for himself and Mr. LAUTENBERG):

S. 764. A bill to amend title XVIII of the Social Security Act to improve the coordination of prescription drug coverage provided under State pharmaceutical assistance programs with the prescription drug benefit provided under the medicare program, and for other purposes; to the Committee on Finance.

Mr. CORZINE. Mr. President, I rise today along with my colleague, Senator LAUTENBERG, to introduce legislation, the Preserving Access to Affordable Drugs (PAAD) Act. This legislation is essential to ensuring that our most vulnerable seniors who have existing prescription drug coverage do not see a reduction or disruption in their coverage once the Medicare prescription drug program goes into effect.

Hundreds of thousands of seniors, including 190,000 in my State, currently enrolled in state pharmacy assistance programs (SPAPs) will be forced out of those programs and into a private drug plan under the Medicare prescription drug benefit. Additionally, approximately six million seniors, including 140,000 in New Jersey, who are dually eligible for Medicare and Medicaid will lose access to their Medicaid prescription drug benefits, which are more generous and provide greater access to a variety of drugs than the Medicare benefit will.

No senior should be made worse off by the new Medicare law. The law should expand benefits—not reduce them. The PAAD Act will make critical changes to the Medicare law to ensure that the above-mentioned benefits are safeguarded.

The PAAD Act will allow States to automatically enroll SPAP and dually eligible Medicaid beneficiaries into one or more preferred prescription drug plans to ensure that these beneficiaries are enrolled in a Medicare drug plan that maximizes both their Federal and State prescription drug coverage and ensures for a seamless transition to the new Medicare Part D drug benefit.

The PAAD Act will ensure that New Jersey seniors who currently receive prescription drug benefits under PAAD or through the State's Medicaid program are not made worse off by the new Medicare law.

The PAAD Act will allow New Jersey to provide supplemental Medicaid prescription drug benefits to low-income seniors and disabled who currently receive generous prescription drug benefits under the Medicaid program and who will now receive their prescription drug benefits through Medicare.

One of the goals of medicine is to do no harm. The manner in which the Bush Administration has chosen to implement the Medicare law violates that tenet. The Medicare legislation signed by the President created the State Pharmaceutical Assistance Transition Commission specifically to address the coordination of benefits between SPAPS, State Medicaid drug programs, and the new Medicare drug plan. The Commission was explicit in its recommendation to CMS that states be permitted to automatically enroll these beneficiaries in preferred prescription drug plans to "enhance benefits to enrollees, encourage enrollment, and promote coordination between Medicare Part D and [states]." Members of the Commission recognized that many blind, disabled, and aged beneficiaries, those who most need coverage, would not be able to navigate the plan selection process and could face gaps in coverage. Yet, CMS recently denied New Jersey's request to automatically enroll those Medicare beneficiaries currently enrolled in New Jersey's PAAD and Medicaid programs into a preferred Medicare prescription drug plan. This ruling effectively blocks New Jersey's efforts to preserve the generous prescription drug coverage the state currently provides to the 190,000 seniors enrolled in New Jersey's PAAD program and the 140,000 seniors and disabled enrolled in the state's Medicaid program when the new Medicare prescription drug benefit goes into effect on January 1, 2006.

Yesterday, I was joined by Senator LAUTENBERG in writing to the President to express our sincere dismay over the recent CMS ruling. It is clear that permitting states to automatically enroll these beneficiaries would guarantee that these seniors continue to receive the same level of prescription drug coverage, which is more generous than the coverage that will be available under the new Medicare benefit. Furthermore, auto enrollment would relieve beneficiaries from the anxiety of selecting the appropriate plan to ensure that their drug coverage is maximized. Certainly, beneficiaries who prefer to select their own prescription drug plan should have that choice, but those who want the state to act on their behalf to ensure that they receive the most comprehensive and seamless coverage should be afforded that option.

This legislation is critical to preserving and protecting existing prescription drug coverage while expanding it to those who currently lack such coverage. States like New Jersey, Pennsylvania, and New York, States that have well-established, generous prescription drug plans for seniors and the disabled, should not be prevented from continuing to provide the same level of coverage under the new Medicare law. I look forward to working with my colleagues to pass this legislation and preserve prescription drug benefits for all seniors.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 764

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Preserving Access to Affordable Drugs Act of 2005".

SEC. 2. STATE AS AUTHORIZED REPRESENTATIVE.

(a) IN GENERAL.—Section 1860D–1(b)(1) of the Social Security Act (42 U.S.C. 1395w–101(b)(1)) is amended by adding at the end the following new subparagraph:

"(D) STATE AS AUTHORIZED REPRESENTATIVE.—A State Pharmaceutical Assistance Program (as defined in section 1860D–23(b)) may, at the option of the State operating the Program, act as the authorized representative for any part D eligible individual residing in the State who is enrolled in the Program or described in section 1935(c)(6)(A)(ii) in order to select one or more preferred prescription drug plans to enroll such an individual, so long as the individual is afforded the authority to decline such enrollment. A Program that acts as an authorized representative for an individual pursuant to the preceding sentence shall not be considered to have violated section 1860D–23(b)(2) solely because of the enrollment of such individual in a preferred prescription drug plan.".

(b) CONFORMING AMENDMENT TO ANTI-DISCRIMINATION PROVISION.—Section 1860D–23(b)(2) of the Social Security Act (42 U.S.C. 1395w–133(b)(2)) is amended by inserting "subject to 1860D–1(b)(1)(D)," after "which,".

SEC. 3. FACILITATION OF COORDINATION.

Section 1860D–24(c)(1) of the Social Security Act (42 U.S.C. 1395w–134(c)(1)) is amended by striking "all methods of operation" and inserting "its own methods of operation, except that a PDP sponsor or MA organization may not require a State Pharmaceutical Assistance Program or an RX plan described in subsection (b) to apply such tools when coordinating benefits".

SEC. 4. ALLOWING MEDICAID WRAP.

Section 1935 of the Social Security Act (42 U.S.C. 1396u–5) is amended by striking subsection (d).

SEC. 5. EFFECTIVE DATE.

The amendments made by this Act shall take effect as if included in the enactment of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173; 117 Stat. 2066).

By Mr. WARNER (for himself and Mr. DURBIN):

S. 765. A bill to preserve mathematics- and science-based industries in the United States; to the Committee on Health, Education, Labor, and Pensions.

Mr. WARNER. Mr. President, I rise today to introduce, along with Senator DURBIN, an important bipartisan bill related to education and our national, homeland, and economic security. My good friend and colleague in the U.S. House of Representatives, Congressman FRANK WOLF, is introducing the same legislation today in the House.

Without a doubt, our ability to remain ahead of the curve in scientific and technological advancements is a key component to ensuring America's national, homeland and economic security in the post 9/11 world of global terrorism.

Yet alarmingly, the bottom line is that America faces a huge shortage of home-grown, highly trained scientific minds.

The situation America faces today is not unlike almost 50 years ago. On October 4, 1957, the Soviet Union successfully launched the first man-made satellite into space, Sputnik. The launch shocked America, as many of us had assumed that we were preeminent in the scientific fields. While prior to that unforgettable day America enjoyed an air of post World War II invincibility; afterwards our Nation recognized that there was a cost to its complacency. We had fallen behind.

In the months and years to follow, we would respond with massive investments in science, technology and engineering. In 1958, Congress passed legislation creating the National Defense Education Act, which was designed to stimulate advancement in science and mathematics. In addition, President Eisenhower signed into law legislation that established the National Aeronautics and Space Administration (NASA). And a few years later, in 1961, President Kennedy set the Nation's goal of landing a man on the moon within the decade.

These investments paid off. In the years following the Sputnik launch, America not only closed the scientific and technological gap with the Soviet Union, we surpassed them. Our renewed commitment to science and technology not only enabled us to safely land a man on the moon in 1969, it spurred research and development which helped ensure that our modern military has always had the best equipment and technology in the world. These post-Sputnik investments also laid the foundation for the creation of some of the most significant technologies of modern life, including personal computers and the Internet.

Why is any of this important to us today? Because, as the old saying goes—he or she who fails to remember history is bound to repeat it.

The truth of the matter is that today America's education system is coming up short in training the highly technical American minds that we now need and will continue to need far into the future.

The 2003 Program for International Student Assessment found that the math, problem solving, and science skills of fifteen year old students in the United States were below average when compared to their international counterparts in industrialized countries. While a little bit better news was presented by the recently released 2003 Trends in International Mathematics and Science Study (TIMSS), it is still nothing we should cheer about. TIMSS showed that eighth grade students in the U.S. had lower average math scores than fifteen other participating countries. U.S. science scores weren't much better.

Our colleges and universities are not immune to the waning achievement in math and science education. The National Science Foundation reports the percentage of bachelor degrees in science and engineering have been declining in the U.S. for nearly two decades. In fact, the proportion of college-age students earning degrees in math, science, and engineering was substantially higher in 16 countries in Asia and Europe than it was in the United States.

In the past, this country has been able to compensate for its shortfall in homegrown, highly trained, technical and scientific talent by importing the necessary brain power from foreign countries. However, with increased global competition, this is becoming harder and harder. More and more of our imported brain power is returning home to their native countries. And regrettably, as they return home, many American high tech jobs are being outsourced with them.

Moreover, in the post 9/11 era, it is more important than ever from a security perspective to have American citizens performing certain tasks. We cannot run the risk of having to outsource the security of this country simply because we don't have enough highly trained U.S. citizens to meet our America's needs.

The legislation we are introducing today is a targeted measure that will help America meet its needs by providing strong incentives to students and graduates to pursue studies and careers in these important scientific and technical fields.

Our bill simply allows the Federal Government to pay the interest on undergraduate student loans for certain graduates of math, science, or engineering programs who agree to work in the United States in these fields for 5 consecutive years. Priority will be given to those students with degrees in majors that are key to protecting our national, homeland and economic security as a nation.

Almost 50 years ago our Nation learned a lesson about the cost of complacency in science and technology. While we responded with immediate vigor and ultimately prevailed, today, new dangers are upon us.

Once again, America must rise to meet a new challenge. In my view, this initiative is an important step forward that will encourage Americans to enter important fields of study that are crucial to the national, homeland, and economic security of this country.

By Mr. SANTORUM:

S. 766. A bill to remove civil liability barriers that discourage the donation of fire equipment to volunteer fire companies; to the Committee on the Judiciary.

Mr. SANTORUM. Mr. President, I am introducing the ''Good Samaritan Volunteer Firefighter Assistance Act of 2005.'' Amazingly, every year quality firefighting equipment worth millions of dollars is wasted. In order to avoid civil liability lawsuits, heavy industry and wealthier fire departments destroy surplus equipment, including hoses, fire trucks, protective gear and breathing apparatus, instead of donating it to volunteer fire departments.

The basic purpose of this legislation is to induce donations of surplus firefighting equipment by reducing the threat of civil liability for organizations, most commonly heavy industry, and individuals who wish to make these donations. The bill eliminates civil liability barriers to donations of surplus firefighting equipment by raising the liability standard for donors from ''negligence'' to ''gross negligence.'' By doing this, the legislation saves taxpayer dollars by encouraging donations, thereby reducing the taxpayers' burden of purchasing expensive equipment for volunteer fire departments.

The Good Samaritan Volunteer Firefighter Assistance Act of 2005 is modeled after a bill passed by the Texas state legislature in 1997 and signed into law by then-Governor George W. Bush which has resulted in more than $10 million in additional equipment donations from companies and other fire departments for volunteer departments which may not be as well equipped. Now companies in Texas can donate surplus equipment to the Texas Forest Service, which then certifies the equipment and passes it on to volunteer fire departments that are in need. The donated equipment must meet all original specifications before it can be sent to volunteer departments. Alabama, Arizona, Arkansas, California, Florida, Illinois, Indiana, Missouri, Nevada, South Carolina, and Pennsylvania have passed similar legislation at the State level.

In the 108th Congress, Representative CASTLE introduced the Good Samaritan Volunteer Firefighter Assistance Act, which had 64 bipartisan cosponsors in the House of Representatives. It is also supported by the National Volunteer Fire Council, the Firemen's Association of the State of New York, and a former director of the Federal Emergency Management Agency, FEMA, James Lee Witt. The legislation passed overwhelmingly in the House by a vote of 397–3. The bill has been reintroduced as H.R. 1088 in the 109th Congress and already has garnered 64 cosponsors. I introduced the Good Samaritan Volunteer Firefighter Assistance Act of 2004 in the 108th Congress that also enjoyed support from the National Volunteer Fire Council.

Federally, precedent for similar measures includes the Bill Emerson Good Samaritan Food Act, Public Law 104–210, named for the late Representative Bill Emerson, which encourages restaurants, hotels and businesses to donate millions of dollars worth of food. The Volunteer Protection Act of 1997, Public Law 105–101, also immunizes individuals who do volunteer work for non-profit organizations or governmental entities from liability for ordinary negligence in the course of their volunteer work. I have also previously introduced three Good Samaritan measures in the 106th Congress, S. 843, S. 844 and S. 845. These provisions were also included in a broader charitable package in S. 997, the Charity Empowerment Act, to provide additional incentives for corporate in-kind charitable contributions for motor vehicle, aircraft, and facility use. The same provision passed the House of Representatives in the 107th Congress as part of H.R. 7, the Community Solutions Act, in July of 2001, but was not signed into law.

Volunteers comprise approximately 73 percent of firefighters in the United States. Of the total estimated 1,078,300 firefighters across the country, 784,700 are volunteers. Of the more than 30,000 fire departments in the country, approximately 22,600 are all volunteer; 4,800 are mostly volunteer; 1,600 are mostly career; and 2,000 are all career. In 2000, 58 of the 103 firefighters who died in the line of duty were volunteers.

This legislation provides a commonsense incentive for additional contributions to volunteer fire departments around the country and would make it more attractive for corporations to give equipment to fire departments in other States. All of America has witnessed the heroic acts of selflessness and sacrifice of firefighters in New York City, Northern Virginia, and Pennsylvania. I urge my colleagues to join me in supporting this incentive for the provision of additional safety equipment for volunteer firefighters who put their lives on the line every day throughout this great Nation.

By Mr. BOND (for himself, Ms. MIKULSKI, Mr. TALENT, Mr. HARKIN, Mr. ROBERTS, and Mr. COLEMAN):

S. 767. A bill to establish a Division of Food and Agricultural Science within the National Science Foundation and to authorize funding for the support of fundamental agricultural research of the highest quality, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. BOND. I rise today to introduce legislation with Senators MIKULSKI, TALENT, HARKIN, ROBERTS and COLEMAN to establish a division of food and agricultural science within the National Science Foundation to support fundamental agricultural research of the highest quality. I present this to begin a critical discussion that I believe we must have over the next several months about how we are going to ensure we capitalize on the technology to maximize the benefits and minimize the costs of our agricultural production.

We remain the world leader in food and fiber production. We do it safely and through technology and the hard work of the American farmer. In the past half century, the number of people fed by a single U.S. farm has grown from 19 to 129. We have a tremendously innovative agricultural research program. Our farmers, our farm leaders are on the cutting edge of developing new technology. And we have seen the innovations continue to come down the pike. This has made it possible for one farmer to feed 129 people.

In addition, we export $60 billion worth of agricultural products, and we do so at less cost and at less harm to the environment than any of our competitors around the world, again, because of new practices, diligence on the part of farmers, and new technology.

In a world that has a decreasing amount of soil available for cultivation, we have a growing population and we still have 800 million children who are hungry or malnourished throughout the world. As some have said: A person who is well fed can have many problems. A person who is hungry has but one problem. Unless we maximize technology and new practices, production will continue to overtax the world's natural resources.

Many people legitimately have raised concerns regarding new diseases and pests and related food safety issues. And they are growing. The leading competitiveness of our U.S. producers is only as solid as our willingness to invest in forward-looking investments and build upon our historic successes.

Now, we also know from past experience that with new technology the doors are being opened to novel new uses of renewable agricultural products in the fields of energy, medicine, and industrial products. In the future, we can make our farm fields and farm animals factories for everyday products, fuels, and medicines in a way that is efficient and better preserves our natural resources. Advances in the life sciences have come about, such as genetics, proteomics, and cell and molecular biology. They are providing the base for new and continuing agricultural innovations.

It was only about a dozen years ago that farmers in Missouri came to me to tell me about the potential that genetic engineering and plant biotechnology had for improving the production of food, and doing so with less impact on the environment, providing more nutritious food. Since that time, I have had a wonderful, continuing education, not in how it works but what it can do.

We know now, for example, that in hungry areas of the world as many as half a million children go blind from vitamin A deficiency, and maybe a million die from vitamin A deficiency. Well, through plant biotechnology, the International Rice Research Institute in the Philippines and others have developed Golden Rice, taking a gene from the sunflower, a beta-carotene gene, and they enrich the rice. The Golden Rice now has that vitamin A, and that is going to make a significant difference in dealing with malnutrition.

We also know that in many areas of the world, where agricultural production has overtaxed the land, where drought has cut the production, where virus has plagued production, the way we can make farmers self-sufficient, where we can restore the farm economy in many of these countries, is through plant biotechnology.

But this is just the beginning. This legislation I am introducing today seeks to lay the foundation for tremendous advances in the future.

This legislation stems from findings and recommendations produced by a distinguished group of scientists working on the Agricultural Research, Economics and Education Task Force, which I was honored to be able to include in the 2002 farm bill. The distinguished task force was led by Dr. William H. Danforth, of St. Louis, the brother of our former distinguished colleague, Senator Jack Danforth. Dr. Bill Danforth has a tremendous reputation in science and in education, with a commitment to human welfare and is known worldwide. He was joined by Dr. Nancy Betts, the University of Nebraska; Mr. Michael Bryan, president of BBI International; Dr. Richard Coombe, the Watershed Agricultural Council; Dr. Victor Lechtenbert, Purdue University; Dr. Luis Sequeira, the University of Wisconsin; Dr. Robert Wideman, the University of Arkansas; and Dr. H. Alan Wood, Mississippi State University.

I extend my congratulations and my sincere gratitude to Dr. Danforth and his team for providing the basis and the roadmap to ensure we have the mechanisms in place to solve the problems and capitalize on the opportunities in agricultural research. The full report of the task force can be found at www.ars.usda.gov/research.htm.

In summary, that study concludes that it is absolutely necessary we reinvigorate and forward focus our technology to meet the responsibilities of our time. New investment is critical for the world's consumers, the protection of our natural resources, the standard of living for Americans who labor in rural America, and for the well-being of the hungry people and the needy people throughout the world.

This legislation is supported by the some 22 Member and Associate Member Societies of the Federation of American Societies for Experimental Biology, as well as the Institute of Food Technologists, American Society of Agronomy, Crop Science Society of America, Soil Science Society of America, the Council for Agricultural Research, the National Coalition for Food and Agricultural Research, the American Soybean Association, National Cattlemen's Beef Association, National Chicken Council, National Corn Growers Association, National Farmers Union, National Milk Producers Federation, National Pork Producers Council, National Turkey Federation, Association of American Veterinary Medical Colleges and the United Fresh Fruit and Vegetable Association.

I look forward to pursuing this vision in the 109th Congress. I invite my colleagues who are interested in science and research to review this report, to look at this measure, to join with me and my cosponsors in the next session of Congress to talk about moving forward on what I think will be a tremendous opportunity to improve agriculture and its benefits to all our populations.

Madam President, this, I hope, will be the start of something really big. Today, Congressman GUTKNECHT is offering companion legislation in the House. I congratulate him on his leadership in promoting science and I am pleased to be working on this with him.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 767

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Food and Agricultural Science Act of 2005''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNCIL.—The term ''Council'' means the Standing Council of Advisors established under section 4(c).

(2) DIRECTOR.—Except as otherwise provided in this Act, the term ''Director'' means the Director of Food and Agricultural Science.

(3) DIVISION.—The term ''Division'' means the Division of Food and Agricultural Science established under section 4(a).

(4) FOUNDATION.—The term ''Foundation'' means the National Science Foundation.

(5) FUNDAMENTAL AGRICULTURAL RESEARCH; FUNDAMENTAL SCIENCE.—The terms ''fundamental agricultural research'' and ''fundamental science'' mean fundamental research or science that—

(A) advances the frontiers of knowledge so as to lead to practical results or to further scientific discovery; and

(B) has an effect on agriculture, food, nutrition, human health, or another purpose of this Act, as described in section 3(b).

(6) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(7) UNITED STATES.—The term ''United States'' when used in a geographical sense means the States, the District of Columbia, the Commonwealth of Puerto Rico, and all territories and possessions of the United States.

SEC. 3. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Agricultural Research, Economics, and Education Task Force established under section 7404 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 3101 note) conducted an exhaustive review of agricultural research in the United States and evaluated the merits of establishing 1 or more national institutes focused on disciplines important to the progress of food and agricultural science. Consistent with the findings and recommendations of the Agricultural Research, Economics, and Education Task Force, Congress finds the following:

(1) Agriculture in the United States faces critical challenges, including an impending crisis in the food, agricultural, and natural resource systems of the United States. Exotic diseases and pests threaten crops and livestock, obesity has reached epidemic proportions, agriculturally-related environmental degradation is a serious problem for the United States and other parts of the world, certain animal diseases threaten human health, and United States producers of some major crops are no longer the world's lowest cost producers.

(2) In order to meet these critical challenges, it is essential that the Nation ensure that the agricultural innovation that has been so successful in the past continues in the future. Agricultural innovation has resulted in hybrid and higher yielding varieties of basic crops and enhanced the world's food supply by increasing yields on existing acres. Since 1960, the world's population has tripled with no net increase in the amount of land under cultivation. Currently, only 1.5 percent of the population of the United States provides the food and fiber to supply the Nation's needs. Agriculture and agriculture sciences play a major role in maintaining the health and welfare of all people of the United States and in husbanding our land and water, and that role must be expanded.

(3) Fundamental scientific research that leads to understandings of how cells and organisms work is critical to continued innovation in agriculture in the United States. Such future innovations are dependent on fundamental scientific research, and will be enhanced by ideas and technologies from other fields of science and research.

(4) Opportunities to advance fundamental knowledge of benefit to agriculture in the United States have never been greater. Many of these new opportunities are the result of amazing progress in the life sciences over recent decades, attributable in large part to the provision made by the Federal Government through the National Institutes of Health and the National Science Foundation. New technologies and new concepts have speeded advances in the fields of genetics, cell and molecular biology, and proteomics. Much of this scientific knowledge is ready to be mined for agriculture and food sciences, through a sustained, disciplined research effort at an institute dedicated to this research.

(5) Publicly sponsored research is essential to continued agricultural innovation to mitigate or harmonize the long-term effects of agriculture on the environment, to enhance the long-term sustainability of agriculture, and to improve the public health and welfare.

(6) Competitive, peer-reviewed fundamental agricultural research is best suited to promoting the fundamental research from which breakthrough innovations that agriculture and society require will come.

(7) It is in the national interest to dedicate additional funds on a long-term, ongoing basis to an institute dedicated to funding competitive peer-reviewed grant programs that support and promote the highest caliber of fundamental agricultural research.

(8) The Nation's capacity to be competitive internationally in agriculture is threatened by inadequate investment in research.

(9) To be successful over the long term, grant-receiving institutions must be adequately reimbursed for their costs if they are to pursue the necessary agricultural research.

(10) To meet these challenges, address these needs, and provide for vitally needed agricultural innovation, it is in the national interest to provide sufficient Federal funds over the long term to fund a significant program of fundamental agricultural research through an independent institute.

(b) PURPOSES.—The purposes of the Division established under section 4(a) shall be to ensure that the technological superiority of agriculture in the United States effectively serve the people of the United States in the coming decades, and to support and promote fundamental agricultural research of the highest caliber in order to achieve goals, including the following goals:

(1) Increase the international competitiveness of United States agriculture.

(2) Develop knowledge leading to new foods and practices that improve nutrition and health and reduce obesity.

(3) Create new and more useful food, fiber, health, medicinal, energy, environmental, and industrial products from plants and animals.

(4) Improve food safety and food security by protecting plants and animals in the United States from insects, diseases, and the threat of bioterrorism.

(5) Enhance agricultural sustainability and improve the environment.

(6) Strengthen the economies of the Nation's rural communities.

(7) Decrease United States dependence on foreign sources of petroleum by developing bio-based fuels and materials from plants.

(8) Strengthen national security by improving the agricultural productivity of subsistence farmers in developing countries to combat hunger and the political instability that it produces.

(9) Assist in modernizing and revitalizing the Nation's agricultural research facilities at institutions of higher education, independent non-profit research institutions, and consortia of such institutions, through capital investment.

(10) Achieve such other goals and meet such other needs as determined appropriate by the Foundation, the Director, or the Secretary.

SEC. 4. ESTABLISHMENT OF DIVISION.

(a) ESTABLISHMENT.—There is established within the National Science Foundation a Division of Food and Agricultural Science. The Division shall consist of the Council and be administered by a Director of Food and Agricultural Science.

(b) REPORTING AND CONSULTATION.—The Director shall coordinate the research agenda of the Division after consultation with the Secretary.

(c) STANDING COUNCIL OF ADVISORS.—

(1) ESTABLISHMENT.—

(A) IN GENERAL.—There is established in the Division a Standing Council of Advisors composed of 12 highly qualified scientists who are not employed by the Federal Government and 12 stakeholders.

(B) SCIENTISTS.—

(i) APPOINTMENT.—The 12 scientist members of the Council shall be appointed to 4-year staggered terms by the Director of the National Science Foundation, with the consent of the Director of Food and Agricultural Science.

(ii) QUALIFICATIONS.—The persons nominated for appointment as scientist members of the Council shall be—

(I) eminent in the fields of agricultural research, nutrition, science, or related appropriate fields; and

(II) selected for appointment solely on the basis of established records of distinguished service and to provide representation of the views of agricultural research and scientific leaders in all areas of the Nation.

(C) STAKEHOLDERS.—

(i) APPOINTMENT.—The 12 stakeholder members of the Council shall be appointed to 4-year staggered terms by the Secretary, with the consent of the Director.

(ii) QUALIFICATIONS.—The persons nominated for appointment as stakeholder members of the Council shall—

(I) include distinguished members of the public of the United States, including representatives of farm organizations and industry, and persons knowledgeable about the environment, subsistence agriculture, energy, and human health and disease; and

(II) be selected for appointment so as to provide representation of the views of stakeholder leaders in all areas of the Nation.

(2) DUTIES.—The Council shall assist the Director in establishing the Division's research priorities, and in reviewing, judging, and maintaining the relevance of the programs funded by the Division. The Council shall review all proposals approved by the scientific committees of the Division to ensure that the purposes of this Act and the needs of the Nation are being met.

(3) MEETINGS.—

(A) IN GENERAL.—The Council shall hold periodic meetings in order to—

(i) provide an interface between scientists and stakeholders; and

(ii) ensure that the Division is linking national goals with realistic scientific opportunities.

(B) TIMING.—The meetings shall be held at the call of the Director, or at the call of the Secretary, but not less frequently than annually.

SEC. 5. FUNCTIONS OF DIVISION.

(a) COMPETITIVE RESEARCH.—

(1) IN GENERAL.—The Director shall carry out the purposes of this Act by awarding competitive peer-reviewed grants to support and promote the very highest quality of fundamental agricultural research.

(2) GRANT RECIPIENTS.—The Director shall make grants to fund research proposals submitted by—

(A) individual scientists;

(B) single and multi-institutional research centers; and

(C) entities from the private and public sectors, including researchers in the Department of Agriculture, the Foundation, or other Federal agencies.

(b) COMPLEMENTARY RESEARCH.—The research funded by the Division shall—

(1) supplement and enhance, not supplant, the existing research programs of, or funded by, the Department of Agriculture, the Foundation, and the National Institutes of Health; and

(2) seek to make existing research programs more relevant to the United States food and agriculture system, consistent with the purposes of this Act.

(c) GRANT-AWARDING ONLY.—The Division's sole duty shall be to award grants. The Division may not conduct fundamental agricultural research or fundamental science, or operate any laboratories or pilot plants.

(d) PROCEDURES.—The Director shall establish procedures for the peer review, awarding, and administration of grants under this Act, consistent with sound management and the findings and purposes described in section 3.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 104—EXPRESSING THE SENSE OF THE SENATE ENCOURAGING THE ACTIVE ENGAGEMENT OF AMERICANS IN WORLD AFFAIRS AND URGING THE SECRETARY OF STATE TO TAKE THE LEAD AND COORDINATE WITH OTHER GOVERNMENTAL AGENCIES AND NON-GOVERNMENTAL ORGANIZATIONS IN CREATING AN ONLINE DATABASE OF INTERNATIONAL EXCHANGE PROGRAMS AND RELATED OPPORTUNITIES

Mr. FEINGOLD (for himself and Mr. HAGEL) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 104

Whereas the United States needs to do a better job of building personal and institutional relationships with peoples and Nations around the world in order to combat the rise in anti-American sentiment that many polls and studies have reported;

Whereas a broad bipartisan consensus in favor of strengthening United States public diplomacy emerged during 2003 in Congress and was expressed in various reports, including reports of the Council on Foreign Relations, the General Accounting Office, the Advisory Commission on Public Diplomacy, the Heritage Foundation, and the Advisory Group on Public Diplomacy for the Arab and Muslim World;

Whereas, in July 2004, the National Commission on Terrorist Attacks Upon the United States released its final report on United States intelligence, which determined that "[j]ust as we did in the Cold War, we need to defend our ideals abroad vigorously. America does stand up for its values . . . If the United States does not act aggressively to define itself in the Islamic World, the extremists will gladly do the job for us.";

Whereas the National Intelligence Reform Act of 2004 declares the sense of Congress that the United States should commit to a long-term and significant investment in promoting people-to-people engagement with all levels of society in other countries;

Whereas international exchange programs, which have assisted in extending American influence around the world by educating the world's leaders, have suffered from a decline in funding and policy priority;

Whereas, when students are instructed in their civic and community responsibilities during secondary education, the importance of their participation in global affairs should be underscored as well;

Whereas the number of United States university-level students studying abroad in 2002–2003 was 174,629, representing just over 1 percent of United States students;

Whereas ⅔ of United States students studying abroad study in Western Europe (18.2 percent in the United Kingdom alone), although 95 percent of the world population growth in the next 50 years is expected to occur outside of Western Europe;

Whereas there are 29,953,000 retired workers in the United States as of December 2004, meaning that there are many older Americans who have the talent, maturity, and time to volunteer their services abroad;

Whereas the average United States college graduate who has studied 1 of the less commonly taught languages reaches no more than an intermediate level of proficiency in the language, which is insufficient to meet national security requirements; and

Whereas there are hundreds of well-established organizations in the United States that implement educational and professional exchanges, international volunteering, and related programs, and the efforts of those organizations could readily be expanded to reach out to more Americans: Now, therefore, be it

Resolved,

SECTION 1. SHORT TITLE.

This resolution may be cited as the "People-to-People Engagement in World Affairs Resolution".

SEC. 2. SENSE OF SENATE.

It is the sense of the Senate that—

(1) the Secretary of State should coordinate with implementing partners in creating an online database that provides information on how Americans can take advantage of—

(A) international exchange programs of the Department of State, the Department of Education, and other Federal Government and non-government entities;

(B) volunteer opportunities with organizations that assist refugees and immigrants in the United States;

(C) opportunities to host international students and professionals in the United States;

(D) sister-city organizations in the United States;

(E) international fairs and cultural events in the United States; and

(F) foreign language learning opportunities;

(2) Americans should strive to become more engaged in international affairs and more aware of peoples and developments outside the United States;

(3) Americans should seize 1 or more opportunities toward this end, by such means as—

(A) participating in a professional or cultural exchange;

(B) studying abroad;

(C) volunteering abroad;

(D) working with an immigrant or refugee group;

(E) hosting a foreign student or professional;

(F) participating in a sister-city program; and

(G) learning a foreign language; and

(4) Members of Congress should raise the importance of international engagement in the districts and States the Members represent.

Mr. FEINGOLD. Mr. President, I am pleased to submit the People-to-People Engagement in World Affairs resolution with my colleague from Nebraska, Senator HAGEL.

In July 2004, the National Commission on Terrorist Attacks Upon the United States released its final report, which determined that "just as we did in the Cold War, we need to defend our ideals abroad vigorously. . . . If the United States does not act aggressively to define itself in the Islamic world,

the extremists will gladly do the job for us.'' The 9/11 Commission report clearly states that in the interests of national security, the U.S. must commit to a long-term, global strategy, which includes, among other things, effective public diplomacy.

Public diplomacy is an essential component of our efforts to define and defend America's interests and ideals abroad. But a successful, long-term approach to building solid relationships with the rest of the world is not just the mission of the State Department. It also requires the engagement of the American people.

This People-to-People Engagement in World Affairs resolution is a call to Americans to reach beyond our borders to engage with the world at an individual level. It encourages Americans to seize opportunities to engage in the global arena—through participating in a professional or cultural exchange; studying or volunteering abroad; working with an immigrant or refugee group in the United States; hosting a foreign student or professional; participating in a sister-city program; or learning a foreign language. This resolution also urges the State Department to coordinate between government agencies and non-governmental organizations to create a database where Americans can learn of opportunities to become involved in world affairs. Furthermore, it encourages all Members of Congress to work to raise the importance of citizen diplomacy in their states and districts.

Americans must make a serious investment in reaching across borders and reversing the tide of increasing anti-American sentiments abroad. According to a 2003 Pew Research Center survey, during 1999–2000, more than 50 percent of the people in surveyed countries held a favorable view of the U.S., and in at least one country, favorable views of the U.S. were held by over 80 percent of those surveyed. More recent surveys reveal a stark contrast with those figures and growing anti-American sentiment. Pew found that, by 2003, favorable views of the United States in these countries plummeted. Additionally, whereas negative public opinion of the U.S. among Muslims was once limited to the Middle East, now it has spread to populations in places like Nigeria and Indonesia. Pew found that ''the bottom has fallen out of Arab and Muslim support for the United States.''

While these sentiments are most notable in the Muslim world, they extend even farther, coloring the views of many others.

Growing anti-American sentiment abroad is dangerous and breeds misperceptions in future generations. Our ability to work with allies to foster democratic societies and tackle global problems relates directly to our image abroad. Building an international coalition with our allies requires their trust that our efforts are genuine. Success in combating terrorism, the greatest global threat, is contingent upon a unified, global participation. Members of the international community must collaborate to eliminate loopholes that terrorist networks manipulate when intelligence and communication break down between borders.

Anti-Americanism can feed a steady supply of recruits and supporters for terrorist networks, intent on our destruction. Terrorist networks capitalize on misperceptions about the U.S. to advance their own agenda and scapegoat the U.S. as the reason for the poverty, weak and corrupt states, and powerlessness that many experience on a daily basis.

International cooperation is also essential for effective progress in other important, trans-border issues, such as the proliferation of WMD, human trafficking, poverty, environmental degradation, and diseases from HIV/AIDS to polio. We cannot solve these problems alone—we need allies to help find and achieve meaningful solutions.

Combating anti-American sentiments requires that we engage in a conversation with people in all levels of society beyond our borders. And as Secretary Rice has noted, our dialogue cannot be a monologue. Talking at people about what the U.S. image abroad should be is not sustainable or effective. Talking with people, and listening to them, however, can be the start of real understanding and even trust. That conversation needs to happen at a governmental level, through public and private diplomacy, but it also needs to happen at an individual person-to-person level, through citizen diplomacy.

I have met with a number of groups from my State of Wisconsin that tell me they are concerned about misperceptions of America abroad, which they believe discourage people from coming to the U.S. to visit, study, learn about our wonderful country, and share their knowledge. I am so proud of the work people back in Wisconsin have done to overcome barriers to engaging outside our borders, whether by continuing Wisconsin's strong history of support for the Peace Corps, or by taking part in farmer to farmer initiatives and education exchange programs, building sister communities, or tirelessly working to ensure that Wisconsin maintains its success in attracting foreign visitors to our remarkable state. In 2004, Wisconsin was awarded the Goldman Sachs Foundation Prizes for Excellence in International Education in honor of its work to bring international education and skills into its curriculum. In fact, earlier this year, Wisconsin welcomed a group of teachers from Azerbaijan to study the workings of our education system to create a model for a new curriculum in their country.

Wisconsin also works to improve communities abroad. A non-profit organization based in Wisconsin helps abused children in Latvia and is working to create the first family shelter there for these children and their mothers. Another Wisconsinite who is an expert in dairy prices participated in a farmer to farmer program to assist in building a pricing system in Armenia's dairy industry. He was able to share his experiences from this program with myself and people back in the state.

Citizen diplomacy not only helps the rest of the world to understand us, it strengthens this country internally as well. Americans with insight into and understanding of the world beyond our borders become energized constituents who demand wise foreign policy and help all of us to understand global events.

President Kennedy acknowledged the importance of public diplomacy in 1960 and challenged Americans to serve their country through building stronger communities abroad. His vision is even more relevant today. It is our responsibility to connect with people outside our borders. This duty can be fulfilled by teachers, students, retirees, and anyone who can share the best of the American people. We are a generous nation. Many of our fellow Americans have dedicated their lives to bringing about change for a better world. It is in our hands to carry this mission forward.

SENATE RESOLUTION 105—DESIGNATING APRIL 15, 2005, AS NATIONAL YOUTH SERVICE DAY, AND FOR OTHER PURPOSES

Ms. MURKOWSKI (for herself, Mr. AKAKA, Mr. ALLEN, Mr. BAYH, Mr. BINGAMAN, Mrs. BOXER, Mrs. CLINTON, Mr. COCHRAN, Mr. COLEMAN, Ms. COLLINS, Mr. CONRAD, Mr. CORNYN, Mr. CRAIG, Mr. DEWINE, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. GREGG, Mr. HAGEL, Mr. ISAKSON, Mr. JOHNSON, Mr. KERRY, Ms. LANDRIEU, Mr. LIEBERMAN, Mr. LEVIN, Mr. LOTT, Mr. MARTINEZ, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. REED, Mr. SALAZAR, Mr. SANTORUM, Mr. SCHUMER, Mr. SESSIONS, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. STEVENS, Mr. THUNE, and Mr. BUNNING) submitted the following resolution; which was considered and agreed to:

S. RES. 105

Whereas National Youth Service Day is an annual public awareness and education campaign that highlights the valuable contributions that young people make to their communities throughout the year;

Whereas the goals of National Youth Service Day are to mobilize youth as leaders in identifying and addressing the needs of their communities through service and service-learning, to support youth on a lifelong path of service and civic engagement, and to educate the public, the media, and policymakers about the year-round contributions of young people as community leaders;

Whereas young people in the United States, and in many other countries, are volunteering more than in any generation in history;

Whereas young people should be viewed as the hope not only of the future, but also of today, and should be valued for the idealism,

energy, creativity, and commitment they bring to the challenges found in their communities;

Whereas there is a fundamental and conclusive correlation between youth service and lifelong adult volunteering and philanthropy;

Whereas through community service, young people build character and learn valuable skills, including time management, teamwork, needs-assessment, and leadership, that are sought by employers;

Whereas service-learning, an innovative teaching method combining service to the community with curriculum-based learning, is a proven strategy to increase academic achievement and strengthens civic engagement and civic responsibility;

Whereas several private foundations and corporations in the United States support service-learning because they understand that strong communities begin with strong schools and a community investment in the lives and futures of youth;

Whereas a sustained investment by the Federal Government, business partners, schools, and communities fuels the positive, long-term cultural change that will make service and service-learning the common expectation and the common experience of all young people;

Whereas National Youth Service Day, a program of Youth Service America, is the largest service event in the world and is being observed for the 17th consecutive year in 2005;

Whereas National Youth Service Day, with the support of 50 lead agencies, hundreds of grant winners, and thousands of local partners, engages millions of young people nationwide;

Whereas National Youth Service Day will involve 114 national partners, including 8 Federal agencies and 10 organizations that are offering grants to support National Youth Service Day;

Whereas National Youth Service Day has inspired Global Youth Service Day, which occurs concurrently in over 120 countries and is now in its sixth year; and

Whereas young people will benefit greatly from expanded opportunities to engage in meaningful volunteer service and service-learning: Now, therefore, be it

Resolved,

SECTION 1. RECOGNITION AND ENCOURAGEMENT OF YOUTH COMMUNITY SERVICE.

The Senate recognizes and commends the significant contributions of American youth and encourages the cultivation of a common civic bond among young people dedicated to serving their neighbors, their communities, and the Nation.

SEC. 2. NATIONAL YOUTH SERVICE DAY.

The Senate—

(1) designates April 15, 2005, as ''National Youth Service Day''; and

(2) calls on the people of the United States to—

(A) observe the day by encouraging and engaging youth to participate in civic and community service projects;

(B) recognize the volunteer efforts of our Nation's young people throughout the year; and

(C) support these efforts and engage youth in meaningful decision making opportunities today as an investment in the future of our Nation.

SENATE CONCURRENT RESOLUTION 26—HONORING AND MEMORIALIZING THE PASSENGERS AND CREW OF UNITED AIRLINES FLIGHT 93

Mr. CONRAD (for himself, Mr. SANTORUM, Mr. ALLARD, Mr. BAYH, Mr. BINGAMAN, Mrs. BOXER, Mr. CARPER, Mrs. CLINTON, Mr. COBURN, Mr. COCHRAN, Mr. CORZINE, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mrs. FEINSTEIN, Mr. ISAKSON, Mr. JEFFORDS, Mr. JOHNSON, Ms. LANDRIEU, Mr. LEAHY, Ms. MIKULSKI, Mr. ROCKEFELLER, Mr. SALAZAR, Mr. SCHUMER, Mr. SPECTER, and Mr. STEVENS) submitted the following concurrent resolution; which was referred to the Committee on Rules and Administration:

S. CON. RES. 26

Whereas on September 11, 2001, acts of war involving the hijacking of commercial airplanes were committed against the United States, killing and injuring thousands of innocent people;

Whereas 1 of the hijacked planes, United Airlines Flight 93, crashed in a field in Pennsylvania;

Whereas while Flight 93 was still in the air, the passengers and crew, through cellular phone conversations with loved ones on the ground, learned that other hijacked airplanes had been used to attack the United States;

Whereas during those phone conversations, several of the passengers indicated that there was an agreement among the passengers and crew to try to overpower the hijackers who had taken over Flight 93;

Whereas Congress established the National Commission on Terrorist Attacks Upon the United States (commonly referred to as ''the 9–11 Commission'') to study the September 11, 2001, attacks and how they occurred;

Whereas the 9–11 Commission concluded that ''the nation owes a debt to the passengers of Flight 93. Their actions saved the lives of countless others, and may have saved either the U.S. Capitol or the White House from destruction.''; and

Whereas the crash of Flight 93 resulted in the death of everyone on board: Now, therefore, be it

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

(1) the United States owes the passengers and crew of United Airlines Flight 93 deep respect and gratitude for their decisive actions and efforts of bravery;

(2) the United States extends its condolences to the families and friends of the passengers and crew of Flight 93;

(3) not later than October 1, 2006, the Speaker of the House of Representatives, the minority leader of the House of Representatives, the majority leader of the Senate, and the minority leader of the Senate shall select an appropriate memorial that shall be located in the United States Capitol and that shall honor the passengers and crew of Flight 93, who saved the United States Capitol from destruction; and

(4) the memorial shall state the purpose of the honor and the names of the passengers and crew of Flight 93 on whom the honor is bestowed.

Mr. CONRAD. Mr. President, I rise today to submit a concurrent resolution to honor the memory of the passengers on flight 93. As we reflect on the events of 9/11 and mourn the great loss we suffered, we remember the innocent who perished and we are reminded of the valiant efforts of those who saved lives, including the passengers and crew of United Airlines flight 93. Those brave people gave up their lives in order to save others that fateful day.

Last fall, the 9/11 Commission released its report about the series of events that took place on September 11, 2001. The Senate has subsequently undertaken an evaluation of the Commission's findings through a series of hearings. As the story continues to unfold, it becomes clearer how important the actions of the passengers and crew of flight 93 were. We now know that flight 93 was almost certainly headed to the U.S. Capitol or the White House. We also know the passengers of flight 93 learned through a series of phone calls to loved ones that hijackers on three other flights had turned airplanes into flying bombs that morning, crashing them into the World Trade Center and the Pentagon.

Armed only with that knowledge and their own courage and resolve, those brave passengers attacked the hijackers and forced them to crash flight 93 into rural Pennsylvania far short of its intended target. The 9/11 Commission concluded that the Nation owes a debt to the passengers of flight 93. Their actions saved the lives of countless others and may have saved either the U.S. Capitol or the White House from destruction. Those of us who work here in the Capitol owe a special debt of gratitude to those heroes. Their actions saved one of the greatest symbols of our democracy.

Today I am resubmitting a resolution honoring and memorializing the passengers and crew of United Airlines flight 93. This legislation expresses our deepest respect and gratitude to them, as well as condolences to their families and friends. This bill also calls for an appropriate memorial to be placed in the Capitol by the bicameral, bipartisan leaders of Congress.

Today I bow my head in memory of those who died at the World Trade Center and the Pentagon. I also pay respect to our first responders, volunteers, and average citizens who risked their lives to save others on that day.

Finally, I pay homage to the passengers and crew of flight 93 for taking on those who wished to harm our country and Nation's Capitol. I believe it is appropriate at this time to acknowledge the actions of the passengers of flight 93 for showing such remarkable heroism and to commemorate them in the very walls that might have crumbled had they not made that ultimate sacrifice. We are forever indebted to them and should never forget their bravery or sacrifice or that of their loved ones.

The Senate unanimously passed an identical resolution last October 11, within a month of its introduction, but it did not pass the House of Representatives before the adjournment of the 108th Congress. The bipartisan legislation I am reintroducing today has the

support of 25 of my colleagues, including Senator SANTORUM from Pennsylvania, who has joined me in leading this effort. I am also happy to report that Congressman SHUSTER of Pennsylvania will also be introducing companion legislation today.

I hope all my colleagues will join me in sponsoring this resolution. I hope on a broad bipartisan basis we are able to recognize those brave passengers and crew of flight 93 for what they did on that remarkable day.

Mr. SANTORUM. Mr. President, I rise today with Senator CONRAD as a proud cosponsor of a resolution which recognizes the immense bravery of the crew and passengers on flight 93. Over 3½ years have passed since September 11, 2001, but we, the American people, have not forgotten the bravery and selflessness that was shown by our fellow citizens on that day.

During the 108th Congress, the 9/11 Commission investigated the events that took place on September 11, 2001, including flight 93's crash in Somerset County, PA. As a result of a series of Senate hearings held to evaluate and gain a clearer understanding of the 9/11 Commission's findings, the actions of flight 93's passengers and crew have become increasingly evident. We know with near certainty now that the terrorists had plans of causing severe destruction to either the White House or the Capitol Building.

Having realized through phone calls to loved ones that three other planes had already been crashed that morning by terrorists, the passengers on flight 93 acted quickly and collaboratively to overtake the hijackers and force them to crash the plane into a rural part of Pennsylvania, keeping the plane's intended target safe from harm.

As a result of the 9/11 Commission's findings, we conclude that America is indebted to the heroic actions of those on flight 93, who showed great bravery so that many other lives could be spared from ruin.

We who work here in the Capitol are particularly indebted to those on board flight 93. In addition to saving the lives of thousands, the passengers on flight 93 ensured the preservation of one of the greatest symbols of America's freedom and democracy.

In an effort to recognize and honor the heroes on flight 93, I am proud to submit this resolution with Senator CONRAD. This resolution is an expression of our deep gratitude for what those on flight 93 did for each of us here in our Nation's Capital, as well as an expression of sorrow and condolence to their families and friends. Additionally, this resolution provides for a place in the Capitol Building to be memorialized in the name of the crew and passengers of flight 93, with a remembrance plaque placed at the location.

This day presents an opportunity to remember all of those who died on September 11, 2001. Additionally, our volunteers, first responders, and the American people deserve a heartfelt ''thank you'' for the strength and strong resolve they showed in the face of destructive, cowardly acts.

I hope that all of my colleagues will join with Senator CONRAD and me in this bipartisan effort to honor the crew and passengers on flight 93 for what they did on that infamous day in America's history. May their selfless actions, taken for us and the American people, never be forgotten.

AMENDMENTS SUBMITTED AND PROPOSED

SA 338. Ms. SNOWE (for herself, Mr. KERRY, Mr. LIEBERMAN, Ms. CANTWELL, Mr. BAYH, and Mr. PRYOR) submitted an amendment intended to be proposed by her to the bill H.R. 1268, Making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table.

SA 339. Mr. DEWINE (for himself, Mr. DURBIN, Mr. ALLEN, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 340. Mr. DEWINE (for himself, Mr. DURBIN, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 341. Mr. DEWINE (for himself, Mr. DURBIN, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 342. Mr. DEWINE (for himself, Mr. BINGAMAN, Mr. COLEMAN, Mr. NELSON of Florida, Mr. MARTINEZ, Mr. CORZINE, Mrs. DOLE, Mr. DODD, and Mr. CHAFEE) submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 343. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 344. Mrs. MURRAY (for herself, Mr. AKAKA, Mr. BYRD, Mrs. BOXER, Mr. BINGAMAN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mr. JEFFORDS, Mr. SALAZAR, Mr. DAYTON, Mr. SCHUMER, Mr. JOHNSON, Mr. CORZINE, Mrs. LINCOLN, Ms. LANDRIEU, Mr. DORGAN, and Mr. BIDEN) proposed an amendment to the bill H.R. 1268, supra.

SA 345. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 346. Mr. CORZINE (for himself and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 347. Mr. CORZINE (for himself, Mr. DEWINE, Mr. BROWNBACK, Mr. DURBIN, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 348. Mr. TALENT submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 349. Mr. NELSON, of Nebraska submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 350. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 351. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 352. Mr. SALAZAR (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 353. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 354. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 355. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill H.R. 1268, supra; which was ordered to lie on the table.

SA 356. Mr. DURBIN (for himself, Ms. MIKULSKI, Mr. ALLEN, and Mr. CORZINE) proposed an amendment to the bill H.R. 1268, supra.

TEXT OF AMENDMENTS

SA 338. Ms. SNOWE (for herself, Mr. KERRY, Mr. LIEBERMAN, Ms. CANTWELL, Mr. BAYH, and Mr. PRYOR) submitted an amendment intended to be proposed by her to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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 to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 214, strike lines 5 through 19.

SA 339. Mr. DEWINE (for himself, Mr. DURBIN, Mr. ALLEN, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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 to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 159, strike line 6 and all that follows through page 160, line 22, and insert the following:

SEC. 1112. (a) INCREASE IN DEATH GRATUITY.—

(1) AMOUNT.—Section 1478(a) of title 10, United States Code, is amended by striking ''$12,000'' and inserting ''$100,000''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on

October 7, 2001, and shall apply with respect to deaths occurring on or after that date.

(3) NO ADJUSTMENT FOR INCREASES IN BASIC PAY BEFORE DATE OF ENACTMENT.—No adjustment shall be made under subsection (c) of section 1478 of title 10, United States Code, with respect to the amount in force under subsection (a) of that section, as amended by paragraph (1), for any period before the date of the enactment of this Act.

(4) PAYMENT FOR DEATHS BEFORE DATE OF ENACTMENT.—Any additional amount payable as a death gratuity under this subsection for the death of a member of the Armed Forces before the date of the enactment of this Act shall be paid to the eligible survivor of the member previously paid a death gratuity under section 1478 of title 10, United States Code, for the death of the member. If payment cannot be made to such survivor, payment of such amount shall be made to living survivor of the member otherwise highest on the list under 1477(a) of title 10, United States Code.

On page 161, line 23, strike ''$238,000'' and insert ''$150,000''.

SA 340. Mr. DEWINE (for himself, Mr. DURBIN, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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 to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. INCREASED PERIOD OF CONTINUED TRICARE COVERAGE OF CHILDREN OF MEMBERS OF THE UNIFORMED SERVICES WHO DIE WHILE SERVING ON ACTIVE DUTY FOR A PERIOD OF MORE THAN 30 DAYS.

(a) PERIOD OF ELIGIBILITY.—Section 1079(g) of title 10, United States Code, is amended—

(1) by inserting ''(1)'' after ''(g)''; and

(2) by striking the second sentence and inserting the following:

''(2) In addition to any continuation of eligibility for benefits under paragraph (1), when a member dies while on active duty for a period of more than 30 days, the member's dependents who are receiving benefits under a plan covered by subsection (a) shall continue to be eligible for such benefits during the three-year period beginning on the date of the member's death, except that, in the case of such a dependent who is a child of the deceased, the period of continued eligibility shall be the longer of the following periods beginning on such date:

''(A) Three years.

''(B) The period ending on the date on which the child attains 21 years of age.

''(C) In the case of a child of the deceased who, at 21 years of age, is enrolled in a full-time course of study in a secondary school or in a full-time course of study in an institution of higher education approved by the administering Secretary and was, at the time of the member's death, in fact dependent on the member for over one-half of the child's support, the period ending on the earlier of the following dates:

''(i) The date on which the child ceases to pursue such a course of study, as determined by the administering Secretary.

''(ii) The date on which the child attains 23 years of age.

''(3) For the purposes of paragraph (2)(C), a child shall be treated as being enrolled in a full-time course of study in an institution of higher education during any reasonable period of transition between the child's completion of a full-time course of study in a secondary school and the commencement of an enrollment in a full-time course of study in an institution of higher education, as determined by the administering Secretary.

''(4) No charge may be imposed for any benefits coverage under this chapter that is provided for a child for a period of continued eligibility under paragraph (2), or for any benefits provided to such child during such period under that coverage.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect as of October 1, 2001, and shall apply with respect to deaths occurring on or after such date.

SA 341. Mr. DEWINE (for himself, Mr. DURBIN, and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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 to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. EXPANSION OF AUTHORIZED USES OF EDUCATIONAL ASSISTANCE UNDER THE SURVIVORS' AND DEPENDENTS' EDUCATIONAL ASSISTANCE PROGRAM.

Section 3531(a) of title 38, United States Code, is amended by inserting ''room, board,'' after ''equipment,''.

SA 342. Mr. DEWINE (for himself, Mr. BINGAMAN, Mr. COLEMAN, Mr. NELSON of Florida, Mr. MARTINEZ, Mr. CORZINE, Mrs. DOLE, Mr. DODD, and Mr. CHAFEE) submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 183, after line 23, add the following:

FUNDS APPROPRIATED TO THE PRESIDENT

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

For necessary expenses to provide assistance to Haiti under chapter 1 of part I of the Foreign Assistance Act of 1961, for child survival, health, and family planning/reproductive health activities, in addition to funds otherwise available for such purposes, $10,000,000, to remain available until expended: *Provided*, That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

ASSISTANCE TO HAITI

SEC. 2105. (a)(1) The total amount appropriated by this chapter under the heading ''ECONOMIC SUPPORT FUND'' is increased by $21,000,000. Of the total amount appropriated under that heading, $21,000,000 shall be available for necessary expenses to provide assistance to Haiti.

(2) Of the funds made available under paragraph (1), up to $10,000,000 may be made available for election assistance in Haiti.

(3) Of the funds made available under paragraph (1), up to $10,000,000 may be made available for public works programs in Haiti.

(4) Of the funds made available under paragraph (1), up to $1,000,000 may be made available for administration of justice programs in Haiti.

(5) The amount made available under paragraph (1) is designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

(b)(1) The total amount appropriated by this chapter under the heading ''INTERNATIONAL NARCOTICS CONTROL AND LAW ENFORCEMENT'' is increased by $10,000,000. Of the total amount appropriated under that heading, $10,000,000 shall be available for necessary expenses to provide assistance to Haiti.

(2) Of the funds made available under paragraph (1), up to $5,000,000 may be made available for training and equipping the Haitian National Police.

(3) Of the funds made available under paragraph (1), up to $5,000,000 may be made available to provide additional United States civilian police in support of the United Nations Stabilization Mission in Haiti.

(4) The amount made available under paragraph (1) is designated as an emergency requirement pursuant to section 402 of the conference report to accompany S. Con. Res. 95 (108th Congress).

SA 343. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 231, between lines 3 and 4, insert the following:

SEC. 6047. The United States releases to the State of Arkansas the reversionary interest described in sections 2 and 3 of the Act entitled ''An Act authorizing the transfer of part of Camp Joseph T. Robinson to the State of Arkansas'', approved June 30, 1950 (64 Stat. 311, chapter 429), in and to the surface estate of the land constituting Camp Joseph T. Robinson, Arkansas, which lies east of the Batesville Pike county road, in sections 24, 25, and 36, township 3 north, range 12 west, Pulaski County, Arkansas.

SA 344. Mrs MURRAY (for herself, Mr. AKAKA, Mr. BYRD, Mrs. BOXER, Mr. BINGAMAN, Mr. ROCKEFELLER, Ms. MIKULSKI, Mr. JEFFORDS, Mr. SALAZAR, Mr. DAYTON, Mr. SCHUMER, Mr. JOHNSON, Mr. CORZINE, Mrs. LINCOLN, Ms. LANDRIEU, Mr. DORGAN, and Mr. BIDEN) proposed an amendment to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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 to ensure expeditious construction of the San Diego border fence, and for other purposes; as follows:

On page 188, after line 20, add the following:

CHAPTER 5

DEPARTMENT OF VETERANS AFFAIRS

VETERANS HEALTH ADMINISTRATION

MEDICAL SERVICES

For necessary expenses for furnishing, as authorized by law, outpatient and inpatient care and treatment to beneficiaries of the Department of Veterans Affairs and veterans as described in paragraphs (1) through (8) of section 1705(a) of title 38, United States Code, including care and treatment in facilities not under the jurisdiction of the department and including medical supplies and equipment and salaries and expenses of health-care employees hired under title 38, United States Code, and to aid State homes as authorized under section 1741 of title 38, United States Code; $1,975,183,000 plus reimbursements: *Provided*, That of the amount under this heading, $610,183,000 shall be available to address the needs of servicemembers deployed for Operation Iraqi Freedom and Operation Enduring Freedom; *Provided further*, That of the amount under this heading, $840,000,000 shall be available, in equal amounts of $40,000,000, for each Veterans Integrated Service Network (VISN) to meet current and pending care and treatment requirements: *Provided further*, That of the amount under this heading, $525,000,000 shall be available for mental health care and treatment, including increased funding for centers for the provision of readjustment counseling and related mental health services under section 1712A of title 38, United States Code (commonly referred to as ''Vet Centers''), increased funding for post traumatic stress disorder (PTSD) programs, funding for the provision of primary care consultations for mental health, funding for the provision of mental health counseling in Community Based Outreach Centers (CBOCs), and funding to facilitate the provision of mental health services by Department of Veterans Affairs facilities that do not currently provide such services: *Provided further*, That the amount under this heading shall remain available until expended.

SA 345. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. The Secretary of Labor shall convey to the State of Michigan, for no consideration, all right, title, and interest of the United States in and to the real property known as the ''Detroit Labor Building'' and located at 7310 Woodward Avenue, Detroit, Michigan, to the extent the right, title, or interest was acquired through a grant to the State of Michigan under title III of the Social Security Act (42 U.S.C. 501 et seq.) or the Wagner-Peyser Act (29 U.S.C. 49 et seq.) or using funds distributed to the State of Michigan under section 903 of the Social Security Act (42 U.S.C. 1103).

SA 346. Mr. CORZINE (for himself and Mr. BROWNBACK) submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 231, between lines 3 and 4, insert the following:

TITLE VII—ACCOUNTABILITY IN DARFUR

SECTION 7001. SHORT TITLE.

This title may be cited as the ''Darfur Accountability Act of 2005''.

SEC. 7002. DEFINITIONS.

In this title:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term 'appropriate congressional committees' means the Committee on Foreign Relations of the Senate and the Committee on International Relations of the House of Representatives.

(2) GOVERNMENT OF SUDAN.—The term ''Government of Sudan'' means the National Congress Party-led government in Khartoum, Sudan, or any successor government formed on or after the date of the enactment of this title.

(3) MEMBER STATES.—The term ''member states'' means the member states of the United Nations.

(4) SUDAN NORTH-SOUTH PEACE AGREEMENT.—The term ''Sudan North-South Peace Agreement'' means the comprehensive peace agreement signed by the Government of Sudan and the Sudan People's Liberation Army/Movement on January 9, 2005.

(5) THOSE NAMED BY THE UN COMMISSION OF INQUIRY.—The term ''those named by the UN Commission of Inquiry'' means those individuals whose names appear in the sealed file delivered to the Secretary-General of the United Nations by the International Commission of Inquiry on Darfur to the United Nations Security Council.

(6) UN COMMITTEE.—The term ''UN Committee'' means the Committee of the Security Council established in United Nations Security Council Resolution 1591 (29 March 2005); paragraph 3.

SEC. 7003. FINDINGS.

Congress makes the following findings:

(1) On July 22, 2004, the House of Representatives and the Senate declared that the atrocities occurring in Darfur, Sudan are genocide.

(2) On September 9, 2004, Secretary of State Colin L. Powell stated before the Committee on Foreign Relations of the Senate, ''[w]hen we reviewed the evidence compiled by our team, along with other information available to the State Department, we concluded that genocide has been committed in Darfur and that the Government of Sudan and the [Janjaweed] bear responsibility—and genocide may still be occurring''.

(3) President George W. Bush, in an address before the United Nations General Assembly on September 21, 2004, stated, ''[a]t this hour, the world is witnessing terrible suffering and horrible crimes in the Darfur region of Sudan, crimes my government has concluded are genocide''.

(4) On July 30, 2004, the United Nations Security Council passed Security Council Resolution 1556, calling upon the Government of Sudan to disarm the Janjaweed militias and to apprehend and bring to justice Janjaweed leaders and their associates who have incited and carried out violations of human rights and international humanitarian law and carried out other atrocities in the Darfur region.

(5) On September 18, 2004, the United Nations Security Council passed Security Council Resolution 1564, determining that the Government of Sudan had failed to meet its obligations under Security Council Resolution 1556, calling for a military flight ban in and over the Darfur region, demanding the names of Janjaweed militiamen disarmed and arrested for verification, establishing an International Commission of Inquiry into violations of international humanitarian and human rights laws, and threatening sanctions should the Government of Sudan fail to fully comply with Security Council Resolutions 1556 and 1564.

(6) United Nations Security Council Resolution 1564 declares that if the Government of Sudan ''fails to comply fully'' with Security Council Resolutions 1556 and 1564, the Security Council shall consider taking ''additional measures'' against the Government of Sudan ''as contemplated in Article 41 of the Charter of the United Nations, such as actions to affect Sudan's petroleum sector or individual members of the Government of Sudan, in order to take effective action to obtain such full compliance and cooperation''.

(7) United Nations Security Council Resolution 1564 also ''welcomes and supports the intention of the African Union to enhance and augment its monitoring mission in Darfur'' and ''urges member states to support the African Union in these efforts, including by providing all equipment, logistical, financial, material, and other resources necessary to support the rapid expansion of the African Union Mission''.

(8) On February 1, 2005, the United Nations released the Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General, dated January 25, 2005, which stated that, ''[g]overnment forces and militias conducted indiscriminate attacks, including killing of civilians, torture, enforced disappearances, destruction of villages, rape and other forms of sexual violence, pillaging and forced displacement throughout Darfur'', that such ''acts were conducted on a widespread and systematic basis, and therefore may amount to crimes against humanity'', and that the ''magnitude and large-scale nature of some crimes against humanity as well as their

consistency over a long period of time, necessarily imply that these crimes result from a central planning operation''.

(9) The Report of the International Commission of Inquiry on Darfur to the United Nations Secretary-General notes that, pursuant to its mandate and in the course of its work, the UN Commission collected information relating to individual perpetrators of acts constituting ''violations of international human rights law and international humanitarian law, including crimes against humanity and war crimes'' and that the UN Commission has delivered to the Secretary-General of the United Nations a sealed file of those named by the UN Commission with the recommendation that the ''file be handed over to a competent Prosecutor''.

(10) On March 24, 2005, the United Nations Security Council passed Security Council Resolution 1590, establishing the United Nations Mission in Sudan (UNMIS) consisting of 10,000 military personnel and 715 civilian police personnel. The mandate of UNMIS includes to ''closely and continuously liaise and coordinate at all levels with the African Union Mission in Sudan (AMIS) with a view towards expeditiously reinforcing the effort to foster peace in Darfur, especially with regard to the Abuja peace process and the African Union Mission in Sudan''. Security Council Resolution 1590 also urged the Secretary-General and United Nations High Commissioner for Human Rights to increase the number and deployment rate of human rights monitors to Darfur.

(11) On March 29, 2005, the United Security Council passed Security Council Resolution 1591, establishing a Committee of the Security Council and a Panel of Experts to identify individuals who have impeded the peace process, constitute a threat to stability in Darfur and the region, commit violations of international humanitarian or human rights law or other atrocities, or who are responsible for offensive overflights, and calling on member states to prevent those individuals identified from entry into or transit of their territories and to freeze those individuals non-exempted assets.

(12) On March 31, 2005, the United Nations Security Council passed Security Council Resolution 1593, referring the situation in Darfur since July 1, 2002, to the Prosecutor of the International Criminal Court (ICC) with the proviso that personnel from a state outside Sudan not a party to the Rome Statute of the ICC shall not be subject to the ICC in this instance.

SEC. 7004. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the atrocities unfolding in Darfur, Sudan, have been and continue to be genocide;

(2) the United States should immediately seek passage at the United Nations Security Council of a resolution that—

(A) extends the freezing of property and assets and denial of visas and entry, pursuant to United Nations Security Council Resolution 1591, to include—

(i) those named by the UN Commission of Inquiry;

(ii) family members of those named by the UN Commission of Inquiry and those designated by the UN Committee; and

(iii) any associates of those named by the UN Commission of Inquiry and those designated by the UN Committee to whom assets or property of those named by the UN Commission of Inquiry or those designated by the UN Committee were transferred on or after July 1, 2002;

(B) urges member states to submit to the Security Council the name of any individual that the government of any such member state believes is or has been planning, carrying out, responsible for, or otherwise involved in genocide, war crimes, or crimes against humanity in Darfur, along with evidence supporting such belief so that the Security Council may consider imposing sanctions pursuant to United Nations Security Council Resolution 1591;

(C) imposes additional sanctions or additional measures against the Government of Sudan, including sanctions that will affect the petroleum sector in Sudan, individual members of the Government of Sudan, and entities controlled or owned by officials of the government of Sudan or the National Congress Party in Sudan, that will remain in effect until such time as—

(i) humanitarian organizations are granted full, unimpeded access to Darfur;

(ii) the Government of Sudan cooperates with humanitarian relief efforts, carries out activities to demobilize and disarm Janjaweed militias and any other militias supported or created by the Government of Sudan, and cooperates fully with efforts to bring to justice the individuals responsible for genocide, war crimes, or crimes against humanity in Darfur;

(iii) the Government of Sudan cooperates fully with the African Union, the United Nations, and all other observer, monitoring, and protection missions mandated to operate in Sudan;

(iv) the Government of Sudan permits the safe and voluntary return of displaced persons and refugees to their homes and rebuilds the communities destroyed in the violence in Darfur; and

(v) the Sudan North-South Peace Agreement is fully implemented and a new coalition government is created under such Agreement;

(D) establishes a military no-fly zone in Darfur;

(E) supports the expansion of the African Union force in Darfur so that such force achieves the size and strength needed to prevent ongoing fighting and violence in Darfur;

(F) urges member states to accelerate assistance to the African Union force in Darfur;

(G) calls on the Government of Sudan to cooperate with, and allow unrestricted movement in Darfur by, the African Union force in the region, UNMIS, international humanitarian organizations, and United Nations monitors;

(H) extends the embargo of military equipment established by paragraphs 7 through 9 of Security Council Resolution 1556 and expanded by Security Council Resolution 1591 to include a total prohibition of sale or supply to the Government of Sudan;

(I) supports African Union and other international efforts to negotiate peace talks between the Government of Sudan and rebels in Darfur, calls on the Government of Sudan and rebels in Darfur to abide by their obligations under the N'Djamena Ceasefire Agreement of April 8, 2004, and subsequent agreements, and urges parties to engage in peace talks without preconditions and seek to resolve the conflict; and

(J) expands the mandate of UNMIS to include the protection of civilians throughout Sudan, including Dafur;

(3) the United States should work with other nations to ensure effective efforts to freeze the property and assets of and deny visas and entry to—

(A) those named by the UN Commission of Inquiry and those designated by the UN Committee;

(B) any individuals the United States believes is or has been planning, carrying out, responsible for, or otherwise involved in genocide, war crimes, and crimes against humanity in Darfur;

(C) family members of any person described in subparagraphs (A) or (B); and

(D) any associates of any such person to whom assets or property of such person were transferred on or after July 1, 2002;

(4) the United States should not provide assistance to the Government of Sudan, other than assistance necessary for the implementation of the Sudan North-South Peace Agreement, the support of the southern regional government in Sudan, or for humanitarian purposes in Sudan, unless the President certifies and reports to Congress that—

(A) humanitarian organizations are being granted full, unimpeded access to Darfur and the Government of Sudan is providing full cooperation with humanitarian efforts;

(B) concrete, sustained steps are being taken toward demobilizing and disarming Janjaweed militias and any other militias supported or created by the Government of Sudan;

(C) the Government of Sudan is cooperating fully with international efforts to bring to justice those responsible for genocide, war crimes, or crimes against humanity in Darfur;

(D) the Government of Sudan cooperates fully with the African Union, the United Nations, and all other observer, monitoring, and protection missions mandated to operate in Sudan;

(E) the Government of Sudan permits the safe and voluntary return of displaced persons and refugees to their homes and rebuilds the communities destroyed in the violence in Darfur; and

(F) the Sudan North-South Peace Agreement is fully implemented and a new coalition government is created under such Agreement;

(5) the President should work with international organizations, including the North Atlantic Treaty Organization (NATO), the United Nations, and the African Union to establish mechanisms for the enforcement of a no-fly zone in Darfur;

(6) the African Union should extend its mandate in Darfur to include the protection of civilians and proactive efforts to prevent violence, and member states should support fully this extension;

(7) the President should accelerate assistance to the African Union force in Darfur and discussions with the African Union and the European Union and other supporters of the African Union force on the needs of such force, including assistance for housing, transportation, communications, equipment, technical assistance such as training and command and control assistance, and intelligence;

(8) the President should appoint a Presidential Envoy for Sudan—

(A) to support the implementation of the Sudan North-South Peace Agreement;

(B) to seek ways to bring stability and peace to Darfur;

(C) to address instability elsewhere in Sudan; and

(D) to seek a comprehensive peace throughout Sudan;

(9) United States officials, including the President, the Secretary of State, and the Secretary of Defense, should raise the issue of Darfur in bilateral meetings with officials from other members of the United Nations Security Council and relevant countries, with the aim of passing a United Nations Security Council resolution described in paragraph (2) and mobilizing maximum support for political, financial, and military efforts to stop the genocide in Darfur;

(10) the Secretary of State should immediately engage in a concerted, sustained campaign with other members of the United

Nations Security Council and relevant countries with the aim of achieving the goals described in paragraph (9);

(11) the United States fully supports the Sudan North-South Peace Agreement and urges the rapid implementation of its terms;

(12) the United States condemns attacks on humanitarian workers and calls on all forces in Darfur, including forces of the Government of Sudan, all militia, and forces of the Sudan Liberation Army/Movement and the Justice and Equality Movement, to refrain from such attacks; and

(13) The United States should actively participate in the UN Committee and the Panel of Experts established pursuant to Security Council Resolution 1591, and work to support the Secretary-General and the United Nations High Commissioner for Human Rights in their efforts to increase the number and deployment rate of human rights monitors to Darfur.

SEC. 7005. IMPOSITION OF SANCTIONS.

(a) FREEZING ASSETS.—At such time as the United States has access to the names of those named by the UN Commission of Inquiry and those designated by the UN Committee, the President shall, except as described under subsection (c), take such action as may be necessary to immediately freeze the funds and other assets belonging to anyone so named, their family members, and any associates of those so named to whom assets or property of those so named were transferred on or after July 1, 2002, including requiring that any United States financial institution holding such funds and assets promptly report those funds and assets to the Office of Foreign Assets Control.

(b) VISA BAN.—Beginning at such times as the United States has access to the names of those named by the UN Commission of Inquiry and those designated by the UN Committee, the President shall, except as described under subsection (c), deny visas and entry to—

(1) those named by the UN Commission of Inquiry and those designated by the UN Committee;

(2) the family members of those named by the UN Commission of Inquiry and those designated by the UN Committee; and

(3) anyone the President determines has been, is, or may be planning, carrying out, responsible for, or otherwise involved in crimes against humanity, war crimes, or genocide in Darfur, Sudan.

(c) WAIVER AUTHORITY.—The President may elect not to take an action otherwise required to be taken with respect to an individual under subsection (a) or (b) after submitting to Congress a report—

(1) naming the individual with respect to whom the President has made such election;

(2) describing the reasons for such election; and

(3) including the determination of the President as to whether such individual has been, is, or may be planning, carrying out, responsible for, or otherwise involved in crimes against humanity, war crimes, or genocide in Darfur, Sudan.

(d) ASSET REPORTING REQUIREMENT.—Not later than 14 days after a decision to freeze the property or assets of, or deny a visa or entry to, any person under this section, the President shall report the name of such person to the appropriate congressional committees.

(e) NOTIFICATION OF WAIVERS OF SANCTIONS.—Not later than 30 days before waiving the provisions of any sanctions currently in force with regard to Sudan, the President shall submit to the appropriate congressional committees a report describing the waiver and the reasons therefor.

SEC. 7006. REPORTS TO CONGRESS.

(a) REPORTS ON STABILIZATION IN SUDAN.—

(1) INITIAL REPORT.—Not later than 30 days after the date of enactment of this title, the Secretary of State, in conjunction with the Secretary of Defense, shall report to the appropriate congressional committees on efforts to deploy an African Union force in Darfur, the capacity of such force to stabilize Darfur and protect civilians, the needs of such force to succeed at such mission including housing, transportation, communications, equipment, technical assistance, including training and command and control, and intelligence, current status of United States and other assistance to the African Union force, and additional United States assistance needed.

(2) SUBSEQUENT REPORTS.—

(A) UPDATES REQUIRED.—The Secretary of State, in conjunction with the Secretary of Defense, shall submit an update of the report submitted under paragraph (1) until such time as the President certifies that the situation in Darfur is stable and that civilians are no longer in danger and that the African Union is no longer needed to prevent a resumption of violence and attacks against civilians.

(B) DURATION OF REPORTING REQUIREMENT.—The Secretary of State shall submit any updated reports required under subparagraph (A)—

(i) every 60 days during the 2-year period following the date of the enactment of this Act; and

(ii) after such 2-year period, as part of the report required under section 8(b) of the Sudan Peace Act (50 U.S.C. 1701 note), as amended by section 5(b) of the Comprehensive Peace in Sudan Act of 2004 (Public Law 108–497; 118 Stat. 4018).

(b) REPORT ON THOSE NAMED BY THE UN COMMISSION OF INQUIRY.—At such time as the United States has access to the names of those named by the UN Commission of Inquiry, the President shall submit to the appropriate congressional committees a report listing such names.

SA 347. Mr. CORZINE (for himself, Mr. DEWINE, Mr. BROWNBACK, Mr. DURBIN, and Mr. LEAHY) submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 183, after line 23, add the following:

REQUIREMENT FOR TRANSFER OF FUNDS

SEC. 2105. Not later than 15 days after the date of the enactment of this Act, the authority contained under the heading ''INTERNATIONAL DISASTER AND FAMINE ASSISTANCE'' in chapter 2 of title II of Emergency Supplemental Appropriations Act for Defense and for the Reconstruction of Iraq and Afghanistan, 2004 (Public Law 108-106; 117 Stat. 1227) to transfer funds made available under such chapter, shall be fully exercised and the funds transferred as follows:

(1) $53,000,000 shall be transferred to and consolidated with funds appropriated under the heading ''PEACEKEEPING OPERATIONS'' in title III of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 2005 (as enacted in division D of Public Law 108-447; 118 Stat. 2988) and used for the support of the efforts of the African Union to halt genocide and other atrocities in Darfur, Sudan; and

(2) $40,500,000 shall be transferred to and consolidated with funds appropriated under the heading ''INTERNATIONAL DISASTER AND FAMINE ASSISTANCE'' in such Act and used for assistance for Darfur, Sudan.

SA 348. Mr. TALENT submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 8 and 9, insert the following:

PROCUREMENT OF COMMERCIAL SATELLITE BANDWIDTH SERVICES

SEC. 1122. The Secretary of Defense may not implement the action plan for the procurement of commercial satellite bandwidth services proposed by the Assistant Secretary of Defense for Networks and Information Integration on December 14, 2004, or enter into any new contract for commercial satellite communications services (other than through existing contract vehicles), until 30 days after the date on which the Comptroller General of the United States submits to the congressional defense committees a report setting forth the comprehensive assessment and recommendations of the Comptroller General regarding the Defense Information Systems Network Satellite Transmission Services–Global (DSTS–G) program, as previously requested by Congress.

SA 349. Mr. NELSON of Nebraska submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 8 and 9, insert the following:

ACQUISITION OF VITAL LEARNING RECRUITMENT/RETENTION SCREENING TEST PROGRAM

SEC. 1122. (a) IN GENERAL.—In determining the person or entity to supply the Vital Learning Recruitment/Retention Screening Test Program to the Navy for purposes of the acquisition of that program, the Secretary of the Navy shall utilize a strategy that emphasizes past performance on technical capabilities (commonly referred to as a ''best value'' strategy) applicable to that program.

(b) VITAL LEARNING RECRUITMENT/RETENTION SCREENING TEST PROGRAM DEFINED.—In this section, the term ''Vital Learning Recruitment/Retention Screening Test Program'' means the recruitment and retention screening test program of the Navy for which $1,000,000 is available under the heading ''OPERATION AND MAINTENANCE, NAVY'' in each of the Department of Defense Appropriations Act, 2004 (Public Law 108–87; 117 Stat. 1057) and the Department of Defense Appropriations Act, 2005 (Public Law 108–287; 118 Stat. 954).

SA 350. Mr. KENNEDY submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. IMPLEMENTATION OF MISSION CHANGES AT SPECIFIC VETERANS HEALTH ADMINISTRATION FACILITIES.

Section 414(c)(1) of the Veterans Health Programs Improvement Act of 2004, is amended by inserting '', and all outpatient clinics in the VA Boston Healthcare System'' before the period at the end.

SA 351. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. __. SENSE OF THE SENATE ON THE EARNED INCOME TAX CREDIT.

(a) FINDINGS.—The Senate makes the following findings:

(1) In an effort to provide support to military families, this Act includes an important increase in the maximum payable benefit under Servicemembers' Group Life Insurance from $150,000 to $400,000.

(2) In an effort to provide support to military families, this Act includes an important increase in the death gratuity from $12,000 to $100,000.

(3) In an effort to provide support to military families, this Act includes an important increase in the maximum Reserve Affiliation bonus to $10,000.

(4) The Federal earned income tax credit (EITC) under section 32 of the Internal Revenue Code of 1986 provides critical tax relief and support to military as well as civilian families. In 2003, approximately 21,000,000 families benefitted from the EITC.

(5) Nearly 160,000 active duty members of the armed forces, 11 percent of all active duty members, currently are eligible for the EITC, based on analyses of data from the Department of Defense and the Government Accountability Office.

(6) Congress acted in 2001 and 2004 to expand EITC eligibility to more military personnel, recognizing that military families and their finances are intensely affected by war.

(7) With over 300,000 National Guard and reservists called to active duty since September 11, 2001, the need for tax assistance is greater than ever.

(8) Census data shows that the EITC lifted 4,900,000 people out of poverty in 2002, including 2,700,000 children. The EITC lifts more children out of poverty than any other single program or category of programs.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that—

(1) Congress should take steps necessary to support our troops and their families;

(2) it is not in the interests of our troops and their families to reduce the earned income tax credit under section 32 of the Internal Revenue Code of 1986; and

(3) the conference committee for H. Con. Res. 96, the concurrent resolution on the budget for fiscal year 2006, should not assume any reduction in the earned income tax credit in the budget process this year, as provided in such resolution as passed by the House of Representatives.

SA 352. Mr. SALAZAR (for himself and Mr. ALLARD) submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 162, between lines 22 and 23, insert the following:

SEC. 1113. RENAMING OF DEATH GRATUITY PAYABLE FOR DEATHS OF MEMBERS OF THE ARMED FORCES AS FALLEN HERO COMPENSATION.

(a) IN GENERAL.—Subchapter II of chapter 75 of title 10, United States Code, is amended as follows:

(1) In section 1475(a), by striking ''have a death gratuity paid'' and inserting ''have fallen hero compensation paid''.

(2) In section 1476(a)—

(A) in paragraph (1), by striking ''a death gratuity'' and inserting ''fallen hero compensation''; and

(B) in paragraph (2), by striking ''A death gratuity'' and inserting ''Fallen hero compensation''.

(3) In section 1477(a), by striking ''A death gratuity'' and inserting ''Fallen hero compensation''.

(4) In section 1478(a), by striking ''The death gratuity'' and inserting ''The amount of fallen hero compensation''.

(5) In section 1479(1), by striking ''the death gratuity'' and inserting ''fallen hero compensation''.

(6) In section 1489—

(A) in subsection (a), by striking ''a gratuity'' in the matter preceding paragraph (1) and inserting ''fallen hero compensation''; and

(B) in subsection (b)(2), by inserting ''or other assistance'' after ''lesser death gratuity''.

(b) CLERICAL AMENDMENTS.—(1) Such subchapter is further amended by striking ''**Death gratuity:**'' each place it appears in the heading of sections 1475 through 1480 and 1489 and inserting ''**Fallen hero compensation:**''.

(2) The table of sections at the beginning of such subchapter is amended by striking ''Death gratuity:'' in the items relating to sections 1474 through 1480 and 1489 and inserting ''Fallen hero compensation:''.

(c) GENERAL REFERENCES.—Any reference to a death gratuity payable under subchapter II of chapter 75 of title 10, United States Code, in any law, regulation, document, paper, or other record of the United States shall be deemed to be a reference to fallen hero compensation payable under such subchapter, as amended by this section.

SA 353. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

OPERATIONS AND MAINTENANCE, GENERAL

The Secretary of the Army, acting through the Chief of Engineers, shall use any funds appropriated to the Secretary pursuant to this Act to repair, restore, and maintain projects and facilities of the Corps of Engineers, including by dredging navigation channels, cleaning area streams, providing emergency streambank protection, restoring such public infrastructure as the Secretary determines to be necessary (including sewer and water facilities), conducting studies of the impacts of floods, and providing such flood relief as the Secretary determines to be appropriate: *Provided*, That of those funds, $32,000,000 shall be used by the Secretary for the Upper Peninsula, Michigan.

SA 354. Mr. GRAHAM submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

On page 169, between lines 8 and 9, insert the following:

PROHIBITION ON IMPLEMENTATION OF CERTAIN ORDERS AND GUIDANCE ON FUNCTIONS AND DUTIES OF GENERAL COUNSEL AND JUDGE ADVOCATE GENERAL OF THE AIR FORCE

SEC. 1122. No funds appropriated or otherwise made available by this Act, or any other Act, may be obligated or expended to implement or enforce either of the following:

(1) The order of the Secretary of the Air Force dated May 15, 2003, and entitled ''Functions and Duties of the General Counsel and the Judge Advocate General''.

(2) Any internal operating instruction or memorandum issued by the General Counsel of the Air Force in reliance upon the order referred to in paragraph (1).

SA 355. Mr. MARTINEZ submitted an amendment intended to be proposed by him to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY

CONSTRUCTION, GENERAL

The Secretary of the Army, acting through the Chief of Engineers, shall carry out construction at the Jacksonville Harbor, Florida, in accordance with the report of the Chief of Engineers dated July 22, 2003, using the funds appropriated for that purpose under title I of division C of the Energy and Water Development Appropriations Act, 2005 (Public Law 108–447; 118 Stat. 2935).

SA 356. Mr. DURBIN (for himself, Ms. MIKULSKI, Mr. ALLEN, and Mr. CORZINE) proposed an amendment to the bill H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, and for other purposes; as follows:

On page 153, between lines 15 and 16, insert the following:

SEC. 1110. NONREDUCTION IN PAY WHILE FEDERAL EMPLOYEE IS PERFORMING ACTIVE SERVICE IN THE UNIFORMED SERVICES OR NATIONAL GUARD.

(a) SHORT TITLE.—This section may be cited as the ''Reservists Pay Security Act of 2005''.

(b) IN GENERAL.—Subchapter IV of chapter 55 of title 5, United States Code, is amended by adding at the end the following:

''§ 5538. Nonreduction in pay while serving in the uniformed services or National Guard

''(a) An employee who is absent from a position of employment with the Federal Government in order to perform active duty in the uniformed services pursuant to a call or order to active duty under a provision of law referred to in section 101(a)(13)(B) of title 10 shall be entitled, while serving on active duty, to receive, for each pay period described in subsection (b), an amount equal to the amount by which—

''(1) the amount of basic pay which would otherwise have been payable to such employee for such pay period if such employee's civilian employment with the Government had not been interrupted by that service, exceeds (if at all)

''(2) the amount of pay and allowances which (as determined under subsection (d))—

''(A) is payable to such employee for that service; and

''(B) is allocable to such pay period.

''(b)(1) Amounts under this section shall be payable with respect to each pay period (which would otherwise apply if the employee's civilian employment had not been interrupted)—

''(A) during which such employee is entitled to reemployment rights under chapter 43 of title 38 with respect to the position from which such employee is absent (as referred to in subsection (a)); and

''(B) for which such employee does not otherwise receive basic pay (including by taking any annual, military, or other paid leave) to which such employee is entitled by virtue of such employee's civilian employment with the Government.

''(2) For purposes of this section, the period during which an employee is entitled to reemployment rights under chapter 43 of title 38—

''(A) shall be determined disregarding the provisions of section 4312(d) of title 38; and

''(B) shall include any period of time specified in section 4312(e) of title 38 within which an employee may report or apply for employment or reemployment following completion of service on active duty to which called or ordered as described in subsection (a).

''(c) Any amount payable under this section to an employee shall be paid—

''(1) by such employee's employing agency;

''(2) from the appropriation or fund which would be used to pay the employee if such employee were in a pay status; and

''(3) to the extent practicable, at the same time and in the same manner as would basic pay if such employee's civilian employment had not been interrupted.

''(d) The Office of Personnel Management shall, in consultation with Secretary of Defense, prescribe any regulations necessary to carry out the preceding provisions of this section.

''(e)(1) The head of each agency referred to in section 2302(a)(2)(C)(ii) shall, in consultation with the Office, prescribe procedures to ensure that the rights under this section apply to the employees of such agency.

''(2) The Administrator of the Federal Aviation Administration shall, in consultation with the Office, prescribe procedures to ensure that the rights under this section apply to the employees of that agency.

''(f) For purposes of this section—

''(1) the terms 'employee', 'Federal Government', and 'uniformed services' have the same respective meanings as given them in section 4303 of title 38;

''(2) the term 'employing agency', as used with respect to an employee entitled to any payments under this section, means the agency or other entity of the Government (including an agency referred to in section 2302(a)(2)(C)(ii)) with respect to which such employee has reemployment rights under chapter 43 of title 38; and

''(3) the term 'basic pay' includes any amount payable under section 5304.''.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 55 of title 5, United States Code, is amended by inserting after the item relating to section 5537 the following:

''5538. Nonreduction in pay while serving in the uniformed services or National Guard.''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to pay periods (as described in section 5538(b) of title 5, United States Code, as amended by this section) beginning on or after the date of enactment of this Act.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that the following hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, April 19, at 10 a.m. in room 366 of the Dirksen Senate Office Building in Washington, DC.

The purpose of this hearing is to receive testimony concerning offshore hydrocarbon production and the future of alternate energy resources on the outer Continental Shelf. Issues to be discussed include: recent technological advancements made in the offshore exploration and production of traditional forms of energy, and the future of deep shelf and deepwater production; enhancements in worker safety, and steps taken by the offshore oil and gas industry to meet environmental challenges. Participants in the hearing will also address ways that the Federal Government can facilitate increased exploration and production offshore while protecting the environment. New approaches to help diversify the offshore energy mix will also be discussed.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, SD–364 Dirksen Senate Office Building, Washington, DC 20510–6150.

For further information, please contact: Shane Perkins at 202–224–7555.

SUBCOMMITTEE ON WATER AND POWER

Ms. MURKOWSKI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power of the Committee on Energy and Natural Resources.

The hearing will be held on Tuesday, April 19, 2005 at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on S. 166, to amend the Oregon Resource Conservation Act of 1996 to reauthorize the participation of the Bureau of Reclamation in the Deschutes River Conservancy, and for other purposes; S. 251, to authorize the Secretary of the Interior to conduct a

water resource feasibility study for the Little Butte/Bear Creek Subbasins in Oregon; S. 310, to direct the Secretary of the Interior to convey the Newlands Project Headquarters and Maintenance Yard Facility to the Truckee-Carson Irrigation District in the State of Nevada; S. 519, to amend the Lower Rio Grande Valley Water Resources Conservation and Improvement Act of 2000 to authorize additional projects and activities under that Act, and for other purposes; and S. 592, to extend the contract for the Glendo Unit of the Missouri Basin Project in the State of Wyoming.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Kellie Donnelly 202–224–9360 or Shane Perkins at 202–224–7555.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on April 12, 2005, at 9:30 a.m., in closed session to receive testimony on the assessment of Iraqi security forces.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION.

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on the nominations of Dr. Michael Griffin to be Administrator of the National Aeronautics and Space Administration, Mr. Joseph Boardman to be Administrator of the Federal Railroad Administration, Ms. Nancy Nord to be Commissioner of the Consumer Product Safety Commission, and The Honorable William W. Cobey, Jr. to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority, on Tuesday, April 12, 2005, at 10:15 a.m., in SR–253.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, April 12, at 10 a.m. in room SD–366.

The purpose of the hearing is to discuss opportunities to advance technology that will facilitate environmentally friendly development of oil shale and oil sands resources. The hearing will address legislative and administrative actions necessary to provide incentives for industry investment, as well as explore concerns and experiences of other governments and organizations and the interests of industry.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, April 12, 2005, at 9:30 a.m., to hold a nomination hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet in a closed briefing on Tuesday, April 12, 2005, at 11:30 a.m., in S–407, the Capitol.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 12, 2005, at 10 a.m. and 2:30 p.m., to hold hearings.

The PRESIDING OFFICER. Without objection, it is so ordered.

SPECIAL COMMITTEE ON AGING

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Special Committee on Aging be authorized to meet Tuesday, April 12, 2005, from 2:30 p.m. to 5 p.m., in Dirksen 106, for the purpose of conducting a hearing.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be authorized to meet during the session of the Senate on Tuesday, April 12 at 2:30 p.m. to review management and planning issues for the National Mall, including the history of development, security projects and other planned constructions, and future development plans.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Subcommittee on Seapower be authorized to meet during the session of the Senate on April 12 at 2:30 p.m. to receive testimony on Navy shipbuilding and industrial base status in review of the defense authorization request for fiscal year 2006.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGE OF THE FLOOR

Mr. CARPER. Mr. President, I ask unanimous consent that Richard Litsey, a fellow on the Finance Committee staff of Senator BAUCUS, be granted the privilege of the floor during consideration of H.R. 1268, the emergency Iraq/Afghanistan supplemental appropriations, and all rollcall votes thereon.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that Senator JOHN MCCAIN's legislative fellow, Navy CDR Shawn Grenier, be granted floor privileges during the consideration of H.R. 1268, the Emergency Supplemental Appropriations Act.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, on behalf of Senator BAUCUS, I ask unanimous consent that Cuong Huynh, a fellow on his staff at the Finance Committee, be accorded floor privileges during the consideration of H.R. 1268, the emergency Iraq-Afghanistan supplemental appropriation bill, and any votes thereon.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL YOUTH SERVICE DAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent the Senate now proceed to consideration of S. Res. 105, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 105) designating April 15, 2005, as National Youth Service Day, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MURKOWSKI. Mr. President, I rise in support of S. Res. 105, a resolution designating April 15, 2005, as National Youth Service Day. S. Res. 105 acknowledges the remarkable community service efforts that our Nation's youth are making in communities across the country on April 15 and every day, and encourages all people to recognize and support the significance of these contributions.

National Youth Service Day is a public awareness and education campaign that highlights the extraordinary contributions that young people make to their communities throughout the year. On this day, youth from across the United states and the world will carry out community service projects in areas ranging from hunger to literacy to the environment. National Youth Service Day is the largest service event in the world that brings millions of youth and over 50 local, regional, and national partners together to support and promote youth service.

In Alaska, the following groups will engage youth in community service activities on April 15:

(1) Anchorage's Promise, along with 70 other youth/family organizations from Anchorage and the Mat-Su Valley, will mobilize all sectors of the

community to build the character and competence of Anchorage's children and youth by fulfilling the Five Promises: caring adults, safe places, a healthy start, marketable skills, and opportunities to serve. This year's National Youth Service Day celebration in anchorage hopes to engage at least 7,000 youth in service-learning projects throughout the city.

(2) Cook Inlet Tribal Council Youth Center will prepare and serve traditional Alaska Native dishes to 75–100 homeless people in downtown Anchorage.

(3) As part of the Anchorage Youth Make It Better Project, the mountain View Boys and Girls Club, Alaska Division of Juvenile Justice, members of the Boy Scouts of America Venturing Program, interested AmeriCorps/VISTA volunteers, and the Alaska Points of Light Youth Leadership Institute Student Alumni association will organize and conduct a Youth Make A Better Community essay contest involving 50 Anchorage fifth and sixth grade students. The students will write about how they would improve the community. In addition, 25 middle and high school students will design and paint an outdoor mural in Mountain View highlighting important social issues and traits of good character.

(4) In Koyukuk, young people will be helping elders with household chores they cannot do for themselves.

(5) In the Matanuska-Susitna Valley, Communities In Schools Mat-Su has organized 25 students from the Mat-Su Youth Facility School and students from the Chickaloon Tribal School to work on building a Chicken Coop for the tribal sustainability project.

Many similar and wonderful activities will be taking place all across the Nation.

I thank my colleagues—Senators AKAKA, ALLEN, BAYH, BINGAMAN, BOXER, BUNNING, CLINTON, COCHRAN, COLEMAN, COLLINS, CONRAD, CORNYN, CRAIG, DEWINE, DODD, DOMENICI, DORGAN, DURBIN, FEINGOLD, FEINSTEIN, GREGG, HAGEL, ISAKSON, JOHNSON, KERRY, LANDRIEU, LIEBERMAN, LEVIN, LOTT, MARTINEZ, MIKULSKI, MURRAY, NELSON, REED, SALAZAR, SANTORUM, SCHUMER, SESSIONS, SNOWE, SPECTER, STABENOW, STEVENS, BUNNING and THUNE—for co-sponsoring this worthwhile legislation, which will ensure that youth across the country and the world know that all of their hard work is greatly appreciated.

Mr. MCCONNELL. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid on the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 105) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 105

Whereas National Youth Service Day is an annual public awareness and education campaign that highlights the valuable contributions that young people make to their communities throughout the year;

Whereas the goals of National Youth Service Day are to mobilize youth as leaders in identifying and addressing the needs of their communities through service and service-learning, to support youth on a lifelong path of service and civic engagement, and to educate the public, the media, and policymakers about the year-round contributions of young people as community leaders;

Whereas young people in the United States, and in many other countries, are volunteering more than in any generation in history;

Whereas young people should be viewed as the hope not only of the future, but also of today, and should be valued for the idealism, energy, creativity, and commitment they bring to the challenges found in their communities;

Whereas there is a fundamental and conclusive correlation between youth service and lifelong adult volunteering and philanthropy;

Whereas through community service, young people build character and learn valuable skills, including time management, teamwork, needs-assessment, and leadership, that are sought by employers;

Whereas service-learning, an innovative teaching method combining service to the community with curriculum-based learning, is a proven strategy to increase academic achievement and strengthens civic engagement and civic responsibility;

Whereas several private foundations and corporations in the United States support service-learning because they understand that strong communities begin with strong schools and a community investment in the lives and futures of youth;

Whereas a sustained investment by the Federal Government, business partners, schools, and communities fuels the positive, long-term cultural change that will make service and service-learning the common expectation and the common experience of all young people;

Whereas National Youth Service Day, a program of Youth Service America, is the largest service event in the world and is being observed for the 17th consecutive year in 2005;

Whereas National Youth Service Day, with the support of 50 lead agencies, hundreds of grant winners, and thousands of local partners, engages millions of young people nationwide;

Whereas National Youth Service Day will involve 114 national partners, including 8 Federal agencies and 10 organizations that are offering grants to support National Youth Service Day;

Whereas National Youth Service Day has inspired Global Youth Service Day, which occurs concurrently in over 120 countries and is now in its sixth year; and

Whereas young people will benefit greatly from expanded opportunities to engage in meaningful volunteer service and service-learning: Now, therefore, be it

Resolved,

SECTION 1. RECOGNITION AND ENCOURAGEMENT OF YOUTH COMMUNITY SERVICE.

The Senate recognizes and commends the significant contributions of American youth and encourages the cultivation of a common civic bond among young people dedicated to serving their neighbors, their communities, and the Nation.

SEC. 2. NATIONAL YOUTH SERVICE DAY.

The Senate—

(1) designates April 15, 2005, as ''National Youth Service Day''; and

(2) calls on the people of the United States to—

(A) observe the day by encouraging and engaging youth to participate in civic and community service projects;

(B) recognize the volunteer efforts of our Nation's young people throughout the year; and

(C) support these efforts and engage youth in meaningful decision making opportunities today as an investment in the future of our Nation.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Democratic Leader, pursuant to Public Law 101–509, the appointment of Guy Rocha, of Nevada, to the Advisory Committee on the Records of Congress, vice Stephen Van Buren of South Dakota.

ORDERS FOR WEDNESDAY, APRIL 13, 2005

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. tomorrow, Wednesday, April 13. I further ask unanimous consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then begin a period of morning business for up to 60 minutes, with the first 30 minutes under the control of the majority leader or his designee and the second 30 minutes under the control of the Democratic leader or his designee; provided that following morning business the Senate resume consideration of H.R. 1268, the Iraq-Afghanistan supplemental appropriations bill; provided further that there be 40 minutes equally divided in relation to Durbin amendment No. 356 prior to the vote in relation to the amendment, with no second degrees in order to the amendment prior to that vote.

The PRESIDING OFFICER. Is there objection?

Mr. DURBIN. Mr. President, reserving the right to object, I will not object, I say to my friend, the Republican whip, it is my intention to try to reduce the length of that debate depending on morning business. I understand many of our colleagues have a meeting at the White House. If we can expedite this debate time and bring the vote up before the Senator leaves, that is my intention.

Mr. MCCONNELL. That would be very good. We would either finish it before that meeting or do it after. I think we can get the vote in before that meeting. It would be very good.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MCCONNELL. Mr. President, tomorrow, following morning business,

the Senate will resume consideration of the Iraq-Afghanistan supplemental. We had a good start today and will continue to make progress tomorrow. Currently there are three amendments pending to the bill. We will try to have, as Senator DURBIN and I were discussing, the first vote at 10:50, or before if all debate is used on the Durbin amendment. As I indicated, if we are unable to vote by that point we will have to delay the vote until sometime shortly after noon. For the remainder of the day we will continue working through amendments to the bill. The chairman and ranking member will be here to receive any amendments. I certainly encourage our colleagues who wish to offer amendments to contact them as soon as possible.

Obviously rollcall votes are expected throughout the day tomorrow as the Senate continues consideration of this important appropriations bill.

Again, we are going to have a busy week as we work toward completion of the Iraq-Afghanistan appropriations measure.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 6:53 p.m., adjourned until Wednesday, April 13, 2005, at 9:30 a.m.

EXTENSIONS OF REMARKS

IN HONOR OF CUYAHOGA COUNTY TREASURER JIM ROKAKIS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Cuyahoga County Treasurer Mr. Jim Rokakis, as he is recognized by the Cuyahoga County Democratic Party for his service to our community.

A life-long Clevelander, Mr. Rokakis continues to focus on the well-being of Clevelanders, and beyond. After graduating from the Cleveland-Marshall School of Law, Mr. Rokakis set out to promote positive change within our community. In 1978, he was elected to serve as the Ward 15 representative to the Cleveland City Council. For nearly twenty years, he served the residents of the Old Brooklyn neighborhood with integrity and dedication. For the last seven years of his tenure as Councilperson, Mr. Rokakis served as the Chair of the Finance Committee.

In March of 1997, Mr. Rokakis was elected to the office of Treasurer of Cuyahoga County. In this capacity, Mr. Rokakis has consistently demonstrated a vision and focus on improving the tax collection process. His complete renovation of the system has resulted in greater efficiency regarding the County's tax collection and disbursement processes. Under his leadership, the office of the Treasurer has been awarded with many honors, especially regarding his inner-city housing initiatives.

Mr. Speaker, please join me in honor and recognition of Mr. Jim Rokakis. His dedicated service, focused on the well-being of the residents of Cleveland and Cuyahoga County, has served to strengthen our entire community.

A TRIBUTE TO ANTONIO BONILLA

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. TOWNS. Mr. Speaker, I rise in honor of Antonio Bonilla who is being honored at the Brooklyn Caribe Lions Club dinner dance as "Businessman of The Year."

Antonio is a successful businessman who was born in Isabela, Puerto Rico. He came to New York in 1953 and has worked in various jobs, including carpentry, cooking, and marketing.

One of his first employers was Emerson Radio Corporation, where he worked for over 10 years. Then in the 1960's his wife, Leonor, exposed him to Mexico's culture, including its people, food, and music. By 1971, his dream to open a Mexican restaurant had become a reality. Together with his family, they found and renovated the space on the corner of Second Ave and 26th Street in Manhattan and named it Mexico Lindo Restaurant.

Today the restaurant has become a popular nightspot for the entertainment and political communities. Antonio is a distinguished businessman whose cooperation with many religious and political organizations has established him as a philanthropist. He is very proud of the fact that he has always held a job, and that all his accomplishments have been the product of hard work.

Antonio and Leonor have three daughters Adriana, Claudia and Lara. Together as a family, they have strived to stay one step ahead of the competition. This award should serve to inspire and encourage him in continuing the important work he has already begun.

Mr. Speaker, Antonio Bonilla has been a leader in his community and has been a wonderful example of how dedication and perseverance can lead to success. As such, he is more than worthy of receiving our recognition today and the award of Businessman of the Year. Thus, I urge my colleagues to join me in honoring this truly remarkable person.

HONORING THE 2005 GLADNEY CUP GOLF TOURNAMENT AT THE CONGRESSIONAL COUNTRY CLUB IN BETHESDA, MD

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Ms. GRANGER. Mr. Speaker, I rise today to recognize an outstanding event that is conducted for the benefit of one of the best organizations in my district, the Gladney Center for Adoption.

On Monday, May 2, 2005, the Gladney Cup Golf Tournament will occur at the Congressional Country Club in Bethesda, MD, to benefit the Gladney Center for Adoption. The Gladney Adoption Center was founded more than 100 years ago in Fort Worth, TX, to find "loving homes for orphaned children" and today is one of this Nation's leading adoption services, which specializes in international and domestic adoptions. The center has placed more than 26,000 children in loving homes and has assisted more than 36,000 women experiencing crisis pregnancies. The Gladney Cup Golf Tournament is a premier event which raises much needed funds for the center's international and domestic adoption programs. The first Gladney Cup Golf Tournament was held at the famed Colonial Country Club, which is located in my district. The caliber of the inaugural tournament attracted more than 200 players and raised more than $1 million for the Gladney Center. The 2005 Gladney Cup Golf Tournament is the third event and the reputation of the tournament, coupled with the beautiful and prestigious greens of the Congressional Country Club, again is attracting players and corporations from around the country who not only derive satisfaction from playing on a challenging golf course, but also who are committed to helping the Gladney Adoption Center.

Mr. Speaker, it is my honor to recognize the Gladney Cup Golf Tournament, the organizations and individuals who are participating in the event so that more children may have happy homes in which to live and so that women who are experiencing a crisis pregnancy have a loving and supportive place to which to turn to for help.

NORTH RIDGE MIDDLE SCHOOL BAND WINNER OF JOHN PHILIP SOUSA FOUNDATION "SUDLER SILVER CUP"

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. BURGESS. Mr. Speaker, I rise today to commend the North Ridge Middle School Band of North Richland Hills, located in the 26th Congressional District of Texas, on winning the 2004 "Sudler Silver Cup."

This award was given by the John Philip Sousa Foundation to only two middle school bands in Canada and the United States in order to promote better international understanding. The John Philip Sousa Foundation is a non-profit foundation dedicated to the promotion of international understanding through the medium of band music. Through the administration of band related projects, the foundation seeks to uphold the standards and ideals of that icon of the American spirit, John Philip Sousa.

The North Ridge Middle School Band won this prestigious honor for demonstrating excellence at the international level under the leadership of director Cynthia Lansford. Not only do bands competing for this award have to show superiority in their musical skills but they must also do so under the same director for a period of several years.

I am proud of this fine band from North Richland Hills Middle School, and I applaud the students, band director and parents who made this achievement possible. I am honored to represent you in Congress.

HONORING CATHERINE SANTEE, WINNER OF THE 2005 LEGRAND SMITH SCHOLARSHIP

HON. JOHN J.H. "JOE" SCHWARZ

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. SCHWARZ of Michigan. Mr. Speaker, let it be known, that it is with great respect for the outstanding record of excellence she has compiled in academics, leadership, and community service, that I am proud to salute Catherine Roselyn Santee, winner of the 2005 LeGrand Smith Scholarship. This award is given to young adults who have demonstrated their true commitment to playing an important role in our Nation's future.

As a winner of the LeGrand Smith Scholarship, Catherine is being honored for demonstrating the same generosity of spirit, intelligence, responsible citizenship, and capacity for human service that distinguished the late LeGrand Smith of Somerset, Michigan.

Catherine is an exceptional student at Addison High School. Aside from being one of the highest in her class academically, Catherine possesses an outstanding record of achievement. She has been very active in the National Honor Society, Choir, Drama, Yearbook, and her church, serving as youth group president and church secretary. She has also devoted a great deal of her time volunteering to help others.

On behalf of the United States Congress, I am proud to join her many admirers in offering our highest praise and congratulations to Catherine Santee for her selection as winner of the 2005 LeGrand Smith Scholarship. This honor not only recognizes her efforts, but also is a testament to her parents, teachers, and other individuals whose personal interest, steadfast support, and active participation contributed to her success. To this remarkable young woman, we extend our most heartfelt good wishes for all her future endeavors.

IN HONOR AND REMEMBRANCE OF TOM BRAZAITIS

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Mr. Tom Brazaitis, dedicated husband, father, author, and friend, whose brilliant legacy as a journalist and humanitarian has served to elevate the lives of all who knew him well, including my own.

For more than thirty-two years, Mr. Brazaitis' poignant commentary and piercing assessment of our nation's political and social scene graced the pages of Ohio's largest newspaper, the Cleveland Plain Dealer. His compassion, deep intellect and consistent ability to glean the heart of a story and have it ready under deadline amazed his colleagues. He was known for his quick wit, compassionate heart, progressive mindset and his seemingly effortless ability to stay calm and cool amidst the fiery pressure of the busy newsroom. Mr. Brazaitis' compelling editorials consistently garnered strong responses from his readers, both pro and con. Yet his integrity was unwavering and he never compromised his personal convictions or viewpoints, regardless of popular opinion. Mr. Brazaitis was highly trusted, respected and admired by his colleagues and those of us in the political arena. Whether interviewing a small town council member or having dinner with a powerful publisher, Mr. Brazaitis treated everyone with the same respect, dignity and kindness. He built strong bonds with the public, strengthened by integrity and trust, and gave Greater Clevelanders an insightful and balanced perspective into the local and national political scene.

Mr. Brazaitis' courage and grace was reflected throughout his battle with cancer, a battle that he openly shared with his readers. From his initial diagnosis, through every standard and experimental treatment, Mr. Brazaitis' straightforward descriptions of his cancer experience deeply connected with his readers, offering us a sense of peace, clarity and even humor throughout his heroic struggle.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Mr. Tom Brazaitis, whose life and legacy served to bring critical issues into the rational light of day, and whose deep sense of humanity served to elevate our own humanity. I offer my deepest condolences to his wife, Eleanor; his daughter, Sarah; son, Mark; stepsons, Edward, Woodbury and Robert; and his five grandchildren. Tom Brazaitis lived his life with energy and joy, and the memories of his affable nature and kind heart will forever light the hearts of all who knew and loved him well.

A TRIBUTE TO EARL L. WILLIAMS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. TOWNS. Mr. Speaker, I rise in honor of Earl L. Williams who is being honored at the Brooklyn Caribe Lions Club dinner dance as "Civic Humanitarian of the Year."

Earl, who was born in Panama City, Republic of Panama, has been a community activist and civic leader for more than 40 years. Currently, he is the New York State Democratic Committeeman (District Leader) for the 40th Assembly District; Chairman of Community Planning Board #5, in East New York, Director of Spring Creek Towers Community Center, and a Certified Meeting Planner.

Earl graduated from San Mateo College in California with a BA degree, specializing in public affairs. A graduate of the National Housing Center Institute in Washington DC, he also attended NYU Real Estate Institute. He is a member of the Starrett City Spring Creek Lions Club, Brooklyn Borough President's Board, East Brooklyn Empire Zone, Black Meeting Planners of America, and East New York Hispanic Coalition. He has also chaired many Lions' activities within the district, region, New York State, and internationally. Earl has received many citations and awards from Lions Clubs International including a Presidential Medal; three Presidential Leadership Medals; nine International Extension awards; a Melvin Jones Fellow; Leadership Citations from New York City Mayors Ed Koch and David Dinkins, and Community Service Awards from New York City Council, New York State Senate and Assembly.

Earl Williams and his wife Ruth, who have been married for more than 40 years, are the parents of two children, Jacqueline Denise, an attorney, and Mark (deceased) and the grandparents of Marrissa. Earl is a communicant of St. Lawrence Roman Catholic Church and serves in the ministry of hospitality.

Mr. Speaker, Earl Williams has been a leader in his community and has taken on numerous roles and responsibilities to serve others. As such, he is more than worthy of receiving our recognition today and the award of Civic Humanitarian of the Year. Thus, I urge my colleagues to join me in honoring this truly remarkable person.

IN MEMORY OF ARMY SPC. CLINTON GERTSON

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Ms. GRANGER. Mr. Speaker, I rise today to honor the courage of a young hero from my district. On February 19, 2005, the Department of Defense declared that Specialist Clinton Gertson (United States Army, 24th Infantry Division) was killed in the line of duty after being hit by a sniper in Mosul, Iraq. Gertson's unit was scanning a Mosul neighborhood when he was shot around 2 p.m. Gertson was deployed to Iraq last October along with 4,000 other soldiers in the Fort-Stryker Brigade. His unit had been assigned to be one of the leaders in the fight against insurgents in Mosul.

Gertson, or "Big Country," was described by fellow soldiers as well-respected, someone who would always come to the aid of a fellow soldier and who remained even-keeled, even in the face of extreme danger.

Gertson demonstrated these qualities when 60 insurgents attacked his unit on November 11. Despite being injured himself, Gertson helped other soldiers who were more seriously injured to safety. Gertson again demonstrated this same heroism when a suicide bomber blew himself up inside the Forward Operating Base Marez mess hall in December. After the explosion went off, Gertson rushed to the aid of his wounded Company Commander, taking him to a nearby field hospital. Gertson's courage and leadership were qualities his fellow soldiers drew strength from and admired.

Gertson told his father he hoped everyone knew the sacrifices that he and the other soldiers were making and asked his father to remind people that freedom is not free.

The American people know the sacrifices Gertson, like many other soldiers, made to his country and his memory will not be in vain. I am proud to honor Specialist Gertson's service to the state of Texas where he entered the service, and to the United States of America. He will not be forgotten.

KELLER HIGH SCHOOL WINS STATE ACADEMIC DECATHLON

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. BURGESS. Mr. Speaker, It is my great honor to recognize the outstanding achievements of the Keller High School Academic Decathlon team from Keller, Texas located in the 26th Congressional District of Texas.

Keller High School won the state level Academic Decathlon competition out of a field of 40 teams. The Keller High School HS team brought home 22 team medals and 28 individual event medals from the large school division. In addition, Keller senior Xiaochu "Chu" Song earned the highest overall score at the competition.

Having won the Texas State Academic Decathlon, team members Alex Dang-Tran, Tyler Gibson, Van Hoang, Jeff Marthers, Spencer Scherer, Brandon Simmons, Chu Song, Jennifer Swegler and Joey Wilkinson will represent the State of Texas at the National Academic Decathlon in Chicago.

The team has been strongly competitive for the past 10 years, but this is the first time in its 20 years of existence that the Keller High School Academic Decathlon team has advanced to the national arena. These bright young students are coached by Vicki Whitaker and Kaye Blevins.

I wish them the best of luck at they compete April 14–16 at the national level. I am proud to represent such gifted students and dedicated teachers.

STATEMENT HONORING HEATHER MEYER, WINNER OF THE 2005 LEGRAND SMITH SCHOLARSHIP

HON. JOHN J.H. "JOE" SCHWARZ

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. SCHWARZ of Michigan. Mr. Speaker, let it be known, that it is with great respect for the outstanding record of excellence she has compiled in academics, leadership, and community service, that I am proud to salute Heather Meyer, winner of the 2005 LeGrand Smith Scholarship. This award is given to young adults who have demonstrated their true commitment to playing an important role in our Nation's future.

As a winner of the LeGrand Smith Scholarship, Catherine is being honored for demonstrating the same generosity of spirit, intelligence, responsible citizenship, and capacity for human service that distinguished the late LeGrand Smith of Somerset, Michigan.

Heather is an exceptional student at Addison High School. Aside from being one of the highest in her class academically, Catherine possesses an outstanding record of achievement. She has been very active in the National Honors Society, Girls State, FFA and 4–H, as well as other community and school activities. She has also devoted a great deal of her time volunteering to help others.

On behalf of the United States Congress, I am proud to join her many admirers in offering our highest praise and congratulations to Heather Meyer for her selection as winner of the 2005 LeGrand Smith Scholarship. This honor not only recognizes her efforts, but also is a testament to her parents, teachers, and other individuals whose personal interest, steadfast support, and active participation contributed to her success. To this remarkable young woman, we extend our most heartfelt good wishes for all her future endeavors.

IN HONOR OF DR. ELIZABETH K. BALRAJ

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Cuyahoga County Coroner, Dr. Elizabeth K. Balraj, as she is recognized by the Cuyahoga County Democratic Party for her outstanding service to our community.

In 1966, following her studies to become a physician and surgeon, Dr. Balraj left her homeland of India to immigrate to the United States. She practiced medicine at Akron General Hospital and St. Luke's Hospital in Cleveland. Dr. Balraj began her work in the Cuyahoga County Coroner's Office as Deputy Coroner and Pathologist. In 1987, following the retirement of Coroner Dr. Samuel R. Gerber, she was appointed Coroner of Cuyahoga County. Dr. Balraj was elected Coroner in November of 1988, and has been re-elected ever since.

Dr. Balraj's unwavering focus and energy is reflected every day throughout this office. Beyond supervising a multi-million dollar budget and a workforce of 87, she often leads cross-agency teams in uncovering answers for law enforcement officials, and most significantly, for families who grieve the death of their loved one. Dr. Balraj's integrity, combined with her sense of calm and precision, has elevated the work and mission throughout the Coroner's Office. She broke the glass ceiling for women by successfully carving a path into an area of science and medicine where women were virtually non-existent before.

Mr. Speaker, please join me in honor and recognition of Dr. Elizabeth K. Balraj. Her intellect, wisdom, leadership, quiet determination, and above all, her compassion and heart, all serve to offer answers to members of law enforcement, and most importantly, closure, solace and peace within the minds and hearts of families and individuals within Cuyahoga County.

A TRIBUTE TO CARLOS CASTILLO

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. TOWNS. Mr. Speaker, I rise in honor of Carlos Castillo who is being honored at the Brooklyn Caribe Lions Club dinner dance as "Lion of the Year."

Carlos Castillo, an outstanding Lion member, was born in Myaguez, Puerto Rico. Upon graduating high school in 1959, he originally came to New York for just two weeks. However, those two weeks ended lasting a lifetime. He got into the supermarket business and continued that venture for 40 years.

Through his work, he has become a highly recognized and distinguished individual in his industry. In 1989, his efforts were recognized with the Businessman of the Year Award. Also, in 1991 he received the Outstanding Puerto Rican Professionals Award from the Office of the New York City Council President, the Honorable Andrew Stein.

In addition to his accomplishments as a businessman, he is also a noted humanitarian. Carlos joined the Brooklyn Caribe Lions Club in 1984 and has always had an eye on helping those in need. Throughout his tenure with the Lions, he has received the Lion of the Year Award, the 100% President Award, the Melvin Jones Award, and the prestigious Uplinger Award.

He is also a devoted father and an all around exceptional family man. He has been married to his wife Astrid, for 40 years, and together they have raised three successful children: Charles Jr., Sandra, and Nelson. He is the proud grandfather of Michael, Taylor, Ivan, and Carlos Luis.

Mr. Speaker, Carlos Castillo has been a leader in his community and has been a wonderful example of how dedication and perseverance can lead to success. As such, he is more than worthy of receiving our recognition today and the award of Lion of the Year Award. Thus, I urge my colleagues to join me in honoring this truly remarkable person.

IN MEMORY OF ARMY SGT. DANIEL TORRES

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Ms. GRANGER. Mr. Speaker, I rise today to honor the courage of a young hero from my district. On February 4, 2005, the Department of Defense declared that Sergeant Daniel Torres (United States Army, 3rd Infantry Division) was killed in the line of duty when a roadside bomb exploded near his vehicle 140 miles north of Baghdad. Torres enlisted in the army following 9–11 and was planning to save up for college. He wanted to study marketing and international business and also had dreams of becoming a police officer.

His friends describe Torres as spiritual, someone who encouraged his friends to stay strong when they were down, and who was a role model to his peers.

He was also devoted to his family. He played catch with his younger sister Christina to help her improve her softball skills, which she says played a part in her recently receiving an athletic scholarship to a community college in Louisiana. He also had just found out that he was about to become a father and was ecstatic at the prospect.

Torres had been deployed to Iraq at the beginning of the war and remained there for seven months before his unit was sent back home. Torres' unit was deployed again to Iraq this January for another tour. Torres' father said his son had a gut instinct that he might not return home this time and told his family at Christmas that if he didn't return home, he would die doing what he was called to do. He told his parents that he was fighting for the children or Iraq, so that they and other Iraqis his age could have a better life and a better future. He also told them to be strong and have faith in God.

It is qualities of incredible courage, strength and pride in serving his country that we see in young heroes like Daniel Torres that makes us appreciate the freedoms we have here at home. I am proud to honor Sergeant Torres' service to the state of Texas where he entered the service, and to the United States of America. He will not be forgotten.

INTRODUCTION OF THE INSULAR AREAS TAX CREDIT ACT

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Ms. BORDALLO. Mr. Speaker, today I am introducing legislation that would resolve an issue of tax compliance between the United States Department of the Treasury and the governments of Guam and the United States Virgin Islands. This legislation addresses concerns regarding the coordination of the payment of the Earned Income Credit, EIC, and

Child Tax Credit, CTC, to qualifying taxpayers within these jurisdictions.

The tax codes of Guam and the Virgin Islands mirror that of the Internal Revenue Code, IRC, and taxpayers in these jurisdictions file their annual returns with their respective local departments of revenue and taxation in lieu of filing with the Internal Revenue Service. The revenue and taxation departments of Guam and the Virgin Islands must incorporate all provisions of the IRC related to individual and business taxes for their respective taxpayers, including provisions authorizing tax credits such as the EIC and the CTC. Revenues are retained by local treasuries, which they may use to cover the costs of operating local government agencies and providing for public services.

The coordination of the EIC and CTC is problematic because it requires the treasuries of Guam and the Virgin Islands to pay ''refundable'' portions of these credits, or those amounts that exceed an individual taxpayer's total tax liability. While I support the EIC and CTC and believe that low-income taxpayers in my district should be able to receive this form of tax relief, requiring the treasuries of Guam and the Virgin Islands to cover all ''refundable'' portions of these credits constitutes an unfunded federal mandate. In theory, the amount of such credit that exceeds an individual taxpayers total tax liability is meant to offset the impact of FICA taxes on low-income individuals. While residents of Guam and Virgin Islands pay their FICA taxes to the U.S. Treasury, the territorial treasuries are tasked with covering the cost of the ''refundable'' portion of this credit out of local revenues. Our cashstrapped treasuries are simply incapable of covering the amount of claimed credit, which constitutes between 6 to 8 percent of all tax revenues in Guam.

Congresswoman CHRISTENSEN and I have been working on a fair resolution to this matter over the past 2 years. We have worked with the Department of the Treasury and the chairmen and ranking members of the House Ways and Means and Senate Finance Committees. The legislation I am introducing today is similar to a bill I introduced last year, H.R. 2186, but with several revisions aimed at facilitating implementation. This legislation proposes a fair federal-territorial cost sharing arrangement which will allow low income citizens in the territories who pay FICA taxes to realize the same tax benefits as their counterparts in the 50 States and the District of Columbia without bankrupting the local treasuries of Guam and the Virgin Islands.

I look forward to working with House Ways and Means Committee Chairman THOMAS and Ranking Member RANGEL on this legislation.

IN HONOR OF THEODORE REKLINSKI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Theodore ''Ted'' Reklinski, upon the occasion of his retirement after more than 30 years of dedicated service with the Social Security Administration, where he worked diligently on behalf of the citizens of our community.

Mr. Reklinski began working as a Claims Representative for the SSA in 1973. He quickly ascended through the ranks, and by 1980, he was promoted to the position of Operations Supervisor at the Painseville office. In 1987, he returned to the Cleveland office as Operations Supervisor, and moved to the west side office in 1994. Mr. Reklinski's expertise, diligence and keen understanding of the complexities of our Social Security system, enabled him to provide solutions for countless individuals, children and families in critical need of assistance.

Beyond his outstanding service to his constituents, Mr. Reklinski forged solid bonds with community leaders and agencies. He served as an invaluable contact for my Congressional Staff, and his work reflected diligence and heart, enabling my Congressional Staff to assist our constituents and their families when needed.

Mr. Speaker and Colleagues, please join me in honor, gratitude and recognition of Mr. Ted Reklinski, for his exceptional work and advocacy on behalf of the citizens of our Cleveland community. His integrity and expertise, and more importantly, his sincere concern for others has uplifted the lives of countless citizens throughout our District.

A TRIBUTE TO THE UNITED JEWISH ORGANIZATIONS OF WILLIAMSBURG

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. TOWNS. Mr. Speaker, I rise today in recognition of a distinguished organization, the United Jewish Organizations of Williamsburg. It is an honor to represent The United Jewish Organizations of Williamsburg in the House of Representatives and it behooves us to pay tribute to such a selfless organization.

Mr. Speaker, The United Jewish Organizations of Williamsburg was founded in 1966 to help families in need in South Williamsburg. Over the course of its Thirty-Nine years of service to the Brooklyn community The United Jewish Organizations of Williamsburg has thrived marvelously where today it represents more than 50,000 community residents and 148 not-for-profits, religious, educational, charitable organizations and civic associations in the Jewish community of Williamsburg, Clinton Hill and Bedford-Stuyvesant.

Under the tutelage of their President, Rabbi David Niederman, The United Jewish Organizations of Williamsburg has established itself as a direct provider of social and housing services and is the address for urban planning, public health and community development services for the Jewish community of Greater Williamsburg.

The United Jewish Organizations of Williamsburg, has been a leader in providing low-income housing to the Williamsburg community. Their most recent project includes the development of a waterfront property at the site of the former Schaeffer Brewery, which has 149 housing units reserved for low-income people. Additionally, they are the central address for the New York State and New York City Departments of Health and the Center for Disease Control in researching and conducting pilot projects on Cancer and Shigellosis in the culturally rich Hasidic Jewish community. They also have been instrumental in providing treatment to those suffering from the adverse effects of tobacco as well as being involved in collaborative efforts witl1 other not-for-profits to providing for the overall betterment of the Williamsburg community.

Mr. Speaker, I believe that it is incumbent on this body to recognize the achievements of the United Jewish Organizations of Williamsburg. After the destruction and decimation of many Hasidic dynasties in Europe during the Holocaust, it is truly an inspiration to see the Hasidic sects of Satmar, Pupa, Vishnitz, Vien, Tzelem, Skver, Klausenberg and Spinka join together under the umbrella of The United Jewish Organizations of Williamsburg and call Brooklyn their home.

Mr. Speaker, may our country continue to benefit from the civic actions of The United Jewish Organizations of Williamsburg and community groups similar to them.

HONORING THE 2005 ALICE PAUL EQUALITY AWARD RECIPIENTS

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. ANDREWS. Mr. Speaker, I rise today to honor the recipients of the 2005 Alice Paul Equality Award: Vivian Sanks King, Esquire; Jennifer S. Macleod, Ph.D; Ruth B. Mandel, Ph.D; and the Honorable Sylvia B. Pressler. These remarkable individuals have helped to build a more just reality for women in New Jersey and beyond.

For 20 years, the Alice Paul Institute has worked to empower women and girls to become leaders in their communities, careers, and daily lives. Born in Mt. Laurel, NJ, Alice Paul was a lifelong advocate for equal rights for women, and led the final campaign for women's right to vote. She authored and lobbied for the Equal Rights Amendment, a much needed piece of legislation that would guarantee the equality of rights under the law for all persons regardless of gender.

The recipients of the 2005 Alice Paul Equality Award have all demonstrated a strong commitment to advancing women's equality throughout their lives. Vivian Sanks King, Esquire, currently serving as Vice President of Legal Management and General Counsel of the University of Medicine and Dentistry of New Jersey, is a community leader in the health law field, and is one of the first African-American attorneys appointed to head the legal department of a major academic medical center and university. Dr. Jennifer Macleod is an outspoken advocate for women's equality: she is a leader in the fight for the passage of the Equal Rights Amendment, and was a co-founder and first president of the first NOW chapter in New Jersey. Dr. Ruth Mandel, currently the Director of the Eagleton Institute of Politics at Rutgers University, teaches and writes about U.S. women's political leadership, and has received numerous distinctions for her extraordinary public service. The Honorable Sylvia Pressler, recently retired, served as the presiding judge for administration of the Appellate Division of the Superior Court of New Jersey. She was the first female appellate law clerk and the second woman ever to

serve on the appellate court. These four remarkable women deserve our thanks for their outstanding work on behalf of women in New Jersey and everywhere.

Mr. Speaker, there remains today an equality gap between women and men that contradicts the basic principles of our great Nation. With the tireless efforts of the Alice Paul Institute and the 2005 Alice Paul Equality Award honorees, this gap is being closed. I thank all those who have sought a more just America through the advancement of equality for women, and encourage my colleagues to support this cause in the U.S. Congress. Together we can continue to create better opportunities for all women.

IN HONOR OF THE GOLDEN JUBILEE OF SISTER MARY HELEN JACZKOWSKI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Sister Mary Helen Jaczkowski, upon the joyous occasion of her 50th Jubilee Year. As she has for half a century, Sister Mary Helen continues to serve in dedicated and holy ministry, a ministry of faith that focuses on the children, seniors and families of our community. She teaches by example, and her words and deeds, reflecting kindness, compassion and love, radiate strength and hope within the hearts of many, including my own.

Inspired by a true calling of spiritual and humanitarian duty, Sister Mary Helen began her ministry with a strong foundation in education. She started her life-long career in education by teaching third, fourth and fifth grade students at St. John Cantius School. Sister Mary Helen taught at various parochial schools throughout Cleveland and Northeastern Ohio, and also held leadership roles as assistant principal and principal. To fortify her knowledge and educational expertise, Sister Mary Helen earned a Master's degree in Education along the way. Today, she continues her educational ministry and leadership as assistant principal at Immaculate Conception School in Cleveland's Slavic Village neighborhood.

As a long-time social activist, Sister Mary Helens' unwavering dedication, focused on improving the lives of those around her, is clearly reflected throughout our Cleveland neighborhoods, from Tremont to Slavic Village and beyond. In Slavic Village, Sister Mary Helen led the restoration effort to transform the long-since abandoned Harvard School into an affordable, warm and secure place to call home for senior citizens, now known as the Harvard Village Senior Apartments.

Mr. Speaker and Colleagues, please join me in honor and celebration of the Golden Jubilee of Sister Mary Helen Jaczkowski. Her commitment, kindness and caring for the people of our community, from our children to our elderly, has served to lift the spirits of countless individuals, and continues to radiate faith, hope and light throughout our entire community.

HONORING THE BERKELEY POLICE DEPARTMENT

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Ms. LEE. Mr. Speaker, I rise today to honor the Berkeley Police Department of Berkeley, California on the occasion of its 100th year of service.

At the time of its founding over a century ago, the Berkeley Police Department was a pioneering institution. Led by August Vollmer, who was elected Town Marshall in 1905 and appointed as Berkeley's first Chief of Police in 1909, the Berkeley Police Department become known for its innovative management and law enforcement methods, and its practices were adopted by other departments nationwide.

Chief Vollmer is considered by many to be the father of modem law enforcement. He was one of the first officials to institute the use of a basic records system, scientific investigation, and motorcycle patrols as law enforcement methods. He sought police officers with good educations, worked with U.C. Berkeley to establish a police school, and also established the department's Law Enforcement Code of Ethics, which prohibited officers from receiving gratuities and from smoking on duty, and also required them to use as little force as possible in making arrests.

In addition to these innovations, Chief Vollmer was also one of the most progressive figures in law enforcement during his time. He recruited the first female and African American officers to the force in Berkeley, and also became a prominent opponent of the death penalty.

In the years since its remarkable founding, the Berkeley Police Department has continued to serve the public with courage and compassion, working to protect the residents of Berkeley and also to become involved in the community. In addition to its establishment of the charitable Christmas in April program in 1991 and other community service projects, the Department has also made a sustained effort to establish an effective model for community-involved policing.

Furthermore, the Berkeley Police Department has devoted considerable resources to the development of other programs of dire importance, such as the Domestic Violence Unit, Youth-Police Workshops with Beat Officers, the Citizens' Academy and Toys 4 Tots with Marines. In recent years, the department has received grants from the Department of Justice, the Office of Traffic Safety and others to institute innovative public safety reforms, and in 2003 reported the city's lowest violent crime rates since 1974.

On April 7, 2005, the Berkeley Police Department will be holding its centennial celebration. I would like to take this opportunity to commend and thank those who have given of themselves to serve the public through their work with the police force. I congratulate the Berkeley Police Department for 100 years of invaluable service, and salute its officers for their tireless efforts to make our community a safer, better place.

A TRIBUTE TO SOUTHERN CALIFORNIA PRESBYTERIAN HOMES

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. SCHIFF. Mr. Speaker, I rise today to congratulate Southern California Presbyterian Homes for 50 years of providing outstanding housing and health care services to older adults throughout Southern California.

Southern California Presbyterian Homes, a nonprofit corporation, was founded in 1955, as a mission outreach of the Presbyterian Church, to provide quality housing, health, and support services for senior citizens regardless of faith, race, income, or ethnicity. The organization is dedicated to serving the needs of seniors that enrich the physical, social, and spiritual dimensions of their lives.

Southern California Presbyterian Homes has grown from its humble beginnings of one continuing care retirement community in La Jolla in 1955 to 38 facilities in 2005 and serving over 3,300 senior citizens. There are continuing care retirement communities, like Royal Oaks Manor in Bradbury and Windsor Manor in Glendale, that provide multi-level care from independent living through skilled nursing. Kirkwood of Glendale is an assisted living facility that provides a residential alternative to older adults who currently reside in a nursing home or their own homes, and need assistance with activities of daily living and specialized dementia care. Affordable housing facilities such as Rosewood Court in Pasadena, Casa de la Paloma, The Gardens, Otto Gruber House, Palmer House, and Park Paseo in Glendale provide excellent living opportunities and support services for senior with limited incomes. Southern California Presbyterian Homes also provides home and community-based services through its adult day health care center and through Southern California Presbyterian Homes Home Care.

I am proud to recognize Southern California Presbyterian Homes for its 50 years of compassionate care to senior citizens in Southern California and I ask all Members to join me in congratulating Southern California Presbyterian Homes for their remarkable achievements.

TRIBUTE TO CAPTAIN SEAN GRIMES

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KNOLLENBERG. Mr. Speaker, today I join the people of the 9th Congressional District and the State of Michigan in honoring the passing of an American hero and patriot, Captain Sean Grimes, who lost his life in the line of duty in Iraq on March 4th. Captain Grimes was assigned to the U.S. Army's 1st Infantry Battalion, 9th Infantry Regiment, 2nd Brigade Combat Team where he served with distinction as a Combat Medic. At the time of his passing, Sean Grimes was 31.

A Bloomfield Hills native, Captain Grimes graduated from Lahser High School in Bloomfield Hills in 1991. Shortly after graduating

from high school Sean enlisted in the Army Reserve serving as an enlisted man for four years. His love of the Army prompted him to enroll in the Reserve Officers Training Corps (ROTC) while pursuing a Bachelor of Science degree in Nursing at Michigan State University. In 1997 he graduated from MSU and was commissioned as a Distinguished Military Graduate. His efforts and desire to provide the best medical care to soldiers led him to the Brooke Army Hospital at Fort Sam Houston in Texas in 2003, whereupon he graduated from the Army's Physician Assistant Course.

Until the day of his death, Captain Grimes displayed a sense of service not only to his fellow soldiers, but to his fellow man, helping civilian Iraqis in need of medical care. We may never really know the full impact his selfless acts may have had on the lives of his fellow soldiers and civilians he came into contact with. But the manner and character in which he fulfilled his duties tells us that he indeed made a difference in the lives of others and that that difference was for the better. These efforts have been recognized by the Army through a variety of medals Captain Grimes received during his career, culminating in being awarded the Bronze Star and Purple Heart posthumously.

Captain Sean Grimes exemplified what is best about the American soldier, devotion to duty above self, tireless dedication to his fellow soldiers and most importantly a driving desire to protect the freedoms we cherish so dearly. While he will certainly be missed most by his family, his sacrifice will not be forgotten. Captain Grimes paid the ultimate price both to protect the freedoms we exercise daily and to, bring those same freedoms to people who have never experienced true liberty. Today we honor his memory and may we never forget his sacrifice.

IN HONOR OF CLEVELAND DETECTIVE MAURICE HAMILTON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Detective Maurice Hamilton, Badge # 758, in celebration of his recent retirement from the Cleveland Police Department, after twenty-five years of dedicated and honorable service to the force and to the citizens of Cleveland.

Prior to joining the Cleveland Police Department in 1980, Detective Hamilton worked for the Cuyahoga County Sheriff's Department. He began basic patrol in Cleveland's Sixth District on May 29, 1980. In 1986, Detective Hamilton was needed on basic patrol in the First District. By 1989, he was promoted to Detective, working within the First District Strike Force, then the First District Detective Bureau in 1992.

Throughout his committed public service as protector and guardian of the residents of our community, Detective Hamilton maintained the highest level of integrity, grace and skill. He developed strong and trusted bonds with colleagues, neighborhood leaders, members of Cleveland's court system and members of the FBI. His expertise, unwavering focus, and compassion for others reflected in his outstanding work in solving cases and helping individuals and families who needed assistance. Over the years, Detective Hamilton has been duly recognized with numerous awards and commendations for his exceptional police work, yet these honors held little personal significance to him. His family, friends, fellow officers and the people of our community have always been, and continue to be, his motivating force. A true believer in giving back to the community, Detective Hamilton continues to volunteer his time as a member of the Cleveland Police Patrolman's Association and as an elder with his church, Grace Lutheran in Lakewood, where he is actively involved in community children's programs.

Mr. Speaker and Colleagues, please join me in honor and celebration of Cleveland Police Detective Maurice Hamilton, as we reflect upon twenty-five years of his significant service to the citizens of Cleveland. Detective Hamilton's compassion for others, integrity, expertise, and focus on protecting his constituents in Cleveland have all served to elevate the lives of countless families and individuals within our community. We wish Detective Hamilton, his wife, Joyce Hamilton, and their entire family many blessings of peace, health and happiness as they journey from this day onward.

30TH ANNIVERSARY OF THE ASIAN PACIFIC STATE EMPLOYEES ASSOCIATION

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Ms. MATSUI. Mr. Speaker, I rise in tribute to an organization with a great record of service to the Sacramento Region. For the past three decades, the Asian Pacific State Employees Association has worked tirelessly to protect and advance the interests of Asian American state employees. As the Asian Pacific State Employees Association hosts its 30th Anniversary celebration on April 28, 2005, I ask all my colleagues to join me in saluting the Asian Pacific State Employees Association, one of the Asian Pacific Islander community's most important service organizations.

The Asian Pacific State Employees Association, formerly known as the Asian State Employees Association, was founded in 1975 for the purpose of working toward achieving equal opportunity within the state work force through professional development and community empowerment. The Association's vision is one of Asian Pacific state employees serving, enhancing, and leading state government and their community.

Objectives adopted by the Association include advocating for Asian Pacific Islander state employee interests; providing an Asian Pacific network for its members and employers; advancing personal and professional development of its membership; consulting with members facing adverse action or other employment problems; working with the community to promote career opportunities, professionalism, cultural pride, self-esteem, and citizenship; and providing services and interchange with community, academic, and business groups.

Benefits and services offered by the Association include employee development, networking, scholarship opportunities, communications, and celebration of Asian Pacific contributions. At the present time, the Asian Pacific State Employees Association has over 1,000 members statewide, which includes the Southern, Central Valley, and Bay Area chapters, and officers frequently serve on legislative fact-finding committees, and provide testimony before the legislative committees regarding advocacy and affirmative action policies.

I would like to acknowledge and congratulate the evening's special honoree, Assemblywoman Judy Chu. Judy's distinguished career and her commitment to advocate for the interests of Asian American state employees make her a most deserving recipient of special praise and recognition

Mr. Speaker, the Asian Pacific State Employees Association has evolved into a leading organization within the state, a dynamic force striving to improve the quality of life of its members and the general community. I am confident that the Asian Pacific State Employees Association will continue to do great work and yield tremendous benefits to the Asian Pacific Islander state workers of California. I ask all my colleagues to join me in wishing the Asian Pacific State Employees Association continued success in the future.

SERGEANT FIRST CLASS PAUL RAY SMITH'S MEDAL OF HONOR

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. BILIRAKIS. Mr. Speaker, it is my privilege to rise today to honor one of our nation's bravest servicemembers, Sergeant First Class Paul Ray Smith. Tragically, Sgt. Smith lost his life two years ago while serving in Operation Iraqi Freedom. For his valor, Sgt. Smith on Monday was awarded the Congressional Medal of Honor.

The Medal of Honor is this nation's highest military honor and is awarded in the name of Congress by the President of the United States. Before Sgt. Smith, only 3,459 men and women, who have distinguished themselves, at the risk of life, above and beyond the call of duty, have received the Medal of Honor since its inception in 1861.

Sgt. Paul Smith is the first recipient of the Medal of Honor for service in Operation Iraqi Freedom. He also is the first to receive this great distinction since it was awarded posthumously in 1993 to two soldiers who died fighting in Somalia.

Mr. Speaker, on July 12, 2004, this body approved legislation, signed by the President, to name a post office in Holiday, Florida, the ''Sergeant First Class Paul Ray Smith Post Office.'' On that date, I first spoke about Sgt. Smith's heroic actions. On April 4, 2003, outside of Saddam International Airport in Baghdad, Sgt. Smith's unit, the Bravo Company of the 11th Engineer Battalion of the 3rd Infantry, was tasked with securing a prison for Iraqi prisoners of war at the Baghdad airport.

While Sgt. Smith and his men were working in the POW prison, they spotted members of the Republican Guard nearby. Sgt. Smith

called for a Bradley fighting vehicle, which was at a nearby roadblock, and he prepared his men for engagement. Sgt. Smith took charge and led the effort while they waited for the Bradley, which would bring an intimidating fire force.

Even though Sgt. Smith and his men were outnumbered by more than two to one, they continued to fight back. Without concern for his own life, Sgt. Smith jumped on an Army vehicle and began firing a .50 caliber machine gun. He fired and reloaded and continued to fire, killing 50 enemy soldiers until he was shot and killed.

Sgt. Smith's efforts saved the lives of all of his men and the more than a hundred American soldiers in the surrounding area. For Sgt. Smith, this was his job. In a letter he wrote to his family, which he never mailed, he said, "It doesn't matter how I come home, because I am prepared to give all that I am, to ensure that all my boys make it home."

Mr. Speaker, the Medal of Honor will never bring Sgt. Smith back to his family. He will not be able to play baseball with his son David. He will not be able to walk his daughter Jessica down the aisle when she gets married. He will no longer be able to kiss his wife Birgit goodnight. But because of his unyielding courage, his "boys" will have that chance with their families.

Since Sgt. Smith's death, Iraq has been liberated from a brutal dictator, had democratic elections, and is now a beacon for freedom and hope for all Middle East countries. The United States is safer today than we were before the fall of Saddam. I know that without the actions of Sgt. Smith and others like him, this goal could not have been achieved so promptly. Sgt. Smith's life was not lost in vain.

We are truly honored to have had a man such as Sgt. First Class Paul Ray Smith serve in our nation's military. He has become an inspiration to all men and women of the Armed Forces. His story will forever resonate in the history of this great nation and his name and legacy will never be forgotten. May God bless the Smith family and continue to watch over the country Sgt. Smith so loved.

IN HONOR AND REMEMBRANCE OF YOLANDA CRACIUN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Yolanda Craciun, loving mother, grandmother, community activist, and dear friend and mentor to many. Her passing marks a great loss for her family and friends, and also for the people of Cleveland's west side neighborhood, whom she supported, promoted and faithfully served.

Mrs. Craciun's family, including her late husband, John Craciun, were central to her life. The great care and love that she showered on them extended throughout Cleveland's west side neighborhood, where Mrs. Craciun led many efforts to uplift her neighborhood. The well-being of her community, anchored by her parish, Our Lady of Mt. Carmel Church, was her lifelong focus. Her advice and support was continually sought by neighbors and neighborhood leaders. Greatly loved, respected and admired by all, Mrs. Craciun was godmother to twenty-eight children.

Equipped with a compassionate heart, sharp mind and even sharper focus on the neighborhood she loved, Mrs. Craciun's efforts fostered hope and possibility throughout the Dentroit-Shoreway neighborhood, where she lived her whole life. She was a founding member and trustee of the Detroit-Shoreway Community Development Coalition, leading the charge to restore the neighborhood with housing, economic and social initiatives. Her efforts to help others spanned every barrier, and touched the lives of countless people and family. Mrs. Craciun raised over $100,000 for the Snowflake Program, used to decorate the neighborhood during holidays. She volunteered her time as a literacy tutor, was president of the PTA at St. Edward's High School, and served on many boards, including St. Augustine Manor and the Westside Substance Abuse Task Force Project.

Her humble nature precluded her from reveling in awards and accolades. However, her outstanding service was recognized by others. She was the recipient of many awards that highlighted her humanitarian efforts, including the 2004 Father Marino Frascati Neighborhood Champion Award, and the Giuseppe T. Fiocca Award, presented to her in 1998.

Mr. Speaker and Colleagues, please join me in honor and remembrance of Yolanda Craciun. She lived her life with joy, energy and in unwavering service to others. I extend my deepest condolences to her many friends and family members, especially her children: Jean, Mary, John, Joseph and James; and her grandchildren and sister. Her eternal faith in humanity and in the notion that together, we can make a positive difference, will continue to serve as an unending force of light, hope and possibility, throughout the Detroit-Shoreway neighborhood and beyond.

NATIVE AMERICAN HOUSING ENHANCEMENT ACT OF 2005

SPEECH OF

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 6, 2005

Mr. BACA. Mr. Speaker, I rise in strong support of H.R. 797, the Native American Housing Enhancement Act of 2005.

For too long our Native American brothers and sisters have been treated like second-class citizens.

I believe I speak for everyone when I say that Native Americans deserve decent housing, a suitable living environment, and economic opportunities.

The Native American Housing Enhancement Act of 2005 is a step towards putting Native Americans on a fair playing field.

This bill makes changes to the Native American Housing Assistance and Self-Determination Act (NAHASDA) which will make better use of resources and provide housing for Native Americans through more efficient means. By allowing tribal governments to exercise their preference for housing programs through the Indian Civil Rights Act, tribes can better direct these funds to expedite tribal housing.

This bill will also direct the Department of Housing and Urban Development to allow tribes unlimited access to new housing funds even if they are still using funds from previous years.

Importantly, this bill also amends the National Affordable Housing Act to provide tribes eligibility for Youthbuild grants, which they were unfairly denied when NAHASDA was created in 1996.

This legislation conveys the intent of Congress that all Americans, including our first Americans, are entitled to the American dream.

I am proud to speak in strong support of this important initiative to help more Native Americans achieve the American dream.

TRIBUTE TO DORIT AND SHAWN EVENHAIM

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Dorit and Shawn Evenhaim for their dedicated efforts to improve the quality of life in our community. Throughout their lives Dorit and Shawn have contributed countless hours of community service by supporting various organizations and effectively leading several groups. Their ongoing service to the San Fernando Valley is truly immeasurable.

Dorit and Shawn's strong desire to serve the community dates back to their native Israel. They both grew up in Southern Israel in working class neighborhoods. Although they came from modest backgrounds, the principles and obligations of the Tzedakah were instilled at an early age. This is the Jewish ideal of aiding those who are less fortunate. This common bond that Dorit and Shawn shared growing up together eventually flourished into a romance as they served their military responsibilities in Israel.

Shortly following their military service they ventured to the United States with hopes of new opportunities. Shawn quickly immersed himself in his brother's painting business. Although he had only been in the United States for a short time, by 1992 Shawn became president of a large in-fill development company in the San Fernando Valley. Soon after, Dorit encouraged Shawn to open his own development firm called California Homes in 1994. California Homes has become one of the largest in-fill home builders in the Los Angeles basin.

One of the most important construction projects that Dorit and Shawn have undertaken was the creation of a new home for the Kadima Hebrew Academy in the San Fernando Valley. A member of Kadima's Board of Directors, Dorit was instrumental in convincing Shawn to take on this project. Dorit and Shawn quickly began searching for new investors who had the resources and desire to establish a new campus. Not finding the support needed, Dorit and Shawn took the search into their own hands. Shawn became aware of a private land auction in West Hills. Shawn, despite going up against several real estate investors, was the successful bidder, securing the facility and the surrounding land.

Dorit and Shawn's efforts not only encompassed the purchase and acquisition of land. They were also deeply involved in all aspects

of the project, using their contacts to acquire all necessary permits to expedite the process. As a result of Dorit and Shawn's efforts, San Fernando Valley residents can now take part in a unique educational experience at the newly developed campus.

Mr. Speaker, please join me in recognizing Dorit and Shawn Evenhaim, amazing individuals who have dedicated their lives to the betterment of the San Fernando Valley.

IN HONOR OF CUYAHOGA COUNTY ENGINEER ROBERT KLAIBER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in recognition of Cuyahoga County Engineer Robert Klaiber, as he is recognized by the Cuyahoga County Democratic Party for his service to our community.

In 1999, Mr. Klaiber was appointed to the office of County Engineer. In 2000, he was elected to the office. Mr. Klaiber began his career in engineering as a land surveyor and engineer consultant. Prior to his acceptance of the office of County Engineer, he worked as the City Engineer for the City of Strongsville. Mr. Klaiber's work, focused on improving our community's roadways and bridges, has served to enhance all aspects of our county's system of transportation.

Mr. Klaiber has been instrumental in assisting my office with infrastructure improvements, especially with the railway merger, a project that affected the entire southwest region of the 10th Congressional District. He has consistently demonstrated a high level of energy, focus and willingness to assist us in improving transportation safety and access for all residents within our community.

Mr. Speaker, please join me in honor and recognition of Mr. Robert Klaiber, Cuyahoga County Engineer. His dedicated service and expertise, focused on the well-being of the residents of Cuyahoga County, has served to uplift our entire community.

HONORING LINDA WOOD FOR EXEMPLARY SERVICE AS ALAMEDA COUNTY LIBRARIAN

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. STARK. Mr. Speaker, I rise today to recognize Linda Wood, upon her retirement as Alameda County, California's top librarian. After 14 years at the helm of the county library system, with 10 branches and an annual budget of $21 million, Ms. Wood is stepping down from an extraordinary career.

She has been working in the library field for almost 40 years and states, "I'm proud of my accomplishments, but I'm ready to move on to the next phase of my life."

Ms. Wood began her library career reshelving books. After earning her degree in library science from the University of Washington, she graduated to reference librarian and went up the ladder from there. She has taken on many duties, from serving as branch manager to administrator in libraries from Oregon State to the cities of Riverside and Los Angeles.

Ms. Wood leaves the Alameda County library system a lot bigger than she found it. Since being hired as county librarian in 1991, she has helped open two new branch libraries—in Albany, California in 1994 and Dublin, California in 2003 and has obtained seed funding and a patch of land for a new branch in Castro Valley, California.

The county library system, with over 200 full-time employees, also includes branches in Fremont, Newark, Union City and unincorporated San Lorenzo, a bookmobile and services for jail and juvenile facility inmates and literacy and senior outreach programs.

Ms. Wood has overseen a full-scale modernization of library services and fought to maintain services through ups and downs in funding. She fought for library services not only in Alameda County but also throughout the State of California.

Today's collections have expanded from books and periodicals to include movies, CDs, DVDs and books on tape. Old card catalogues have given way to databases and now vast Internet services where patrons can research library holdings day and night.

Throughout her illustrious career, Ms. Wood has demonstrated her longtime advocacy for libraries. Her advocacy has made a positive difference in strengthening many library systems for the public's education and enjoyment.

I join Linda Wood's colleagues, friends and admirers in expressing good wishes as she retires and thank her for her contributions to our communities through libraries.

IN HONOR OF CHUCK WEPNER

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. MENENDEZ. Mr. Speaker, I rise today to honor Chuck Wepner for his outstanding boxing career.

A Bayonne native, Mr. Wepner received no formal training, practicing at the gym part-time while working as a salesman during the day. In his prime, he was ranked in the top ten among some of greatest names in boxing, including George Foreman, Joe Frazier, and Muhamad Ali.

Mr. Wepner boasts a feat that few have matched: 30 years ago he boxed with Muhamad Ali and was able to knock him to the mat. Though 36 years old and ranked seventh at the time, he went a full 15 rounds with "the Greatest." While Ali eventually won the March 24, 1975 fight, Mr. Wepner is one of only three men to have ever knocked him down. Adding to his achievement is the fact that Sylvester Stallone used Mr. Wepner's personal story of an underdog taking on a prize fighter as the basis for his "Rocky" movies. Mr. Stallone acknowledges he used many aspects of Mr. Wepner's life in the boxing films.

Though retired from the ring, Mr. Wepner remains in contact with legends such as Joe Frazier, Mike Tyson, and even Sylvester Stallone. Thirty years after his formidable fight, he is busy working as a motivational speaker at schools and various organizations across the country. Additionally, he is developing a movie project and considering writing a book.

Today, I ask my colleagues to join me in honoring Chuck Wepner for his career achievements as a boxer. He has proven to be a strong, inspirational force both in and out of the ring, and I wish him the best in his future endeavors.

SMALL BUSINESS TAX FLEXIBILITY ACT OF 2005

HON. BARBARA CUBIN

OF WYOMING

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mrs. CUBIN. Mr. Speaker, one of the most important decisions for the founder of a business is "choice-of-entity," or the decision to operate as a corporation, partnership, limited liability company (LLC), or other form of business.

The law regarding choice-of-entity has changed enormously in the last 15 years, particularly with the widespread adoption of laws authorizing the creation of the LLC. As a result, many small business owners have more "choice of entity" flexibility than ever before.

First authorized in Wyoming in 1977, LLCs are organized under State law, and are now recognized in all 50 states. In essence, LLCs are allowed corporate treatment for local law purposes and partnership treatment for Federal income tax purpose. LLCs also provide for more than one class of ownership, allowing for increased flexibility to allocate income or losses to different investors. The flexibility and protections of the LLC has led to a rapid expansion in the number of small businesses electing to operate in this manner.

In 1995, the Internal Revenue Service (IRS) adopted the position that general partnerships could be converted into LLCs with little or no tax effects. Unfortunately, as incorporated entities, this does not hold true for small businesses operated as subchapter S corporations (S Corps).

Created in 1958, the S Corp structure allows for no more than 75 shareholders, can issue only one class of stock, and cannot have partnerships or corporations as shareholders. Yet, until the rise of the LLC, the S Corp structure provided, for all practical purposes, the only way that a small business could enjoy the corporate protections of limited liability without being burdened with corporate taxation. Taxed much the same way as partnerships, many older, family-owned, small businesses operate as S corps.

Clearly, the original intent for creating the S Corp structure was the same reasoning that led to the creation of LLCs—to provide a simple and flexible tax category for small and family-owned businesses. However, despite the similarities to LLCs, S Corps are not granted the same conversion flexibility as other partnership-like entities and are instead grouped with larger companies under a cumbersome corporate structure. My bill would modernize the tax treatment of S Corps, allowing them the same choice-of-entity flexibility offered to other small businesses operating as LLCs. This is a common sense change that is overdue.

CETS: A NEW TOOL TO COMBAT CHILD EXPLOITATION

HON. EARL POMEROY

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. POMEROY. Mr. Speaker, the exploitation of children online is a grave and growing threat, both here in the United States and worldwide. By 2005, more than 77 million of our children and teenagers will use the Internet, entering chat rooms and other public online areas, at times instant messaging with strangers ready to prey on our Nation's young people.

Simply put, millions of children and teens are now at risk of abduction or worse. Here's more startling data:

55 percent of children have given their personal information (name, sex, age, etc) over the Internet.

One in ten children has met someone face to face they previously met online.

37 percent of children say their parents would disapprove if they knew what they did, where they went, or with whom they chatted on the Internet.

40 percent of children do not discuss Internet safety with their parents.

In short, the borderless nature of the Internet has allowed sexual predators to stalk innocent children and traffic in child pornography with near impunity.

Fortunately, new technology may provide powerful new weapons in law enforcement's arsenal to combat child exploitation: The Child Exploitation Tracking System, also known as ''CETS.'' CETS is a computer application developed by Microsoft in partnership with Canadian and international law enforcement agencies to help law enforcement tackle the growing problem of online exploitation of children. This application, which will be provided free of charge to law enforcement agencies, can help efforts to collaboratively investigate these crimes and bring criminals to justice.

CETS has been deployed by the Royal Canadian Mounted Police in Canada and can be used by all major law enforcement agencies in Canada involved in child exploitation policing. Discussions between Canadian law enforcement and US law enforcement agencies have already taken place, with the hope of deploying CETS in the United States. This new technology is also supported by the National Center for Missing and Exploited Children.

This technology, combined with our efforts to educate children about risks online, can help reduce the incidence of online child exploitation.

OAKLAND COUNTY COMMUNITY COLLEGE'S 40TH ANNIVERSARY

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. MCCOTTER. Mr. Speaker, I rise today to join the administrators, faculty, staff and students of Oakland Community College as they celebrate OCC's 40th anniversary this month.

The Oakland Community College District was established by the electorate of Oakland County, Michigan, on June 8, 1964. The college opened in September 1965, with a record community college initial enrollment of 3,860 students on two campuses—Highland Lakes, a renovated hospital in Union Lake, and Auburn Hills, a former Army Nike missile site in Auburn Heights. In September 1967, the award-winning Orchard Ridge Campus opened.

Mr. Speaker, during its 40 years, OCC has grown in stature and importance, and has earned its pre-eminent position in the vanguard of training and educating Americans. For example, Oakland Community College's fire academy has opened the only facility in the Midwest which provides emergency services personnel with training in a unique simulated city, complete with roads and buildings. The Combined Regional Emergency Services Training Center (CREST) is comparable to the FBI's ''Hogan's Alley'' in Quantico, VA. Police and fire departments throughout the region send personnel to the center for extensive training. OCC is also proud to have among its many successful graduates, Drew Feustel, a NASA astronaut who began his college studies at the Auburn Hills Campus, and eventually received his Ph.D. in geologic sciences before being chosen by NASA as a mission specialist.

I ask my colleagues to join with me today in congratulating Oakland Community College on 40 years of success in educating students and helping them become an important part of our society and our country, and in wishing OCC 40 more years of outstanding achievement.

HONORING THE LIFE OF ULYSSES BRADSHAW KINSEY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the life of Mr. Ulysses Bradshaw Kinsey, who died on April 2, 2005. Mr. Kinsey, known as U.B. to all who loved and respected him, was born on June 27, 1918 in Fort White, Florida, one of ten children of Henry and Cora Kinsey. The family moved to Palm Beach County when Mr. Kinsey was just eight years old. Throughout his life, he was proud of the fact that, although he grew up in segregated times, he never drank from ''Colored'' water fountains.

Barred by law from attending the University of Florida, he could not pursue his dream of becoming an attorney. Instead, he attended Florida A&M and became a teacher. After graduation, he returned to Palm Beach County and was hired by his alma mater, Industrial High School, where he taught nearly every subject. At that time, starting white teachers were paid $50 more per month than their black counterparts. One month after starting, U.B. Kinsey and others challenged the school board over this policy. Future U.S. Supreme Court Justice Thurgood Marshall argued their case, and they won.

After their own victory, Mr. Kinsey and his fellow teachers began battling for the rights of black students. During World War II, black children were schooled only seven months a year, so they could provide cheap labor the rest of the time harvesting crops for local farmers. U.B. Kinsey and his colleagues won that battle, too, and black children were returned to a nine-month schedule. He went on to become assistant principal at Industrial High and, later, the first principal of Palmview Elementary. Along the way, Mr. Kinsey established a scholarship fund that annually provides three promising students from low-income families $1,000 each to attend college.

Over the next half-century, about 30,000 children passed through the doors of Palmview Elementary. The school was later re-named U.B. Kinsey/Palmview in his honor. At one point in his career, U.B. Kinsey was offered the opportunity to become an assistant superintendent of schools in charge of busing. He turned down the offer because he refused to take part in the busing of black children to white schools far from their neighborhoods. In the 1980s, as drug dealing became a problem near his school, Mr. Kinsey confronted many of the dealers and, out of respect for their former teacher, they stayed away from U.B. Kinsey Elementary.

After retiring in 1989, he co-founded a nonprofit development company that secured funding to build a low-income housing development near his school. These are just a few of the remarkable accomplishments of Ulysses Bradshaw Kinsey. Generations of African-American children have benefited from the battles he fought and won to ensure that they got a proper education. His efforts are directly responsible for the graduation and ascension to higher education of countless black young people. His many victories that advanced the cause of civil rights in general earned him the gratitude of African-American citizens throughout Palm Beach County.

U.B. Kinsey was a beloved friend of mine. His stature in the education of Palm Beach County's children may be matched, but it will never be exceeded. This very fine gentleman, a truly great American, will be greatly missed by all who knew him.

HONORING THE BEDFORD GIRLS VOLLEYBALL TEAM FOR WINNING THE MICHIGAN CLASS A STATE CHAMPIONSHIP

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. DINGELL. Mr. Speaker, I rise today to pay tribute to the Bedford High School girls' volleyball team in honor of its 2005 Class A State Championship.

This remarkable group of Kicking Mules culminated a year of fantastic play by toppling top-ranked Grand Rapids Forrest Hills Northern in the first ever five-game final to capture the championship. These young ladies have persevered beyond injury and daunting adversaries to become the best in the State of Michigan. This is Bedford's third title in eight years, and it continues their amazing streak of 16 straight trips to the state's Final Four.

Coach Jodi Manore, a graduate of Bedford High School, has been at the helm of Bedford's girls' volleyball team for 21 years. Her sage leadership has built one of the most rigorous and successful programs in the state. The success of the Bedford volleyball program is a true credit to her vision and ability as a coach.

The intangible synergy necessary to win the State Championship cannot easily be replicated. These young ladies have reached the pinnacle of their sport through outstanding athleticism and teamwork. Team members Kali Kuhl, Petra Whitcraft, Veronica Rood, Emily Fahrer, Tara Breske, Lexi Leonhard, Amy Zuccarell, Kelsey Cousino, Stephanie Champine, Jamie Swick, Michelle Obert, Hanna O'Connor, Jackie Blaida and Courtney Riehle all deserve recognition for their phenomenal achievement.

Mr. Speaker, I ask that all of my colleagues join me in commending the Bedford High School girls' volleyball team on its exceptional season and 2005 Class A State Championship.

TRIBUTE TO THE HONORABLE JOHN YATES

HON. LYNN A. WESTMORELAND

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. WESTMORELAND. Mr. Speaker, I rise to pay tribute to one of the members of the greatest generation our nation has known. The Honorable John Yates, a member of the Georgia House of Representatives exemplifies a life of service to causes greater than himself, and his example should be known and followed across this nation.

During his youth in rural Spalding County, Georgia, Representative Yates grew up on a family farm, working in the cotton fields to help pay for his family's food.

Representative Yates' served in the military during one of the greatest struggles for human freedom our nation has known—World War II. He flew his plane, providing air cover for vulnerable ground troops, and destroying German targets. He was involved in key aspects of the Battle of the Bulge, and participated as a military observer during the liberation of the Dachau death camp.

After his service to our country, Representative Yates went on to work for the Ford Motor Company for many years, while raising his family. In that same Spalding County where he grew up, Representative Yates continued his service to the community.

In 1989, the citizens of his home county recognized his past service and committed to him yet another great trust—a seat in the Georgia House of Representatives. When he took his position there, the Democratic Party was still the majority, and Republicans were very few. But Representative Yates did not give up. He stuck with it, and is today a member of the majority party, as Republicans took control of the House of Representatives in Georgia during the 2004 election cycle.

As a result of his commitment and dedication through the years, the new House leadership gave Representative Yates even more responsibility—the chairmanship of the Defense and Veterans' Affairs Committee in the Georgia House. Representative Yates has continued his valiant service to his nation and state in that capacity during the course of this 2005 regular legislative session.

But there is more to Representative Yates, and this is revealed by his deep personal commitment to his wife, Annie. Although she has been afflicted with some health problems, Representative Yates has continued his valiant service by serving and caring for his wife, demonstrating his deep affection and the character that is the foundation of every area of his life.

Representative Yates has spent his life in service to his nation, his state, and his family, and is an example to all of us.

Mr. Speaker, I lay before you the life and work of Representative John Yates—a man that deserves the highest praise of our nation, a dear friend of mine, and a man that embodies the values that make America great. I am grateful to call Representative Yates my friend, and am grateful for this opportunity to bring the valiant service of John Yates to his country, his state, and his family to the attention of the American people.

GREEK INDEPENDENCE DAY

SPEECH OF

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 5, 2005

Mr. VAN HOLLEN. Mr. Speaker, I am honored to rise today and join the millions of my fellow Americans in commemorating Greek Independence Day which, on March 25th celebrated the 184th anniversary of the rebellion and the struggle of the Greek people against the Ottoman Empire.

What makes Greek Independence Day so special here in America is that it reminds us of the strong principles and bonds that the U.S. and Greece share. In looking into the struggles of our two nations, we realize how much our struggles have in common, and how much each country has been influenced by the other.

Greece and the United States are bound by an absolute commitment to the democratic ideals of justice and freedom and continue to be strong allies. By commemorating Greek Independence Day, we also celebrate the strength and the resolve of the human spirit that has been the inspiration of us all.

I am very pleased to place into the RECORD a statement made on this 184th anniversary of Greek independence written by one of my constituents, Constantinos Nicolaou:

STATEMENT OF MR. CONSTANTINOS NICOLAOU OF MARYLAND

The greatness of the human spirit, regardless of any efforts to suppress it, will always rise against tyranny and oppression and will start revolutions where heroism will pay any price, even the ultimate sacrifice of life, in order to gain freedom and independence.

Every time we commemorate heroism such as the one exhibited by the Greeks on March 25, 1821 and during the ensuing struggle for their freedom, we cannot help but think of our great Founding Fathers, who were so much influenced by the ancient Greeks in their struggles for freedom and the creation of what had become the freest, most democratic country in history, the United States of America.

Thomas Jefferson looked to the ancient Greek philosophers and their teachings as an inspiration in trying to create a fair, strong, democratic state. And it was not accidental that many of the Greek leaders of the 1821 revolution, turned to America for inspiration as they were embarking in their struggle for freedom.

Both nations were faced with seemingly insurmountable struggles, rising against empires to claim their rights to life, liberty and the pursuit of happiness. Both nations became triumphant at the end, because of their love of freedom. The great American Patriot, Patrick Henry, proclaimed, ''Give me liberty or give me death.'' The Greek patriots went to battle proclaiming, ''Eleftheria I Thanatos'' —liberty or death.

As with the American Revolution, the Greek revolution is filled with stories of heroism and sacrifice. News of such heroism and sacrifice met with strong feelings of support by the American public and by their politicians, including President James Monroe and John Quincy Adams, who expressed their support for the Greek revolution through their annual messages to Congress. Henry Clay, our secretary of state in 1825, was very vocal in his support of Greece's fight for independence. Daniel Webster, more often than not, influenced his colleagues in looking into the Greek struggle with sympathetic interests.

It is, of course, no surprise that our Founding Fathers and other prominent Americans were supportive of the Greek struggle for independence. As mentioned, they themselves had been inspired by the ancient Greeks. Thomas Jefferson, of all the Founding Fathers, had a particular affinity for Greece, not only because of its classical republican philosophy but also because of his studies of the origins of languages. He expressed that affinity many times, as in a letter to John Brazier on August 24, 1819. In that letter, Thomas Jefferson addresses ''Mr. Pickering's Memoir of the Modern Greek,'' and the Memoirs review by Brazier. He tells Brazier, ''I had been much pleased with the memoir, and was much also with your review of it. I have little hope indeed of recovery of the ancient pronunciation of the finest of human languages, but still I rejoice to the attention the subject seems to excite with you, because it is evidence that our country begins to have a taste for something more than merely as much Greek as will pass a candidate for clerical ordination. . . . Among the values of classical learning, I estimate the luxury of learning the Greek and Roman authors in all the beauties of their originals. And why should not this innocent and elegant luxury take its preeminent stand ahead of all those addressed merely to the senses? I think myself more indebted to my father for this than for all other luxuries his cares and affections have placed within my reach.''

Jefferson expressed his empathies with Greece revolting against its Ottoman rulers. In an 1823 letter to Adamantios Coray, the Greek patriot and scholar that he had met in Paris years earlier, he stated:

''. . . You have certainly began at the right end towards preparing them [the Greek people] for the great object they are now contending for, by improving their minds and qualifying them for self-government. For this they will owe you lasting honors. Nothing is more likely to forward this object than a study of the fine models of science left by their ancestors; to whom we also are all indebted for the lights which originally led ourselves out of Gothic darkness.''

No people sympathize more feelingly than ours with the suffering of your countrymen; none offer more sincere and ardent prayers to heaven for their success. And nothing indeed but the fundamental principle of our government never to entangle us with the broils of Europe could restrain our generous youth from taking some part in this holy cause. Possessing ourselves the combined blessing of liberty and order, we wish the same to other countries, and to none more than yours, which she first of civilized nations presented examples of what man should be.

The ties that bind America and Greece go, of course, far beyond their parallel and noble struggles for freedom. The philosophical and cultural connections, although little known to the public at large, could not be stronger or better assimilated. Such connections were born almost at the same time with the birth of our nation, if not before. In his excellent study of ''Lincoln at Gettysburg,'' Gary Wills tells us:

''America as a second Athens was an idea whose moment had come in the nineteenth century. . . . In the early 19th century, an era that became known as America's Greek Revival was taking shape. Archaeological discoveries in Greece at the time brought the ancient democracy to mind just as modern Greece began its struggle for freedom from the Turks.

''Edward Everett, President of Harvard, founder of Mount Auburn, congressman, Massachusetts's governor, minister to the Court of St. James's in London, senator, secretary of state and principal speaker at Gettysburg years later, was the leader of the Greek Revival. Harvard established its new chair of ancient Greek studies for him. While studying in Germany, Everett went to Greece, 'to walk over the battlefields where the first democracy of the West won its freedom.' He returned to America convinced that a new Athens was rising here. His appearances, 'prompted rallies for Greek independence'—a favorite cause of Everett.

''Everett's prestige influenced others, including historian George Bancroft, whose 'main interest was Greek history.'. . . Bancroft was ahead of the wave of histories that would glorify Periclean Athens in Victorian England. Direct democracy, a flawed system in republican theory, was rehabilitated, for its usefulness in the parliamentary reform movement, by British historians like George Grote. In America, a similar motion toward government by the people, not just for the republic, was signaled by an enthusiasm for Greek symbols. Barcroft became a Jacksonian Democrat when he began to apply historical skills formed on the Attic democracy to America's development. Walter Savage Landor recognized what was happening in America when he dedicated the second volume of his Pericles and Aspasia to President Andrew Jackson.''

Greece and the United States, bound by their absolute commitment to freedom and justice, have always been the strongest of the allies. Greece stood by us and fought with us in every single war or conflict since we both gained our freedom. And we always stood by Greece, and although at times we appeared to have forgotten how loyal and valuable the Greeks had been to us, our ultimate commitment to their freedom and well-being never wavered.

And as we commemorate and fight to free all people, let us remember that some other friends of ours are still agonizing and asking for our help in fighting forces of evil still occupying their land and their homes. The people of the Republic of Cyprus, Greeks and Turks and all others, should be given more active support by our great nation in their efforts to reunite the island and get rid of the occupying forces. U.S. leadership is essential, and now it is the time that we should remember that the Cypriot people are where we had been, and they are striving for what we have earned long time ago, that is, their right to freedom, liberty and the pursuit of happiness.

It is essential that American leadership urges Turkish and Turkish Cypriot leaders towards peace. These are the two sides that hold in their hands, to the largest extent, the peaceful solution to the Cyprus problem. A solution that undoubtedly will benefit all the people of Cyprus, but it will also benefit the nations of Greece and Turkey, will stabilize the region, and will strengthen the bonds and relationships between the United States and the countries involved in the conflict.

As we commemorate Greek Independence Day, we are celebrating the strength and the resolve of the human spirit as well as man's unbending will in the pursuit of freedom. The people of ancient Greece gave us values and ethics and showed us how to fight for freedom and democracy. Our country, more than any other country, shares those values and ethics, and in days such as this we reaffirm our common democratic heritage with the Greek people. The commemoration and celebration remind us also that we should stay forever vigilant in fighting for and protecting our freedom and our democracy, least we lose the right to determine our lives and our future.

Dionisios Solomos was the great poet who transformed in his poetry the unparalleled struggle and the sacrifices of Hellenism in the pursuit of Freedom. The Revolution so much influenced his poetry that he is considered the national poet of Greece. One of his most inspired poems, Hymn to Liberty, has almost become synonymous to that Revolution and it became Greece's National Anthem. The poem was published in 1825, along with translations in Italian, French and English.

The Revolution would have never been the same without Solomos. The enthusiasm of the fighters, as well as the international sympathy among the Philhellenes would have definitely been smaller without the Hymn to Liberty.

Probably nowhere was Solomos's vision of Liberty depicted better than here, in the United States. Here, in the Rotunda of our own Capitol Hill, we see a most wonderful painting of Liberty, with the sword in hand chasing her enemies, exactly the way Solomos envisioned her in his Hymn to Liberty. This figure was painted by another son of Greece, one who really grasped Solomos's vision of Liberty, Constantino Brumidi.

And as a tribute to the United States, Solomos envisions our country rejoicing in seeing Greece fighting for Freedom. He describes the American feelings this way:

Most heartily was gladdened
George Washington's brave land:
For the iron bonds remembered,
Her old slavery's cruel brand.

We live today in a great, free country. Our country became great, and will always be so, because the spirit and the morals that we share with Greece, as so eloquently expressed by Solomos, will always be with us.

HONORING THE CONTRIBUTIONS OF CHARLOTTE MAYOR MARK T. WILSON

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize Mark T. Wilson, Mayor of Charlotte, Texas, for his dedicated service to his community.

Mayor Wilson is one of Charlotte's proudest native sons. Born and raised in Charlotte, he graduated from Charlotte High School and attended TSTI in Waco, TX. While in school, he studied farming and ranching in preparation for a career as a rancher.

Mr. Wilson's family has been in the ranching business for many years, and he has established himself in the business community as well, owning and operating heavy equipment and providing road construction and land clearing for local ranchers. In addition, he has given back to the community through his work as a public servant for the City of Charlotte. He began his service as an Alderman, and rose through the rank of Mayor Pro-Tem to become Mayor, a post he has held with distinction for the past 8 and 1/2 years.

He has left his mark on the community in other ways, as well. He and his wife, Jenci, are the parents of four children of their own, and have selflessly given their time to the foster parents' program. Mayor Wilson continues to give his time to his local church, the 4–H, and the Future Farmers of America.

Mayor Mark Wilson is a tremendous asset for the City of Charlotte, Texas. His work as a public servant, a successful businessman, and a dedicated father serve as an example to the rest of us. I am proud to have the opportunity to thank him here for all he has done.

HONORING THE DEDICATION OF THE OLIVIA HERMAN TRACK AND FIELD COMPLEX

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to my good friend Olivia Herman, whose life will be commemorated in Lehighton, Pennsylvania, as the school district dedicates its new athletic complex as the Olivia Herman Track and Field Complex.

Olivia served on the Lehighton Area School Board for 13 years, from 1991 through 2003. She succumbed to cancer in March 2004 after a short battle with the disease.

Olivia was elected as president of the school board from 2001 through 2003. When she attended her very last school board meeting in December 2003, the board voted to dedicate to her the new athletic complex that was being built. Olivia had worked diligently to obtain funding for the new facilities, and the school district wanted to show its appreciation.

For eight years—from 1996 through 2003—Olivia served on the board of directors for the Carbon-Lehigh Intermediate Unit. Prior to that, she was the Director of Literacy for Carbon County, and was a volunteer reading teacher. Olivia Herman was a tremendous asset to the field of education. She was a lifelong advocate of reading and always stressed the importance of literacy.

Olivia received her college degree later in life after working professionally as a social worker for many years. She went to the University of Delaware, graduating in 1971. Olivia's husband, William, was sick at the time and the two stayed in Delaware for a few years before returning to Northeastern Pennsylvania.

Olivia, herself a 1942 graduate of Lehighton Area High School, was by many accounts one of the most gifted athletes to ever graduate from the school. She was especially active in gymnastics, but she also participated in basketball, cheerleading, and track. She remained active in the school district throughout her life, organizing reunions for her former classmates every few years. When she retired, she decided she still had more to give of herself.

Olivia ran for school board and soon made that her full-time job.

Olivia and her husband had four children: Judy Herman Hunsicker, twins Darryl and Derryl, and Rudy, who passed away at the age of 40.

Mr. Speaker, please join me in celebrating the life of an extraordinary woman who helped so many children and adults throughout her life as the Olivia Herman Track and Field Complex is dedicated in Lehighton.

RED LAKE SCHOOL TRAGEDY

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Ms. MCCOLLUM. Mr. Speaker, I rise today to express my deepest condolences to the Red Lake Nation of northern Minnesota for the profound tragedy that took place on March 21, 2005. On that day a young man killed nine people on the Red Lake Reservation and then he killed himself. This extreme violence shatters our own sense of security because we all know it can happen anywhere at any time. All Americans and all Minnesotans extend our prayers, condolences, and support for the families of the Red Lake Nation as they heal and rebuild their community.

Violence, untreated mental illness, the epidemic of alcohol and drug abuse, and the ubiquitous availability to guns are all scourges. They are potentially contributing factors to an environment throughout our nation in which rational problem solving is all too often replaced with irrational destruction and death. We will never know why this young man was driven to enter his own school and embark on a campaign of murder. We only know the outcome; the painful consequences and the bewildering agony of families and a community torn apart.

As adults we have a responsibility to our children. We must listen to them, talk to them, and look for the warning signs. We must work together as a community to ensure their basic needs are met because even parents who are doing all they can still need assistance. In this country, violence surrounds our children, our families, and our communities. Violence is a plague which is promoted, glorified, and condoned in popular culture through movies, music, video games, and the endless television news cycle. It is a disease that is killing our children in our streets and in our schools and it must be stopped.

The shooting at Red Lake is another tragic episode that is no longer rare or abnormal. It is now all too commonplace and we are not nearly as shocked by such tragedy as we once were. Sadly, Red Lake is another example of this very tragic trend. And as Red Lake knows all too well, our nation's children are at risk and America needs to be hearing their voices, investing in their future, and supporting their very real needs.

HONORING HIS HOLINESS, POPE JOHN PAUL II

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. EMANUEL. Mr. Speaker, I rise today in remembrance of His Holiness, Pope John Paul II. With his passing on April 2nd, the world lost one of the most influential and inspirational leaders of our time. He was a great leader, a man of peace, and a source of hope to millions across the globe.

Pope John Paul II was born Karol Josef Wojtyla in Wadowice, Poland on May 18, 1920. He made history by becoming the first Slavic Pope and the first non-Italian Pope in more than 400 years. He traveled more than any other Pope in history, visiting over 130 countries and 900 Heads of State.

The Pope's strong will and vision were instrumental in delivering hope and inspiration to people around the world. As a young man in an oppressed country, he courageously protected all people from oppression and tyranny. Under his reign, Pope John Paul II served as an important symbol that helped bring about the fall of communism throughout Europe.

Particularly important for Poland, he was an outspoken advocate for human rights. His peaceful message of human rights and religious freedom resonated among Polish Catholics, ushering in Poland's peaceful revolution in their fight against communist rule.

Pope John Paul II ministered to all people through his personal example of sacrifice and collaboration. He worked tirelessly to spread the message of compassion, courage, and sacrifice that inspired millions. Pope John Paul II brought together and forged dialogue between people of different faiths, promoting cooperation and peace. He was the first Pope to visit synagogues and mosques as well as areas of conflict, including the Holy Land.

When the world most needed his eloquent voice, he inspired us. When the world needed his prayers, he prayed for us. When the world needed his guidance, he showed us the way. Mr. Speaker, he will forever be remembered as a tireless promoter of peace for all people and regions of the world.

SALUTING SNOWSHOE RESORT

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. RAHALL. Mr. Speaker, I rise today to salute Snowshoe Resort and its adaptive skiing program's extensive commitment to enabling disabled persons to enjoy the recreation of alpine sports.

The Snowshoe Resort adaptive skiing program, under the direction of Dave Begg, has been very active in providing opportunities for a wide range of disabled persons and has seen continued growth over the past decade. The program uses certified Professional Ski Instructors of America, trained in adaptive skiing, to teach many disabled persons to ski, including those with spinal cord injuries, amputations, cerebral palsy, sight and hearing impairments, traumatic brain injury, and development disorders.

Snowshoe has worked in cooperation with the Challenged Athletes of West Virginia organization to improve the quality of life for persons with disabilities through outdoor sports and recreation. This organization has sponsored training events at Snowshoe for the adaptive skiing program and is actively involved in creating other outdoor recreational opportunities for disabled persons for not only their enjoyment, but also as part of a rehabilitation process.

The program also works extensively with veterans of past wars and those returning from our current conflicts abroad, for which this program should be commended for providing our soldiers with ample opportunity to continue a healthy lifestyle through outdoor recreation.

Each student who enters into the program is worked with on a one-on-one basis by a professional instructor as well as with help from one of the many volunteers who come to assist the program. There is a multitude of equipment for the adaptive skiers to choose from when they hit the slopes, so that they may find what they feel is the most comfortable to use while skiing.

The adaptive skiing program at Snowshoe has continually provided a venue for disabled persons to maintain an active and healthy lifestyle, and I wish to honor them for this. I implore my fellow members to join me in honoring Snowshoe Mountain Resort and also to encourage all ski resorts to follow the example of Snowshoe Mountain in promoting the equal opportunity for all disabled persons to participate in sports.

MATH AND SCIENCE INCENTIVE ACT OF 2005 (H.R. 1547)

HON. VERNON J. EHLERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. EHLERS. Mr. Speaker, I rise in support of the Math and Science Incentive Act of 2005, which today was introduced by Rep. WOLF. I thank him and his staff for their work on this important legislation. I am very pleased to join him as the lead cosponsor, and pledge that I will work with Rep. WOLF to move this legislation through the House.

A number of developments in recent years have fueled concerns that world technology leadership could shift from the United States to other countries. In today's global economy, American manufacturers and other businesses rely on innovation to stay competitive. For the United States to remain a prosperous country, we must maintain our technological leadership in the world.

Our knowledge-based economy is driven by constant innovation. The foundation of innovation lies in a dynamic, motivated, and well-educated workforce equipped with math and science skills. An understanding of scientific and mathematical principles, a working knowledge of computer hardware and software, and the problem-solving skills developed by courses in science, technology, engineering and math are now basic requirements for many entry-level positions or for admission to college. In fact, I fully expect that all of the jobs of the future will require a basic understanding of the concepts and principles of math and science.

Unfortunately, we are continuing to see disturbing trends in American student performance on basic math and science tests. The recent Program for International Student Assessment (PISA) and Trends in International Math and Science Study (TIMSS) highlight the shortcomings of current K–12 science and math students in the United States when compared to other developed countries.

We have also seen that fewer students are pursuing degrees in math and science. This should be of particular concern when we consider the large educational and workforce development investments made by emerging economies with huge populations, such as China, India and Russia.

We must encourage girls in grades K–12 to become interested in math and science and urge young women to pursue degrees in math and science. While the percentages of women holding baccalaureate degrees in biological and physical sciences closely mirrors that of their male counterparts, recent statistics from the National Center for Education Statistics show that women are underrepresented in engineering and computer science baccalaureate degrees.

The Math and Science Incentive Act of 2005 is a direct response to the needs I have outlined. The bill will help recruit and retain direly needed science, technology, engineering and math (STEM) teachers and workforce professionals. It allows the Secretary of Education to pay up to $10,000 in interest on undergraduate loans for those who qualify and agree to enter into a five-year service agreement with the Secretary.

Clearly, we must recommit ourselves to leadership in science, technology, mathematics and engineering. This legislation puts us on the path toward ensuring that we will have STEM teachers and workforce professionals in place.

CONGRATULATIONS TO MRS. BELVA TEAFORD

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. BOEHNER. Mr. Speaker, I rise today to congratulate, thank, and recognize my constituent Mrs. Belva Teaford. Belva is a testament to the innate goodness of human nature and the overwhelming positive effect one individual may have on the community.

As a wife, mother, and tireless volunteer in Ohio's Eighth Congressional District Mrs. Teaford has quietly given much more than she has taken. Her work, throughout Darke County over so many decades is a constant source of pride and unconditional praise. As a volunteer for the Darke County Republican Party Belva's friendship and reassuring demeanor have helped guide countless candidates, myself included, to success. Yet, Belva's efforts stretch far beyond politics. She is, in the truest sense of the word, a humanitarian whose unyielding belief in the goodness of her neighbors has helped make Darke County a truly remarkable community.

Belva's attitude, fierce determination, and community spirit are a constant source of energy for all those around her. So much of Belva's work is done quietly and without reward and it is my honor to take this moment and say thank you and it is with a great deal of personal joy that I congratulate Belva and wish her a very happy 90th birthday.

HONORING THE CONTRIBUTIONS OF JUDGE DANNY VALDEZ

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor the important contribution of Judge Danny Valdez of Laredo, TX.

In May 1982, Danny Valdez was elected as Justice of the Peace, and is currently serving his sixth four-year term.

Judge Valdez has also received numerous awards. Some include: the 2000 Martin High School Tiger Legend, the Liberty Bell Award from the Laredo Bar Association, and the Community Service Award from Lulac Council #12.

Aside from presiding over one of the state's busiest courts, he makes time for many community activities. He has worked with at-risk students for the past 23 years, addressing issues such as truancy, gang violence, drug abuse, teen pregnancy and juvenile delinquency. He has been working with the Texas Department of Criminal Justice Education Program to bring male and female inmates to our local middle and high schools to tell their life stories in an effort to educate, warn, and inform students about the dangers and consequences involved in making the wrong choices.

Judge Valdez has worked with the Lamar Bruni Vergara Trust in the development of the Lamar Bruni Vergara Boy Scout Camp Huisahche and was also instrumental in the development of the Lamar Bruni Vergara Inner City Recreation Center.

Judge Valdez chairs the Annual Toys for Tejanitos Drive and the Angel Wish Program that benefits needy families in our community. He also chairs the Annual Fishing Derby for physically challenged students. This event has received Texas state wide recognition. He has also awarded over $60,000.00 in scholarships to deserving students from L.I.S.D. in Laredo, TX.

Judge Valdez is married to Isabel Valdez and has a son, Danny, Jr. and daughter, Maribel.

Mr. Speaker, I am proud to have had this opportunity to recognize the contributions of Judge Danny Valdez.

CONGRATULATING MARTIN FLAHERTY ON THE OCCASION OF HIS RETIREMENT FROM THE WILKES-BARRE VETERANS AFFAIRS MEDICAL CENTER

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to congratulate Martin Flaherty on the occasion of his retirement from the Department of Veterans Affairs Medical Center in Wilkes-Barre, Pennsylvania after more than 30 years of dedicated service. Martin, or ''Marty,'' as he is known by friends, co-workers, veterans, and volunteers at the VA, will be greatly missed and I wish him luck in the next phase of his life.

Martin's service to the government began on April 4, 1966 when he joined the Army. He spent two years on a tour of duty in Germany and was honorably discharged on March 17, 1968 at the rank of Spec 5. After the Army, Marty worked for the Domestic Intelligence Division in Washington, D.C., and in September of 1970 he joined the Metropolitan Police Force in Washington.

In the evenings, he attended Georgetown University. Marty was off to a promising start in life. His career in Washington was cut short when he left in 1973 to move back home to the Wyoming Valley to care of his father, who had taken ill.

In that same year, Marty started to work for the VA Medical Center as a housekeeping aide. Marty worked his way up through the ranks with hard work and landed a job in the warehouse. From there, Marty's career took off.

Now Marty is the supervisor of the Inventory Management Department, where he oversees the warehouse, inventory personnel, and SPD. He possesses great motivational skills to rally staff to accomplish tasks where others would say: ''it can't be done.'' And at the start of each day, you'll hear Marty coming down the hallway, thanking his employees for coming to work that day. In return, he receives a ''thank you'' back.

Marty has received superior performance awards over his career at the VA and possesses the respect of managers above him. G. Michael Miller, the VISN 4 Chief Logistics Officer, states that: ''Marty is one of the people that makes the VA Wilkes-Barre a special place to work.'' Jackie Malhoyt, the former Facilities Management Director, stated that: ''Marty looks at change as a challenge and opportunity, never as a threat or bother. He is an example of the heart of this medical center.''

But this is not the whole story of Marty. Walk around the VA and you will hear other stories of Marty's selflessness and dedication, whether it's assisting patients to their next appointment or being a sounding board for a co-worker in need. You may find him purchasing the balance of chances for a drawing from veteran volunteers in order to help them meet their goal. Still, what you will probably hear most about Marty is how people were moved by his singing voice.

You see, Marty has been blessed with a beautiful voice and has been singing since he was nine years old, when he received his first lessons from Mrs. Helen Schivell of Wilkes-Barre. Over and over again, Marty is asked to share his singing voice at various hospital events, whether it's a Veterans Day ceremony or an employee awards program. You may also find him belting out songs in patient rooms or in the VA's nursing home on other occasions.

George Bath, the VA's Network Contracting Manager and Marty's former supervisor, notes one instance where there was an unusually large turnout at an employees' recognition program. George recalls: ''I walked into Liberty Hall and nearly every seat was taken. I turned and there at the head of the room, with a mike

in hand, was Marty, getting ready to open the program. Then I heard someone whisper, 'I hope he sings Wind Beneath My Wings.' Folks were there to hear Marty!''

Beyond the walls of the VAMC, you will hear Marty's voice as a soloist at his church, at local nursing homes, or at other community-based activities. And he takes nothing in return except the cheer of the crowd.

In addition to singing, you will find Marty creating floral arrangements that he donates to his church to help raise money. Roland E. Moore, the Wilkes-Barre VA's Medical Center Director, sums it up: ''Marty's work ethic and dedication to serving veterans and VA staff is second-to-none. Whether it's being ranked as a well-respected supervisor in our medical center/network or boosting the spirits of veterans with a song, he has truly served this institution with professionalism and gusto.''

Marty will be missed for his dedication and compassion to the veterans he has served over the years and also by the employees who have had the opportunity to work alongside him. I am pleased to join my friends at the VA in congratulating Marty on this milestone. I wish him a fruitful and enjoyable retirement and, Marty, thank you for coming to work for the Wilkes-Barre VA.

RECOGNITION AND REMEMBRANCE OF THE LIFE AND CAREER OF POPE JOHN PAUL II

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Ms. McCOLLUM of Minnesota. Mr. Speaker, I thank you for the opportunity to recognize and remember the life of Pope John Paul II.

The world mourns the passing of Pope John Paul II and the great void he leaves behind as a force for good in the world. Pope John Paul inspired peoples of all faiths in every corner of the globe by his living example of faith, justice, peace and love. His twenty-six years as the Holy Father transformed the Roman Catholic Church and revitalized the more than one billion Roman Catholics around the world.

Pope John Paul worked tirelessly to advance human dignity, social justice and peace. His powerful presence helped to defeat communism in his home country of Poland and contributed to the fall of the Soviet Union. The Pope urged his fellow Catholics in Poland to support Lech Walesa and the Solidarity movement in a peaceful and non-violent campaign that eventually led to Solidarity's successful victory in Poland's first post-communist election.

Pope John Paul was a great champion and advocate for the poor, the sick and the forgotten, particularly in the developing world. He loved children, and often appeared to take great joy from speaking to and meeting with young people. Pope John Paul traveled the globe inviting and mobilizing young people to a life of faith and to stand in support of the rights of those less fortunate than themselves.

The life of Pope John Paul II has been a blessing for Catholics and people of all faiths. His moral and spiritual leadership of the Roman Catholic Church and for all mankind make his life an example for all of us. Let us honor the life of John Paul and express our humble gratitude for the service, sacrifice and prayers he shared with all of us until the hour of his death.

HONORING PRESIDENT VIKTOR YUSHCHENKO

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. EMANUEL. Mr. Speaker, I am proud to rise today on behalf of the more than 4,000 of my constituents of Ukrainian descent in the Fifth Congressional District of Illinois on Chicago's northwest side. I am also pleased to join with my colleagues in the House to receive the recently inaugurated President of the Republic of Ukraine, His Excellency Viktor Yushchenko during his first official visit to the United States, in a joint session of Congress.

I applaud President Yushchenko for his courage and vision and for his leadership in the ''Orange Revolution'' that peacefully brought freedom and democratic reforms to Ukraine late last year. The people of the Ukraine, and indeed all across the globe, were relieved when the President survived an assassination attempt that nearly claimed his life and subsequently persevered among tremendous resistance to the dramatic reforms he championed.

My hometown of Chicago is home to more than 100,000 Ukrainian Americans who have been instrumental in helping advance the increasingly important alliance between our nations. The Ukraine's prosperity, independence and openness to the West are of vital economic, cultural and strategic importance to the global community.

Mr. Speaker, I join with my colleagues and all Americans in congratulating President Yushchenko for his triumph. I wish him and the Ukraine continued prosperity and success in advancing the ideals of democracy and freedom in that nation.

HONORING ROTARY INTERNATIONAL'S 100TH ANNIVERSARY

HON. NICK J. RAHALL, II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. RAHALL. Mr. Speaker, I rise today to honor Rotary International for reaching its' 100th Anniversary, and for the monumental amount of achievements it has accomplished within its' time.

Rotary Club was first founded in 1905 by Paul Harris, an attorney, in Chicago Illinois with the interest of organizing a booster club, which then expanded to Rotary International in 1922, and has grown to include over 1.2 million members in more than 31,000 clubs that span the globe in 166 countries. The Rotary District in my own Congressional District has 32 clubs within it that include some 1509 members.

In my home district, Anthony K. Blankenship, the District Governor Elect of District 7550, has set a superb example for all business leaders in the area by serving on his local chamber of commerce and as the Ohio Valley Automotive Aftermarket Association's vice chair. He has also served in many capacities for the Matewan Rotary Club, including President.

Each year the local Rotary District sponsors a Group Study Exchange to foster peace and understanding between nations that sends four Non-Rotarian business people and one Rotarian to a paired foreign nation to experience a different culture and way of life. This past year the 7550 District sent a member and four business professionals to Great Britain and has plans to send another entourage to Australia this year.

Rotary International has encouraged and fostered the ideal of service as a basis of worthy enterprise, and thus adopted the 4-Way Test, formulated by its' own Herbert Taylor, who developed a standard code of ethics for businesses.

The Rotary Foundation has been instrumental in funding many worthwhile service projects that have improved the lives of people across the globe by promoting world understanding and peace through humanitarian, educational, and cultural programs. The Rotary clubs in my district, led by the Beckley Rotary club, recently secured a $300,000 grant to build a clinic in India.

Rotary International has enacted the PolioPlus program that has collected over $500 million, contributed tens of thousands of volunteer man-hours, inoculated over 2 billion children since 1985 with the polio vaccine, and is slated to eradicate polio globally by December, 2005.

Rotary has been actively involved in creating a peaceful world by fostering peace initiatives that have created Rotary Centers for International Studies at world-renowned universities in an effort to educate and train Rotary World Peace Scholars in conflict resolution, peace studies, and international relations. In fact, a West Virginia native of St. Albans was one of the first graduates of this program.

Many students have excelled and benefited under the Rotary Youth Exchange, which funded by the Ambassadorial Scholarships, has become the international community's largest privately funded international scholarships program. The Matewan Rotary Club ensures each year that two local high school students will receive a scholarship to further their higher education goals.

I wish to honor today and hope that my colleagues will join me in honoring Rotary International for continually striving to promote the ideal of service as an integral part of enterprise, and a sustained effort to maintain high ethical standards while promoting peaceful initiatives around the globe.

HONORING DR. EDWARD L. KELLY

HON. TOM DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. DAVIS of Virginia. Mr. Speaker, I rise today to honor Dr. Edward L. Kelly for his exceptional work and service to the Prince William County School system.

Since July of 1987 Dr. Kelly has been the Superintendent of Schools for Prince William County, Virginia. During his tenure he has been responsible for the supervision of over 66,000 students at 80 different schools.

Dr. Kelly graduated from Northeast Missouri State University in 1964 with a B.S. in Zoology and Chemistry. He received an M.A. in Secondary School Administration from the same institution in 1968. During this time he interacted with adolescents on a daily basis as a Science Teacher and Coach in Missouri. Dr. Kelly then served as an assistant principal, vice principal and principal in both Missouri and Illinois. After having worked for a number of years, Dr. Kelly returned to school and received his Ph.D. from St. Louis University in 1973.

Dr. Kelly served as Superintendent of schools in Rockford, Illinois and Little Rock, Arkansas. prior to moving to Prince William County in 1987. As a school administrator, Dr. Kelly strived to bring out the best in his students, employees and community. His oversight on educational practices allowed him to implement nationally recognized School-Based Management Programs, design alternative programs for students with special circumstances, and supervise curriculum restructuring and benchmark examinations. Dr. Kelly's positive actions and open door policy stabilized relations within the school system, and established trust among parents, teachers, the School Board and the community at large.

Dr. Kelly's dedication to his work has been recognized through numerous awards and commendations. In 1987 he was named by a panel of educators to The Executive Educator 100, a selection of 100 outstanding educational leaders. Dr. Kelly also received the Virginia Elementary School Principals ''Educator of the Year'' Award and was elected Chairman of the Washington Area School Study Council.

In addition to his educational pursuits, Dr. Kelly stays involved in many charitable and community activities. He is a member of the board for the United Way, the National Conference of Christians and Jews, as well as the Boy Scouts of America.

Mr. Speaker, in closing, I would like to extend my best wishes to Dr. Edward L. Kelly on his retirement as the Prince William County Superintendent. Through his long and distinguished career Dr. Kelly has touched the lives of countless students. While I know that he will be greatly missed, his retirement is well deserved. I call upon my colleagues to join me in honoring Dr. Kelly, and I wish him the best of luck in all future endeavors.

CONGRATULATING RABBI JEHIEL ORENSTEIN

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. PASCRELL. Mr. Speaker, I rise today to honor the career and accomplishments of Rabbi Jehiel Orenstein. Rabbi Orenstein is a beloved figure not only among the 575 families at Congregation Beth El, but throughout the community at-large.

In 1961, Jehiel Orenstein received his master's degree in Judaica and was ordained as a Rabbi at the Jewish Theological Seminary of America. While he was a student there, he received the Lawrence Prager Award for outstanding scholarship in medieval Hebrew Literature. In 1986, Rabbi Orenstein received his PhD from New York University in linguistics. In that same year, he was awarded the degree of Doctor of Divinity from the Jewish Theological Seminary of America.

Rabbi Orenstein served as Chaplain of the United States Air Force on Lackland Air Force Base in San Antonio, Texas. After three years on Lackland Air Force Base, Rabbi Orenstein moved to Lynbrook, New York, where he was Rabbi of Congregation Beth David. After his stay at Temple Beth David he became Rabbi at Temple Israel in Great Neck, New York. For the past 35 years, Rabbi Orenstein has served as the spiritual leader of Congregation Beth El in South Orange, New Jersey. During his distinguished tenure at Beth El, Rabbi Orenstein has overseen a vibrant and growing Conservative Jewish congregation.

He has written several publications, including a book about Hebrew Literature. Some of his other works include articles published in Conservative Judaism, the New York Times, and Bai'nanu, a working publication for American Conservative Rabbis.

Rabbi Orenstein is the past president of the Maplewood-South Orange Clergy Association, Chaplain of the State Police of New Jersey, and Chaplain of the Maplewood Police and Fire Departments. He is also the past president of the Rabbinical Assembly of New Jersey. I know that he is particularly proud of founding the South Orange-Maplewood Interfaith Holocaust Service, a 27-year tradition.

Rabbi Orenstein is married to Sylvia Mowshowitz Orenstein, a very accomplished attorney in her own right. They are the parents of three very successful children, and are the proud grandparents of five.

Mr. Speaker, I would like to wish Rabbi Jehiel Orenstein a hearty ''Mazel Tov!'' on giving the opening prayer today on the Senate floor.

Rabbi Orenstein built a strong synagogue during his 35 years at Beth El, and has been a pillar for the South Orange-Maplewood region. I would also like to thank him for his years of service dedicated not only to his congregants, but our community and the State of New Jersey. May he enjoy a very well-deserved retirement

HONORING THE CONTRIBUTIONS OF THE MAYOR PRO-TEM JAMES D. ROBERTS

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Mayor Pro-Tem James D. Roberts for his public service to the city of Charlotte, Texas.

A patriotic and dedicated American, Mr. Roberts is no stranger to service and sacrifice for his town and country. A veteran of Vietnam, he served in the U.S. Navy from 1968 through 1972.

James Roberts is a dedicated public servant, and a lifelong patron of the State of Texas. He has served the City of Charlotte for eleven years, having worked previously as Alderman for 9½ years.

Working closely with numerous community organizations, Mr. Roberts is active in the Atascosa Finance Committee, the Charlotte FFA, the 4–H Club, and the San Antonio Livestock Show Auction Committee. He also serves his community as a volunteer for the fire department, often working as the acting Fire Marshal.

Having lived in the community for over 28 years, James Roberts and his wife Marilyn are the owners of a local feed store. They live in Charlotte, Texas with their three children Cody, Jerrold, and Cherlyn.

Mr. Speaker, I am deeply proud to have been given this opportunity to recognize the Mayor Pro-Tem of Charlotte, James D. Roberts, for his dedicated public service.

CONGRATULATING GERALD T. LANGAN UPON 35 YEARS OF COMMUNITY SERVICE

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Gerald T. Langan for 35 years of community service and 25 years as president and CEO of Goodwill Industries as he is honored Friday night at a celebration at The Radisson Hotel in Scranton, Pennsylvania.

Mr. Langan is a 1966 graduate of Central High School in Scranton. After high school, he went on to Lackawanna Junior College and Bethel College.

In 1970, he took a job as the education coordinator for Head Start. Mr. Langan then became the project director for Head Start in 1973. Since 1985, he has been president and CEO of Goodwill Industries of Northeastern Pennsylvania.

Mr. Langan has twice served as president of the Pennsylvania Goodwill Director's Association. He was appointed to the State Office of Vocational Rehabilitation Board by Governor Robert Casey. Mr. Langan is a member of the Pennsylvania Association of Rehabilitation, the zoning board for the City of Scranton, and the housing board of Lackawanna County. He was awarded ''Health Care Professional of the Year'' by the State of Pennsylvania. Mr. Langan was a past member of the Lackawanna College Board of Directors, and served as board chairman for two years.

Mr. Langan and his lovely wife Fran have one daughter, Kristen.

Mr. Speaker, please join me in congratulating Gerald Langan as he is honored for his selfless devotion to the community and dedication to making the world a better place.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT FOR DEFENSE, THE GLOBAL WAR ON TERROR, AND TSUNAMI RELIEF, 2005

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 16, 2005

The House in Committee of the Whole House on the State of the Union had under

consideration the bill (H.R. 1268) making emergency supplemental appropriations for the fiscal year ending September 30, 2005, and for other purposes.

Ms. McCOLLUM of Minnesota. Mr. Chairman, all Americans stand united in support of our troops. However, President Bush has no strategy for success in Iraq. Therefore, I rise in opposition to the Emergency Wartime Supplemental Appropriation (H.R. 1268) and my vote today is a vote of no confidence in this Administration's ad hoc Iraq policy.

Tragically, more than 1,500 American troops have been killed in Iraq and there is no end in sight to this war. The President's ''coalition of the willing'' is dissolving as Italy and the Netherlands become the most recent countries deciding to withdraw their troops from Iraq. The U.S. continues to bear the enormous burden of this conflict militarily and financially. With this $75 billion, as well as the $25 billion approved earlier this year, we have now spent $250 billion in Iraq.

Most outrageous is the fact that not $1 of the more than $200 billion spent on this war has been paid for. Congress has now borrowed over $250 billion from foreign countries like Saudi Arabia, China and Japan. Every dollar plus interest will be paid for by the men and women who are fighting as well as their children.

There are some real emergencies funded in this bill. I support U.S. assistance for tsunami relief and recovery as well as for peacekeeping operations, emergency funds and food aid to the Darfur region of Sudan. The generous assistance of the American people in these two serious crises is saving lives and having a tremendous impact.

This administration's failures of leadership in Iraq demands extensive Congressional oversight and accountability, not another blank check. The current policy is unsustainable. If Americans are to continue to bear the burden of securing and rebuilding Iraq, rather than approving a blank check, we deserve a plan for success and an exit strategy for America's troops.

HONORING THRESHOLDS PSYCHIATRIC REHABILITATION CENTERS

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. EMANUEL. Mr. Speaker, I rise today to honor Thresholds Psychiatric Rehabilitation Centers on the occasion of their 20th Annual Golf and Tennis Benefit. I am proud to represent this distinguished organization and I hope that the Congress will join me in recognizing their outstanding contributions to the field of mental health rehabilitation.

As one of the nation's largest non-profit providers of mental health and recovery services, Thresholds provides a critical service to members of the community that struggle with mental illness, as well as their families. Over 5,000 Chicago residents benefit yearly from the services provided by this impressive organization.

Thresholds provides a comprehensive program of therapeutic support, case management, education, job training and placement, and housing. With 30 service locations and more than 75 housing developments in the Chicagoland area, Thresholds helps restore independence, dignity and respect to people with mental illness.

Offering outreach programs, residential services, youth and adult education, and services for homeless, deaf and jailed patients, this valuable organization has established itself as one of the nations most successful and respected psychiatric recovery centers.

I am also pleased to recognize Thresholds as an innovator and model in the field of mental health. Experts from Thresholds carry out research and regularly publish valuable research papers, and several mental heath centers around the world have replicated Thresholds' success.

Thresholds and its extraordinary doctors and staff are regular recipients of awards in the mental health field. The 2004 Celebration Recovery Award was bestowed upon CEO Dr. Anthony Zipple's, and Dr. Jerry Dincin was awarded Honorable Mention for Lifetime Achievement by Eli Lilly's 2004 Reintegration Awards. These represent only a tiny fraction of the awards presented to Thresholds.

Mr. Speaker, I am honored to have Thresholds Psychiatric Rehabilitation Centers in the Fifth District. I wish them the best at their 20th Annual Golf and Tennis Benefit, and I hope they continue their 45-year history of serving mentally ill patients and their families in the Chicago area for decades to come.

COMMENDING BOB ANADELL AND TIMOTHY SANDERS

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. VISCLOSKY. Mr. Speaker, it is my distinct honor to commend two of Northwest Indiana's most distinguished citizens, Mr. Bob Anadell and Mr. Timothy Sanders. On Saturday, April 23, 2005, they will be honored for their exemplary and dedicated service to the community. Their praiseworthy efforts will be recognized at the TradeWinds Gala 2005 banquet at the Radisson Hotel at Star Plaza in Merrillville, Indiana.

Bob Anadell has had many positive accomplishments throughout his career. He actively contributed to his community through participation in various programs aimed at improving opportunities for the people of Northwest Indiana. He has been a powerful member of the Northwest Indiana Building Trades, Secretary Treasurer of the IBEW State Conference, Vice-President of the Indiana State AFL–CIO, Trustee of the Lake Area United Way, Board of Directors of TradeWinds, Member of the Lake County Integrated Services Delivery Board, Chairman of the Board of Directors, Investment Committee, and Executive Committee of the Legacy Foundation, as well as Co-Chairman of the Heroes Committee of the American Red Cross.

Tim Sanders enjoyed serving the public for several years as Director of Senator RICHARD G. LUGAR's regional office. In addition to serving Senator LUGAR, Tim has also worked with Senators Dan Quayle and Dan Coats. Through skillful networking within the state and federal legislative agencies, he established solid relationships benefiting Northwest Indiana's businesses and constituents. Tim implemented public relations initiatives through television, radio, and print to provide information, gather support, and raise visibility on key issues. He has also extended his commitment to the community by serving on a number of Boards and Associations such as the St. Jude House, Lake Area United Way, American Heart Association, and the TradeWinds Rehabilitation Center. Although Tim has dedicated his time serving the community, he has never neglected to provide support and love to his family. Tim and his wife, Tania, have two children and three grandchildren.

Both of these men have spent years as dedicated members of the TradeWinds Board of Directors; each adding their individual business acumen and combined strength that has enabled TradeWinds to continue providing quality services for children and adults with disabilities.

Mr. Speaker, I ask that you and my distinguished colleagues join me in congratulating Bob Anadell and Timothy Sanders. Without their enduring love and compassion for the community and children of all ages and abilities, TradeWinds would not be what it is today.

ANTONIO COSTA WAS AN OUTSTANDING COMMUNITY LEADER

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. FRANK of Massachusetts. Mr. Speaker, people in Southeastern Massachusetts, and Portuguese-Americans in particular, received very sad news on Sunday of this week of the death of Antonio A. Costa. As the New Bedford Standard Times noted in its obituary of this outstanding man, ''Mr. Costa was an esteemed leader, establishing many firsts within the New Bedford, Mass., Portuguese community.'' Mr. Costa was a leader in establishing Portuguese language media, and he went on to be the Broadcasting Director for Voice of America in the Portuguese language section. He then returned to our area and again provided significant cultural, intellectual and economic leadership to the Portuguese-American community in particular, and the broader community in general. After retirement, he continued his leadership role and produced the only radio program in Portuguese in South Florida.

Mr. Speaker, Mr. Costa was exactly the kind of community leader that contributes to the strength of America and I ask that his extraordinary life and his contributions to others be noted here. Mr. Costa's life reminds us of the great benefit America derives from immigrants such as himself and the attached editorial from the New Bedford Standard Times makes that clear.

ANTONIO A. COSTA, LEADER IN PORTUGUESE COMMUNITY

POMPANO BEACH, FLA.—Antonio Alberto Costa, formerly of Southeastern Massachusetts, died Sunday, April 10, 2005, unexpectedly at Imperial Point Medical Center. He was the husband of Guida (Goncalves) Costa.

Born in Lisbon, Portugal, he was the son of the late Jose M. and Maria A. (Correia) Costa. He immigrated to America as a young man.

Mr. Costa was an esteemed leader, establishing many firsts within the New Bedford, Mass., Portuguese community. He was a founder and past president of the Luso-American Soccer Association as well as the Portuguese American Athletic Club in New Bedford.

An entrepreneur, he began by purchasing Phillips Press and continued with the founding of Costa Imports. He founded the first Portuguese-language radio station in the United States, WGCY, now broadcasting as WJFD–FM in New Bedford, and produced the first Portuguese variety television program, ''Passport to Portugal'' on WTEV–TV. He initiated a daily TV cable program ''Panorama of Portugal,'' currently known as The Portuguese Channel, and purchased and published what is known as ''The Portuguese Times'' newspaper, also in Southeastern Massachusetts.

Mr. Costa relocated to Washington, D.C., to represent Portugal as the Portuguese language broadcasting director for ''Voice of America.'' He returned to New England as co-owner and director of Radio Club Portugal, ''WRCP.''

In recognition of his services to the Portuguese community, the government of Portugal conferred upon him the rank of comendador da ordem do infante dom henrique. Various civic organizations recognized his achievements as well. The Seven Castles Club named him Man of the Year, as he received the Merit Award from the United Way as well as the Portuguese-American Federation.

He received official citations from the Massachusetts and Rhode Island houses of representatives, the Medal of Prestige from the Portuguese Continental Union and the Annual Achievement Award from the Prince Henry Club.

In retirement, he produced the only Portuguese-language radio program in South Florida on WHSR–AM, where the transmission continues via his Web site, radioportugal.net. He also wrote periodic chronicles published in O Journal entitled ''Desabafos.''

Survivors include his widow; two sons, Carlos Alberto Costa and his wife, Susan, of Westport, Mass., and Luis Manuel Costa and his wife, Nancy, of New Bedford; a daughter, Ana Maria Costa of New Bedford; five grandchildren; three great-grandchildren; and a nephew.

His funeral will be at 9 a.m., Friday from the Dartmouth Funeral Home, 230 Russells Mills Road, Dartmouth, Mass., followed by a Mass of Christian Burial at 11 in Immaculate Conception Church, New Bedford. Interment will be private.

Arrangements are by Porter Funeral Service, Westport.

HONORING THE CONTRIBUTIONS OF DR. RUBEN OLIVAREZ, SUPERINTENDENT OF THE SAN ANTONIO INDEPENDENT SCHOOL DISTRICT

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to recognize the Superintendent of the San Antonio Independent School District, Dr. Ruben Olivarez, for his contributions to the local community.

Dr. Ruben Olivarez has dedicated his career to educating our youth. In 1970, Dr. Olivarez started his career in education. Having taught at J.T. Brackenridge Elementary School, he is no stranger to the educational needs of our community. He has held a number of important educational posts over the years, including a professorship at the University of Texas at Austin, the title of Principal in the Fort Worth Independent School District, the post of Deputy Commissioner of the Texas Education Agency, and many others.

On January 11, 2000, Dr. Ruben Olivarez was named Superintendent of the San Antonio Independent School District, which has a student population of approximately 57,000. He is currently responsible for the ''Vision 2005 and Beyond'' plan for educational improvement. Dr. Olivarez has helped to provide the guidance our schools need, keeping the needs of our students an important priority.

Mr. Speaker, I am honored to recognize the Superintendent of the San Antonio Independent School District, Dr. Ruben Olivarez, for his dedicated service to our local schools.

CONGRATULATING PATTY LAWLER ON BEING NAMED WOMAN OF THE YEAR BY THE LACKAWANNA COUNTY FEDERATION OF DEMOCRATIC WOMEN

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to pay tribute to Patty Lawler as the Lackawanna County Federation of Democratic Women names her Woman of the Year.

Patty is the daughter of James and Dolores Lawler. She was born and raised in the MidValley area, and currently lives in Clarks Summit, Pennsylvania.

Patty is a graduate of St. Patrick's High School in Olyphant. She graduated from Marywood University with a bachelor of arts degree in education and theater. Patty was active in many clubs and organizations on campus and was president of the class of 1971. She was a member of the Student Pennsylvania State Education Association and the Marywood Players. She held leading roles in many productions on campus and chaired several committees including Sophomore Parents' Weekend and the Junior Prom. Patty is listed in the 1971 edition of Who's Who Among Students in American Colleges and Universities.

Patty completed her graduate work at Catholic University of America in Washington, D.C. in theater and directing. She participated in Shakespearean productions and represented the university at a meeting with Ed McMahon in New York City.

Patty currently works as a second grade teacher in the Lakeland School District, where she is in her 27th year in the education field. She has served as director of the Lakeland Curtain Club and also teaches theater courses for Northeastern Educational Intermediate Unit. She has also worked at a summer camp for the Association for Retarded Citizens of Wyoming County where she trained campers in the basics of acting for a performance on the last day of camp.

Patty is a past president of the Lackawanna County Federation of Democratic Women. She ran as a delegate for John Kerry to the 2004 Democratic National Convention and received the highest number of votes in each of the counties in her district. She attended the convention in Boston in July 2004 not only as a delegate, but also as a member of the Pennsylvania State Education Association Caucus.

Patty is currently a member of the Pennsylvania State Education Association, the Lakeland Education Association, the Laurel Garden Club, and the Rock and Mineral Club of Northeastern Pennsylvania. She is a very active member of the Lackawanna County Humane Society, of which she is a former board member. She can still be seen walking dogs in the St. Patrick's Day parade or serving refreshments at fund raising events. Patty is a member of the Marywood Alumni Club of Northeastern Pennsylvania and belongs to Holy Rosary Parish in Scranton, where she is a member of the choir. Patty was recently appointed to the Saint Joseph's Auxiliary Board and is working diligently on this year's summer festival.

Patty received the Volunteer of the Year Award from the Association for Retarded Citizens of Wyoming County for organizing the adoption of a ward program at Clarks Summit State Hospital.

Quality education and honest politics are Patty's passions. She was exposed to politics at a very early age when she and her sister accompanied her parents to political functions. The family attended functions such as the National Association of Postmasters Convention at the Waldorf Astoria. Patty's father was the postmaster of Olyphant and first cousin to County Commissioner Mike Lawler and Assistant Postmaster General Jo Jo Lawler. The families were very close, and Patty recalls that, as little girls, she and her sister would accompany their dad to the corner in Jessup where the men met to talk about politics.

Patty Lawler has a devotion to the community and expresses that through her willingness to volunteer her talents helping others. The Lackawanna County Federation of Democratic Women is awarding this honor to her this year because she works so hard to make a difference in Lackawanna County.

Mr. Speaker, please join me in congratulating Ms. Lawler on the prestigious honor of being named Woman of the Year by the Lackawanna County Federation of Democratic Women.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2006

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 17, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the concurrent resolution (H. Con. Res. 95) establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010:

Ms. McCOLLUM of Minnesota. Mr. Chairman, I rise in opposition to H. Con. Res. 95, the Republican Budget Resolution, and in support of the Democratic Substitute offered by Mr. SPRATT.

The Republican budget does not reflect the priorities of our Nation or my Minnesota constituents and will almost certainly have a negative impact on America's families. This legislation reduces support for law enforcement, fire fighters and local units of government. It fails to meet our commitment to our veterans—at a time when we are asking more and more of our military and their families. Even the Republicans' most creative use of accounting gimmicks and phony projections still yields a record federal budget deficit, makes no allowance for the President's plan for Social Security, and fails to include the Iraq war in the budget—which is currently costing taxpayers $5 billion a month.

This budget eliminates opportunities for our children to be successful, including vocational education programs, safe and drug free schools, and Even Start. Republicans continue to underfund No Child Left Behind and college loan programs that provide access to higher education for millions of Americans. The budget proposes to make deep cuts in Medicaid—a proposal that will hurt low-income families, the elderly and disabled, health care workers and our hospitals. These health care cuts will also create severe budget difficulties for our states and have been strongly opposed by a bipartisan group of governors. The Republican budget slashes funding for clean water programs, farm conservation measures and funding for brownfields development.

In fact, the proposal put forward by the Majority inflicts so much burden on average families that it has been called 'unjust' by a broad religious coalition and was opposed by the major veterans organizations. If the federal budget is a document that reflects the values of President Bush and the Republicans in Congress then this budget is not only 'unjust' but void of mainstream American values.

I want fiscally responsibility, not larger deficits. My constituents demand a common sense budget that returns our nation to sound fiscal decision making and balances the budget within seven years using common sense, pay-as-you-go budgeting like every family does. We need to put family priorities first by maintaining strong national security, strengthening education, protecting veterans' health care and ensuring families are economically secure. For these reasons I strongly support the Democratic budget, a common sense alternative to the dangerous and irresponsible Republican plan.

This Congress must make a real effort, as proposed by the Democrats, to reduce the deficit rather than allow it to grow and remain a burden for the next generation. We need to be honest about the cost of the war in Iraq, rather than continue to pass so-called "emergency" supplemental appropriations as we did earlier this week. And we need to put families first. The President and House Republicans choose tax breaks for corporations over students and veterans' as their top priority.

The Democratic substitute restores fiscal discipline and reduces the deficit while protecting the services our families depend upon, keeping our communities and economy strong. I am proud to support the Democratic substitute and I will continue to fight to ensure our families priorities are the priorities of Congress.

50TH ANNIVERSARY OF THE SUCCESSFUL SALK POLIO VACCINE TRIALS

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. DINGELL. Mr. Speaker, I rise to mark a historic day in the history of public health. Fifty years ago today, Dr. Thomas Francis, Jr. announced from the University of Michigan's Rackham Auditorium words that people around the globe were waiting to hear: the Salk polio vaccine works. With those simple words, eradication efforts began in earnest to rid the world of this terrible disease.

For generations in the United States, the polio disease struck fear in the hearts of millions of American parents and children. Late every summer, hot weather brought with it a rash of new cases of paralytic polio. No one knew how to I prevent polio, nor was there a cure. Epidemics of polio could devastate whole communities. For example, an epidemic struck the state of New York in 1916 killing 9,000 people and leaving 27,000 disabled. In the 1940s and 50s, the number of cases reported in the United States ranged from 40,000 to 60,000 each year. This was the state of our nation affected by polio pre-1955.

Mr. Speaker, all that began to change in the early 1950s. At that time, Dr. Jonas Salk, a postdoctoral student of Dr. Francis's at the University of Michigan, developed a promising vaccine against poliomyelitis in his laboratory at the University of Pittsburgh. In what has been called the largest cooperative effort undertaken in peacetime, the Salk vaccine was tested in the most comprehensive field trials ever conducted. Overseeing those trials was Dr. Francis, Director of the Poliomyelitis Vaccine Evaluation Center and founding chair of the Department of Epidemiology at the University of Michigan School of Public Health.

Mr. Speaker, the polio field trials were unprecedented in scope and magnitude. Dr. Francis and his team of more than 100 statisticians and epidemiologists tabulated data received from hundreds of public health officials and doctors who participated in the study. The trials involved 1,830,000 children in 217 areas of the United States, Canada and Finland. No field trial of this scale has been conducted since.

This historic event is a source of pride for the University of Michigan and the state of Michigan as a whole. Since that day fifty years ago, polio has been nearly eradicated. In August 2002, there were no confirmed cases reported in the United States, and only 483 confirmed cases of acute poliomyelitis reported to authorities worldwide. These successes all began with the announcement from Rackham Auditorium fifty years ago today.

HONORING THE LIFE AND ACHIEVEMENTS OF HIS HOLINESS POPE JOHN PAUL II AND EXPRESSING PROFOUND SORROW ON HIS DEATH

SPEECH OF

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, April 6, 2005

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, on Saturday, April 2nd, 2005 the world lost a great leader, a champion of peace and a beacon of hope to so many.

The life of Pope John Paul II exemplified the virtues and duties of the faith he so devoutly taught. As a young man, he fought oppression by defying the Nazi regime to secretly study the teachings of his faith. As a priest, he fought for freedom by defying the Communist regime of Poland to teach the cherished values of Catholicism. As the Holy Father, he worked to end tyranny throughout the world.

After surviving an attempt on his life, John Paul II—with unparalleled compassion and mercy—beseeched humanity to "Pray for the brother who shot me, whom I have sincerely forgiven." Yet, just as his willingness to forgive was unmatched, so were his efforts to unite the global community.

As the world's leading arbiter of peace, John Paul II rejected efforts to use religion as a barrier or as a reason for war, instead using it as a bridge to bring people of different faiths together.

He traveled the world more than any other Pope, preaching non-violence and mediating conflicts.

He reached out to the most vulnerable—the sick, impoverished and abandoned children—never letting religion determine who to care for and help.

He unambiguously rejected anti-Semitism, asking for forgiveness for past Christian intolerances to Jews and courageously recognizing the state of Israel.

The world will forever be grateful for the conviction with which John Paul II served and led. And, he will be missed by the people of all faiths and of all regions. Through his love and service to God he served billions of Catholics, but through his love and service of humanity he served us all.

HONORING THE CONTRIBUTIONS OF BEXAR COUNTY JUDGE MARCIA S. WEINER

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor the accomplishments and initiatives of Judge Marcia S. Weiner, Justice of the Peace Precinct 2 of San Antonio, TX.

Judge Marcia Weiner first became a resident of San Antonio in 1956 when her husband, Dr. Bernard K. Weiner, was transferred to Lackland Air Force Base. Since then, Judge Weiner has become an attorney, teacher, active community leader, mother of three daughters, and a grandmother.

Judge Weiner earned a BA degree and lifetime teacher's certificate with honors in 1965,

followed by a Doctor of Jurisprudence in 1970 from St. Mary's University. In 1971, Judge Weiner began her legal career with the U.S. Department of Housing and Urban Development (HUD). Judge Weiner continued to work for HUD for over 26 years and retired as Chief Counsel. While a Chief Counsel, Judge Weiner was responsible for all HUD program legal issues throughout a 57 county jurisdiction and was named the most outstanding HUD Chief Counsel in the country.

In January of 2001, Judge Weiner became a Justice of Peace for Precinct 2 of San Antonio, TX. As Justice of Peace, she has continued to improve the Precinct 2, which oversees evictions, small claims, juvenile disorderly conduct cases, misdemeanors and truancy. Judge Weiner strongly believes that juveniles can be redirected through early intervention with the right kind of counseling.

As an active volunteer and leader in the community, Judge Weiner continues to make significant contributions to the advancement of equal opportunity, the elevation of federal women's careers, and to the legal awareness of aging seniors and retired federal employees. Among her many honors and awards, Judge Weiner was recognized as ''Texas Women to Watch'' from 2002 to 2004 by the Business and Professional Women Foundation.

Mr. Speaker, it is my honor today to recognize Judge Marcia Weiner for her dedication, commitment, and service to the betterment of society.

CONGRATULATING THE LADIES ANCIENT ORDER OF HIBERNIANS, ST. JOHN NEUMANN DIVISION 1, ON THE 25TH ANNIVERSARY OF ITS CHARTER

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to the Ladies Ancient Order of Hibernians, St. John Neumann Division 1, of Wilkes-Barre, Pennsylvania, on the occasion of the 25th anniversary of their charter that occurred in January of 1980.

The primary purpose of the LAOH, which was first organized as the ''Daughters of Erin'' in 1894 in Omaha, Nebraska, was to protect young immigrant Irish girls coming to the United States. The LAOH offered support and encouragement and assisted the young women to secure employment. The LAOH also assisted the AOH in its efforts to aid the sick and needy and to defend priests, church and country.

In keeping with the original spirit of the LAOH, St. John Neumann Division 1 continues to assist young women of Irish descent by providing an annual scholarship to Bishop Hoban High School in Wilkes-Barre. They assist the sick and needy by adopting a family each year and contributing time and resources to the local soup kitchens and nursing homes. They also volunteer their time and resources to assist the American Red Cross, the Salvation Army, the American Diabetes Association and other worthy community programs.

The group continues to promote Catholic Irish heritage and culture through support of seminarians, their annual St. Brigid Mass, annual St. Patrick Mass, participation in Irish cultural history and dance programs, the Irish teachers program and parades in honor of St. Patrick.

St. John Neumann Division 1 produced two past LAOH state presidents, Claire McNelis Karpowich and Kate Brennan Angerson, and is currently represented on the State board of directors by Maureen Lavelle, who serves as State historian.

Mary Ann Amesbury is the current president of St. John Neumann Division 1. Division officers include: Kellie Knesis, vice president; Maureen Lavelle, recording secretary; Suzanne Cosgrove, treasurer; Margaret Tudgay, financial secretary; Mary Ellen Dooley, historian; Ann Marie O'Hara, missions and charities; Eileen Potsko, Catholic action; Donna Mangan, sentinel and Mary Kathleen Williams, mistress at arms.

Mr. Speaker, please join me in congratulating the Ladies Ancient Order of Hibernians, St. John Neumann Division 1, on this notable occasion. The Wilkes-Barre area community is fortunate to have the benefit of the selfless community service that members of the LAOH provide.

BANKRUPTCY REFORM

HON. TOM DeLAY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. DELAY. Mr. Speaker, every year, loopholes in America's bankruptcy laws are abused, to the tune of tens of billions of dollars—costs that get passed on to consumers in higher prices and higher interest rates.

Our bankruptcy protections, which have always been available to debtors as a last resort, have become just another part of financial planning for too many Americans.

Over the last 15 years, bankruptcy filings have increased 150 percent.

In that time, our economy has grown, tens of millions of jobs have been created, and inflation has been held in check.

There are always families and businesses in need of bankruptcy protection, but not 1.7 million of them a year, Mr. Speaker.

Nor should drug traffickers and violent criminals be eligible for protection. Nor should debtors be able to use bankruptcy laws to avoid paying spousal and child support, which should—as this bill ensures—be the highest priority debts. Nor should small businesses, family farmers, and fishermen be thrown to the wolves every time their market takes a temporary downturn.

That is why the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 has been a critical item on the Republican economic agenda for so long.

And that is why the House this week will finally pass a finished bill—already passed by the Senate—and send it on to the President for his signature.

These loopholes need closing, and at the same time, honest American debtors will always need protection.

That is why the bill we will take up—the product of years of development and negotiation—will include debtor protections such as credit counseling, financial management courses, and greater clarity in credit card billing statements.

It isn't enough to punish the abusers and protect the victims; we must develop a credit system that helps consumers manage their debt before they get in too deep.

The bankruptcy bill is another example of the far-sighted and fair-minded reform agenda the House has been passing for a decade.

It has been a long time coming, Mr. Speaker, but this week we will get the job done.

GOVERNOR GRANHOLM, SBC COMMUNICATIONS, THE MICHIGAN ECONOMIC DEVELOPMENT CORPORATION AND THE COMMUNICATIONS WORKERS OF AMERICA

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CONYERS. Mr. Speaker, I rise today to commend SBC Communications, Inc.; its Michigan president Gail Torreano; the Governor of my home State of Michigan, Jennifer Granholm; and representatives from the Michigan Economic Development Corporation and the Communications Workers of America.

Earlier this month they came together to unveil a ten-year economic development project, which will keep 930 metropolitan jobs in Detroit and invest over $3.6 million to upgrade seven network facilities in Southfield and Detroit. This incredible news comes only four months after SBC had initially announced plans to layoff workers.

Over the past five years, Michigan has lost nearly 300,000 jobs, and has had little prospect for significant job growth in sight. My State's unemployment rate was nearly two percent above the nation's average. That number increasingly looked gloomier with news last week that General Motors expects to lose money in this year's first quarter. As a result, their stock dropped 14 percent. My distinguished colleagues, there is no question about it—jobs in Michigan are in jeopardy.

But now, the future appears brighter with SBC Communications and others leading by example in recognizing that corporations play an integral role in their communities, and corporate decisions have consequences that reach much further than their own bottom line.

Such an agreement could not have been reached without strong leadership and a shared vision for the future from all parties involved. This agreement to keep SBC Communications' business in Michigan not only exhibits the great benefits that partnerships between the private and public sectors can reap for our nation's metropolitan communities, but more specifically, it demonstrates the success of Michigan's economic development programs and their capability of serving as a prime example for the rest of America's cities and states.

In agreeing not to move nearly 1,000 jobs out of Michigan, SBC Communications will receive a single business tax credit worth approximately $18 million from the Michigan Economic Development Corporation, in addition to an Economic Development Job Training grant of up to $930,000. The proposed

cuts had been part of a planned company-wide reduction of 10,000 workers by the end of this year. And other companies are also staying, too, rather than moving to neighboring states as they had once considered. Assay Designs, Inc. will be adding 86 new jobs and investing an additional $18 million to a new site in Washtenaw County's Pittsfield Township. Faurecia, a Michigan auto supplier, will be creating nearly 450 more jobs in Sterling Heights as part of a $40 million expansion. Emerald Graphics Corp. will be producing an additional 347 new jobs near Grand Rapids, rather than in Texas. And with these Michigan fixtures staying, who knows what the future holds for our great State.

The significance of this private-public partnership cannot be overstated. In addition to the immediate consequence of job retention, the University of Michigan projects that the State's agreement with these companies will create an additional 1,210 jobs and generate over $97 million in revenue for Michigan over the next ten years, with another 1,000 jobs indirectly generated at other area companies. Rather than facing the prospect of helplessly watching hundreds of families potentially flee the metropolitan area—or even the state—in search of new jobs, Michigan's economic future looks brighter with a commitment that these hard workers will remain at home and continue to contribute to the State's economy. Instead of disrupting their children's lives with moves to new schools, SBC employees will continue to root themselves in their respective local communities.

I see no reason why other States cannot create similar incentive programs to keep private sector jobs within their borders as well. The tax credits that Michigan has extended to SBC Communications, Assay Designs, Faurecia, and Emerald Graphics Corp. are just the start. My home state recognizes that corporations naturally desire to expand. And it also recognizes that the State has too many brownfields that require developing. These two are not mutually exclusive. So Michigan has decided to invest in its own future. And what will be the reward? An anticipated $558 million in private investment! Michigan has proven that it is committed to working with labor and management. Our State has shown that it truly has an open door policy, and will meet and work with all those interested in doing business within its borders, whether your company resides there already and is looking to expand, or is looking to relocate to a local economy that suddenly has a more optimistic forecast.

I encourage my colleagues in Congress to take a close look at what Governor Granholm, SBC Communications, the Michigan Economic Development Corporation and the Communications Workers of America have accomplished. I see no reason why such a success story cannot be replicated in other States as well. In closing, I commend all those parties involved; am grateful for their willingness to work together for our State's future; and hope that this is just the beginning of many success stories to come out of Michigan and America's other 49 States.

HONORING THE CONTRIBUTIONS OF PRECINCT 1 JUDGE SAUL ACEVEDO

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor the important contributions of Judge Saul Acevedo, of my Congressional District.

Saul Acevedo was born and raised in San Antonio and has been actively involved in the community. He is a product of San Antonio Independent School District and graduated from Jefferson High School in 1981. He earned his Bachelors Degree in Political Science in 1986 from the University of Texas at San Antonio. He then enrolled at Texas Southern University, and in 1989 earned his Law Degree.

Judge Acevedo was elected as Precinct 1 Justice of the Peace in 1998; he works constantly to ensure that the people of his community receive the services they need from local government. He is a credit to his community and a tremendous resource for his county.

During his time in office he has dedicated himself to the youth of the community. He is extremely active in District 19 little league baseball, and is a past league president. There is one role that Judge Saul Acevedo plays in the community that trumps everything; he is married to Marietta and has two beautiful children.

Mr. Speaker, I am proud to have this opportunity to recognize Judge Saul Acevedo for his dedication and contributions to the community.

INTRODUCTION OF ESTATE TAX RELIEF LEGISLATION

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. MOORE of Kansas. Mr. Speaker, I rise today to introduce legislation that would repeal the estate tax for 99.7% of all estates in our country.

During my time in Congress, I have strongly supported estate tax relief for American families, farmers, and small businesses, and continue to support the ability of one generation to transfer a business and assets to the next generation. During my first term in Congress I voted to override then-President Clinton's veto of a measure that repealed the estate tax, and later voted for President Bush's 2001 tax cut package, which included a phase-out and temporary repeal of the estate tax.

Unfortunately, however, our country's fiscal situation has changed dramatically over the last several years, and while I continue to support estate tax relief, I also continue to support fiscally responsible policies that will not transfer trillions of dollars in debt to future generations. On February 17, 2004, the national debt of the United States exceeded $7 trillion for the first time in our country's history. One year later, our national debt is $7.8 trillion. In the past year alone, our country has added $800 billion to our national debt. The "debt tax" that we are imposing on our children and grandchildren cannot be repealed, and can only be reduced if we take responsible steps now to improve our fiscal situation.

This week the House is scheduled to consider a full repeal of the estate tax. Repeal of the estate tax will cost approximately $290 billion over just the next ten years, and although I support full repeal in theory, the sad truth is that our country cannot afford the luxury of an estate tax repeal at this time.

My legislation would provide immediate relief by raising the amount of an estate exempt from any estate tax liability from $1.5 million to $3.5 million. Additionally, the exemption for married couples would rise to $7 million under my bill. I believe this measure strikes an appropriate balance between the enormous cost of full repeal and the unacceptable cost of doing nothing. 99.7 percent of the estates in our country would face no estate tax liability at all under this legislation.

Further, H.R. 8, the estate tax repeal bill that the House will consider in the near future, would preserve the reinstitution of carryover basis rules that are contained in the 2001 tax law. Replacing the step-up in basis that currently exists with the carryover basis rules that used to exist in our tax code, and will temporarily reappear in 2010, would impose a very real, very significant compliance burden, and capital gains tax increase, on approximately 71,000 estates every year. By repealing the step-up in cost basis, which allows heirs to value an inherited asset at the market value of that asset on the date of a benefactor's death, H.R. 8 would force individuals and families to determine the price of a transferred asset at the date at which the asset was originally purchased. This means that a piece of property originally purchased several decades ago for $25,000 and sold for $325,000 today would be subject to a taxable capital gain of $300,000. Taxable gains on transferred property are particularly burdensome in light of the unprecedented real estate boom our country has experienced over the last several years. My legislation would preserve the step-up in basis and thereby provide substantial capital gains tax relief to thousands of American families.

Full repeal of the estate tax may still be an option for future Congresses to consider, but until we are able to improve the fiscal situation of our country, Congress should attempt to strike a balance between total repeal and the status quo, which will significantly increase the estate tax burden in 2011. We need to ensure that the federal government is preparing adequately for the unprecedented demographic shift that will strain Social Security and Medicare in the decades to come. Spending nearly $300 billion over the next ten years on full repeal of the estate tax poses a genuine threat to Social Security and Medicare and will impose an unnecessary burden on our children and grandchildren, who will be forced to pay back with interest the debt we are accumulating today.

BACK OUR VETERANS' HEALTH ACT

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. FILNER. Mr. Speaker, and colleagues, since the creation of the Department of Veterans Affairs health care system, the Nation's

doctors of chiropractic have been kept outside and all but prevented from providing proven, cost-effective and much-needed care to veterans, including those among the most vulnerable and in need of the range of the health care services that doctors of chiropractic are licensed to provide. In 2002, 4.5 million patients received care in VA health facilities, including 75 percent of all disabled and low-income veterans. Although the VA health care budget was roughly $26 billion in 2002, less than $370,000 went toward chiropractic services for veterans. This, in a country with more than 25 million chiropractic patients and more than 60,000 Doctors of Chiropractic.

I am proud to introduce legislation—H.R. 917, The Better Access to Chiropractors to Keep Our Veterans Healthy Act (BACK Our Veterans Health Act)—that is designed to provide veterans with direct access to a Doctor of Chiropractic, if that is their choice, through the veterans health care system. In developing this bill, I have worked closely with chiropractic patients, particularly our veterans, who know the benefits of chiropractic care and bear witness to the positive outcomes and preventative health benefits of chiropractic care.

Specifically, my bill seeks to amend Title 38 of the United States Code to permit eligible veterans to have direct access to chiropractic care at VA hospitals and clinics. Section 3 of the measure states that ''The Secretary [of Veterans Affairs] shall permit eligible veterans to receive needed [health care] services, rehabilitative services, and preventative health services from a licensed doctor of chiropractic on a direct access basis at the election of the eligible veteran, if such services are within the State scope of practice of such doctor of chiropractic.'' The measure goes on to directly prohibit discrimination among licensed health care providers by the VA when determining which services a patient needs.

Over the years, Mr. Speaker, representatives of the Department of Veterans Affairs have come before the House Veterans Affairs Committee, a panel on which I serve, and have insisted that chiropractic benefits are available to veterans and that no bias exists within the VA against the chiropractic profession. But the facts I cited above speak otherwise. For all practical purposes, access to chiropractic care has been non-existent within the VA system. Chiropractic care has so seldom been offered to veterans that it can be fairly said to be a phantom benefit—and for years, Mr. Speaker, the VA has done nothing to correct this deficiency. There is simply no evidence that the VA has ever acted proactively in any meaningful and substantive way to ensure that chiropractic care is made available to veterans—and because of that track record of neglect, the U.S. Congress felt compelled to take action.

As a result, Congress in recent years has enacted three separate statutes seeking to ensure veterans access to chiropractic care (Public Law 106–117, Public Law 107–135 and Public Law 108–170). The last of those statutes gives explicit authority to the VA to hire doctors of chiropractic as full time employees. I'm proud to have worked with colleagues on both sides of the aisle to help advance those initiatives—and I am hopeful that a reluctant VA has finally seen the light.

I understand that, last year, former VA Secretary Principi released new policy directives regarding chiropractic care and that we may be on our way to seeing the true and full integration of chiropractic care into the VA. But Mr. Speaker, if the past is any guide to the future, then I must remain concerned until I see these new polices firmly in place and working well in all VA treatment facilities. To help ensure that, in the future, barriers to veterans who want and need chiropractic care are fully removed, I am pleased to introduce legislation that would require the VA to make chiropractic care available on a direct access basis to our veterans.

Perhaps my legislation will prove not to be necessary—because referrals to doctors of chiropractic will actually take place with the encouragement and support of the leadership of the VA. But as insurance, the enactment of the legislation I propose would guarantee the right of a veteran to obtain this important service without the cost and stumbling blocks of going through potentially hostile gatekeepers.

Accordingly, I urge my colleagues to join me in supporting unimpeded access to chiropractic care throughout the veterans health care system and help enact this measure, H.R. 917.

HONORING THE CONTRIBUTIONS OF PASTOR TERRENCE K. HAYES

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CUELLAR. Mr. Speaker, I rise to recognize Pastor Terrence K. Hayes of St. Paul United Methodist Church for his exceptional career in public service.

Terrence K. Hayes has served our community for over thirty years. He has provided spiritual guidance and community leadership for those who need it the most.

Pastor Hayes has served as the senior pastor of St. Paul United Methodist Church since 1996. He is a man who believes in the importance of reaching out and helping those in need. An active and passionate advocate of the people, he has held a number of leadership and community service positions.

Pastor Hayes is the recipient of numerous awards including the Outstanding Young Men of America, the National Fellowship Fund, the Earl L. Harrison Fellowship, the Henry C. Maynard Award of Outstanding Pastoral Potential, and the Who's Who in America College Students from Hampton Institute. He has written numerous publications including Collaborating in Ministry, Fundraising Resources of the United Methodist Church, and a number of short stories and newspaper articles.

Mr. Speaker, I am honored to have the opportunity to recognize the hard work and important community achievements of Pastor Terrence K. Hayes.

PERSONAL EXPLANATION

HON. JIM RYUN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. RYUN of Kansas. Mr. Speaker, on March 17, 2005, I was unable to vote on rollcall 87, the Spratt Amendment to H. Con. Res. 95. Had I been present, I would have voted ''no.''

ESSEX MARINA 50-YEAR ANNIVERSARY

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. SIMMONS. Mr. Speaker, on April 2005, a milestone was reached by one of eastern Connecticut's finest waterfront establishments when Essex Island Marina celebrated its 50th anniversary.

A half century ago Louis Schieferdecker, the son of a German immigrant, made a small investment that would end up becoming an eastern Connecticut institution. Mr. Schieferdecker bought Essex Island in 1955 and created a tradition of service and a successful business that his family owns and operates today. Essex Island Marina began as a boat yard with several slips; today it is one of southeastern Connecticut's most picturesque places. Lou Schieferdecker had a dream and he pursued it with a positive attitude and a determination to make it work.

During the first 10 years of operation the marina added to its services and amenities and also increased the number of docks. The family installed a swimming pool, built the deck and added game rooms, a snack bar and a convenience store.

But for the Schieferdecker family the most important part of the marina is not the dock or any of the amenities or services they provide; it's the people who come and enjoy the experience. In the words of the family, ''Today we see it when the grown children of past guests bring their children to share the experience. In the last 49 years a 13 acre island has been transformed from a place to 'dock your boat' to a place where memories are made.''

Boaters have responded to the beautiful facility. In 2004 the readers of ''Offshore Magazine'' named Essex Island Marina the second ''Most Welcoming Destination'' in the entire northeast and voted it number one in the northeast in the ''Favorite Marina For A Weekend'' category.

Building a successful business and generating the kind of loyalty and appreciation expressed by the readers of ''Offshore Magazine'' are not the result of being lucky. It's the result of working long hours to achieve a dream and always maintaining a commitment to do nothing less than your best. For 50 years the Schieferdecker family has been devoted to the boating public and the boating public has returned that dedication to the Schieferdeckers and Essex Island Marina. I congratulate this hard working family and Essex Island Marina for the first 50 years and I am delighted that they are part of our eastern Connecticut family.

HONORING PASTOR JERRY DAILEY

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CUELLAR. Speaker, I rise today to recognize Dr. Jerry Dailey for his dedication and

service as a Pastor and community leader in San Antonio, Texas.

Dr. Dailey was born in Anderson, Indiana. He attended the public schools of Duval County Florida, and later graduated from Andrew Jackson Senior High School. After high school, Dr. Dailey received a basketball scholarship to study at Bethune-Cookman College. In college, Dr. Dailey was elected Senior Class President and was also a recipient of the Crown Zellerbach Foundation Scholarship to study one year at the University of California, Berkeley. In 1975, he graduated cum laude with a B.S. in Psychology. Dr. Dailey went on to obtain a Masters of Divinity degree in 1979 from Philadelphia's Eastern Baptist Theological Seminary and a Doctor of Theology degree in 1991 from San Antonio's Guadalupe College. Dr. Dailey also holds many other honorary degrees for his work in divinity.

For the past 28 years, Dr. Dailey has served many communities as a pastor and community leader. Since 1985, Dr. Dailey has been the Pastor of Macedonia Missionary Baptist Church in San Antonio, Texas. He continues to lead the church today and has led many initiatives in Macedonia's major expansion and renovation efforts. Other community projects of Dr. Dailey's have been establishing the Good Samaritan Food Ministry and Youth Scholarship Fund.

Among his many accolades, Dr. Dailey received the 2000 MLK Distinguished Achievement Award Nomination from the City of San Antonio MLK Commission and was the first African American appointed to the Administrative Executive Board of the Baptist General Convention of Texas (BGCT). He is now the newly elected President of the African American Fellowship of the BGCT. His many awards and recognitions attest to the breadth of his service through the years.

Dr. Dailey is married to the former Janice M. Pullen and they are the parents of three daughters named Joy Marie, Jasmine Noelle, and Jeri Nicole. He constantly serves as a role model and inspiration for his congregation and the local community. It honors me today to have the chance to recognize and thank Dr. Dailey for his many years of service and contribution.

INTRODUCTION OF THE MEDICARE MEDICAL NUTRITION THERAPY ACT OF 2005

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. UPTON. Mr. Speaker, I am pleased to join with Representatives ANNA ESHOO, LEE TERRY, DAVID WU, XAVIER BECERRA, and JO BONNER in introducing the bipartisan Medicare Medical Nutrition Therapy Act of 2005. Under current law, Medicare provides coverage for medical nutrition therapy services provided by registered dietitians and nutrition professionals to Medicare beneficiaries with diabetes and renal diseases. Recognizing that many other beneficiaries with diseases and conditions such as cardiovascular disease and obesity could benefit from medical nutrition therapy services, the legislation we are introducing today gives the Secretary of Health and Human Services, acting through the Centers for Medicare and Medicaid Services, the authority to use the National Coverage Determination Process to expand coverage for other disease and conditions for which these services would be both beneficial and cost-effective.

Providing Medicare coverage for medical nutrition therapy services is sound health care policy. It can prevent unnecessary pain and suffering and save millions of dollars in health care costs by lessening the risk of chronic disease, slowing disease progression, and reducing symptoms. In response to a request in the 1997 Balanced Budget Act, the Institute of Medicine of the National Academy of Sciences studied the value of adding medical nutrition therapy coverage to the Medicare program and concluded that this coverage would "improve the quality of care and is likely to be a valuable and efficient use of Medicare resources, because of the comparatively low treatment costs and ancillary benefits associated with nutrition therapy."

I urge my colleagues who have not yet cosponsored this legislation to join us in this effort.

INTRODUCTION OF THE FAIR FEDERAL COMPENSATION ACT OF 2005

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Ms. NORTON. Mr. Speaker, the entire bipartisan regional House delegation of the national capital region introduces today the Fair Federal Compensation Act of 2005 to address the District of Columbia's structural imbalance. The original co-sponsors are: Government Reform Committee Chair TOM DAVIS, Appropriations Subcommittee Chair FRANK WOLF, Democratic Whip STENY HOYER, Former Congressional Black Caucus Chair ELIJAH CUMMINGS and Representatives JIM MORAN, CHRIS VAN HOLLEN, and ALBERT WYNN. Montgomery County Executive Doug Duncan has authorized me to say that he suports this bill as well.

D.C. residents and businesses are proud of eight straight years of balanced budgets that pay for the operations of our government. Yet, residents and Congress probably know little about the city's structural imbalance, which according to the GAO, is entirely from federal sources. However, D.C. taxpayers and Congress are paying for this imbalance in millions of dollars in taxes and interest. Residents and businesses pay to cover a structural imbalance caused by federal mandates and requirements with higher local taxes and the highest debt load in the nation. Our bill will help the Congress and city residents understand what the structural imbalance is and how it affects taxpayers and the D.C. government.

The goal of the bipartisan bill we introduce today is to prevent another fiscal crisis for our city and to relieve some of the unsustainable load on the D.C. government and on residents and businesses. The structural imbalance is the difference between the cost of D.C. government services and operations and the add-on cost to local taxpayers that otherwise would be carried by the federal government or commuters. According to the GAO, (confirming two other major studies; McKinsey, March 2002 and Brookings, October 2002) the resulting imbalance is exclusively federal and has three sources: federal use of the city's most valuable land; the city's continuing responsibility for many costly state functions; and the commuter tax ban, despite services the District must provide to 200,000 federal employees. The GAO concluded that the only options to relieve the structural imbalance are: to "change Federal procedures and expand the District's tax base or provide additional financial support and a greater role by the Federal government to help the District maintain fiscal balance." The Fair Federal Compensation Act of 2005 we introduce today responds specifically to these GAO findings.

Our bill offsets part, though not all, of the annual structural imbalance—found by the GAO to be between $470 million and up to more than $1.1 billion—by providing for an annual federal contribution of $800 million. Unlike the old federal payment, which remained constant and therefore lost much of its value through inflation, the federal contribution would increase annually. The federal contribution funds would go to a dedicated D.C. infrastructure support fund. The District does not have an operating deficit or imbalance and these federal funds could not be used for operating expenses. The bill provides specific uses only for the non-operating and urgent capital needs that are delayed each year in favor of keeping the D.C. government operating. The federal contribution would be available only for stated infrastructure purposes, such as roads and school construction and repairs, and for reducing the District's debt—the highest in the country. High debt and the interest that results, of course, produce excessive taxes. The bill also would improve the District's investment bond rating and thus reduce our present high interest payments, all charged to taxpayers.

In 1995 Congress carne to grips with the reality that this city's responsibilities assume it is a state, although it lacks a broad state tax base and that the District could no longer be expected to shoulder the full set of state costs. Congress relieved the District of the costs of some but not all state functions and left the unique federal structural impediments described in the GAO report. Nevertheless, the District has made remarkable progress, maintaining balanced budgets and surpluses every year despite adverse national economic conditions and improving city services. The CFO has ominously warned, however, that looking to the out years, the structural imbalance endangers the city's financial future and cannot continue to be carried by the District alone. It would be tragic for Congress to allow the progress that has been made to be retracted because of dangerous and escalating uncompensated federal burdens. The Fair Federal Compensation Act of 2005 would allow the District to avoid great risks, to continue to build fiscal strength, and to relieve D.C. taxpayers ofthis federal structural financial burden.

HONORING THE CONTRIBUTIONS OF SAN MARCOS CITY COUNCILMAN BILL TAYLOR

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to honor the distinguished public service of San Marcos City Council member Bill Taylor.

In 1971, Bill Taylor earned his Bachelor's Degree in Government, graduating with honors from San Marcos Baptist Academy. He served for 6 years in the Texas Army National Guard, and has been a member of the National Society of Certified Insurance Counselors. Currently, he is a Commercial Marketing Manager for Bill Taylor & Associates, Inc.

Mr. Taylor was elected to the San Marcos City Council in 2002. He has had a tremendously productive career in public service, working on the City's Airport Commission and on the Small Business Development Council. Bill has spent his spare time volunteering for the San Marcos CISD Bond Committee, the Chilympiad Board of Directors, and has been honored with the title of El Jefe.

Bill Taylor has lived a life of enormous service to his community. Since arriving in San Marcos 39 years ago, he has been at the center of volunteer project after volunteer project. Along with his many accomplishments for the people of San Marcos, Bill has 6 children with his wife Debbie.

Mr. Speaker, City Council member Bill Taylor is an exemplary public servant. His work has made San Marcos safer, healthier, more efficient and more prosperous. I am proud to have the chance to thank him here today for all he has done for his fellow Texans.

INTRODUCTION OF THE TAXPAYER ABUSE PREVENTION ACT: CONGRESS SHOULD NOT ALLOW BOUNTY HUNTERS TO ABUSE TAXPAYERS

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. VAN HOLLEN. Mr. Speaker, I rise to announce that today I introduced the Taxpayer Abuse Prevention Act of 2005. If enacted into law, this bill would repeal the provision tacked onto the FY2005 Omnibus Appropriations bill that hands over the tax returns of millions of American taxpayers to private contractors to collect delinquent taxes, and to keep 25 percent of their take as a commission for services rendered.

This provision opens the door to taxpayer intimidation and abuse, practices that have been outlawed by Congress. This practice amounts to bounty-hunting—at taxpayer expense—by allowing collection agencies to harass those same American taxpayers, many of whom are guilty of nothing, with the incentive of collecting their commission as their primary motivation. Giving unaccountable outside bounty hunters unfettered access to Americans' personal financial data poses a risk that we just cannot afford, and that is why these organizations oppose the IRS proposal: Citizens for Tax Justice, Consumer Federation of America, Consumers Union, National Consumer Law Center, National Consumers League.

Late last year, Congress enacted H.R. 4520, the corporate tax bill, which included a provision that will give the IRS the authority to use private collection agencies to collect tax debt. This means that up to 2.6 million tax returns—which until then were only scrutinized by federal government employees—will now be open to private collection agencies and an untold number of private debt collection staff.

What's more worrisome is the IRS' inability to oversee the work of these private debt collectors. A 1996 pilot program for private collection was so unsuccessful that a similar pilot program planned for 1997 was cancelled outright. The contractors used in the pilot programs regularly broke the Fair Debt Collection Practices Act, did not protect the security of personal taxpayer information, and even then failed to bring in a net increase in revenue.

The IRS has said that it has learned from the 1996 project and is better equipped to address the problems raised. However, even recent evidence is to the contrary. An eye-opening report by the Treasury Inspector General for Tax Administration (TIGTA Audit #200320010) shows how IRS contractors put taxpayers' data at risk. The TIGTA audit found that the ''lack of oversight of contractors resulted in serious security vulnerabilities.'' The report found that ''contractors blatantly circumvented IRS policies and procedures even when security personnel identified inappropriate practices.'' In fact, the report found that contractors made hundreds of calls to taxpayers during times prohibited by the FDCPA, and that calls were even placed as early as 4:19 a.m.

The objective of the review was ''to determine whether the Internal Revenue Service (IRS) has adequately protected Federal Government equipment and data from misuse by contractors.'' The review found: ''The involvement of non-IRS employees in critical IRS functions increases the risk of misuse or unauthorized disclosure of taxpayer data, and could lead to loss of equipment or sensitive taxpayer data through theft or sabotage.''

While IRS employees are explicitly forbidden from being evaluated on the basis of revenue collected, the private collection scheme would actually link contractor pay to the amount of revenue collection. This policy encourages contractors to use aggressive collection techniques to boost their remuneration. Furthermore, the IRS is currently liable for damages to a taxpayer resulting from the misuse of confidential information by an IRS employee, but taxpayers will not be able to recover damages from the federal government where contractors are guilty of malfeasance.

The House had already expressed its will that this provision *not* become law when it approved by voice vote an amendment to the FY2005 Treasury Appropriations bill that prevented the expenditure of any federal funds for private collection of federal taxes. Unfortunately, the Treasury Appropriations bill never became law, and the House-passed amendment was stripped out of the omnibus spending bill by the Republican leadership in the conference—behind closed doors, in the dead of night.

We must repeal this onerous provision. We must protect American taxpayers from intimidation and abuse. We must ensure that personal financial records are protected and remain private. Two decades ago this Congress passed the Fair Debt Collection Practices Act specifically to protect Americans from intimidation and abuse, but last year this Congress perpetrated an injustice by allowing these very abuses to go forward.

I urge my colleagues to join me in working with the IRS to find a more effective means of collecting delinquent tax debt collection and avoid this risky scheme altogether. Let's pass the Taxpayer Abuse Prevention Act.

RECOGNIZING SALEM HOUSING COMMUNITY DEVELOPMENT CORPORATION

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. KILDEE. Mr. Speaker, today I rise to congratulate Salem Housing Community Development Corporation, located in my hometown of Flint, Michigan. On April 14, civic and community leaders will gather to honor Salem Housing at a Celebration and Awards Banquet entitled, ''20 Years of Building Community.''

Salem Housing was created in 1984 by 5 neighborhood organizations and a church on Flint's north side. These 6 groups were brought together by common concerns about the deteriorating housing stock in their shared neighborhood: vacant and deteriorating houses, a declining homeownership base, and low-quality rental housing with high rents. They also shared concerns for those families who had to live in these deteriorated housing structures due to lack of financial resources, or unavailability of other housing options. As a result, they formed the Salem Housing Task Force, with a mission to ''improve family living conditions by providing safe, decent, and affordable housing for families of limited income, and to act as a catalyst to restore the neighborhoods within its service area.'' This area encompassed a 132-block region, bounded by Pasadena Avenue on the north, Saginaw Street on the east, Wood/Begole on the south, and Dupont on the west.

In 2001, the Salem Housing Task Force officially became the Salem Housing Community Development Corporation. They retained their goals of affordable homeownership, and the results have included the restoration of long vacant and blighted homes, helping homeowners renovate their existing homes, and they continue to work with local neighborhood organizations to improve and beautify their streets. In addition, they have provided training and information for skills including home repair and money management.

Mr. Speaker, for 20 years, the Salem Housing Community Development Corporation has helped many Flint residents gain the satisfaction that comes with owning their own home, and they have helped cultivate civic pride as well. I am appreciative for all they have done to make our community a better place in which to live. I ask my colleagues in the 109th Congress to please join me in commending them for their efforts over the past 20 years, and wish them much success in the future.

CITY COUNCIL OF MOUNT VERNON SUPPORTS THE FAMILY OF AMADOU DIALLO

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. RANGEL. Mr. Speaker, I rise today to bring to the attention of this chamber a resolution adopted March 9, 2005 by the City Council of Mount Vernon, New York, supporting relief for the family of Amadou Diallo. The resolution calls on Congress to grant permanent resident status to the family of the young African immigrant who was shot 41 times by four plainclothes New York policemen.

The full text of the resolution of the Mount Vernon City Council follows:

Whereas, Amadou Diallo, a 24 year old immigrant from Guinea, was tragically gunned down in a hail of 41 bullets on February 4, 1999, by officers of the New York City Police Department as he attempted to enter his residence in the Bronx; and

Whereas, Amadou Diallo, an innocent man, was found to be unarmed at the time of his shooting; and

Whereas, the tragic story of Amadou Diallo garnered international attention, and an unprecedented outcry and weeks of demonstrations by New Yorkers who sympathized with his family;

Whereas, the Diallo family currently resides in the United States under ''deferred action status'' and are vulnerable to deportation in the upcoming months; and

Whereas, the Diallo family wishes to remain in the United States; and

Whereas, the Honorable United States Congressman Charles Rangel has proposed legislation, namely H.R. 677, which would grant permanent resident status to Amadou Diallo's family members: Kadiatou Diallo, Laouratou Diallo, Ibrahima Diallo, Abdoul Diallo, Mamadou Bobo Diallo, Mamadou Pathe Diallo, Fatoumata Traore Diallo, Sankarela Diallo and Marliatou Bah; and

Whereas, granting permanent resident status to the Diallo family would be a proper and just recognition of the tragedy they have suffered, and it will allow the Diallo family to pursue the opportunities promised by the American Dream; and

Whereas, the City Council of the City of Mount Vernon fully supports Congressman Rangel's proposed legislation and commends his efforts to keep the Diallo family in the United States; Now, Therefore, be it resolved that the City Council of the City of Mount Vernon, New York:

Hereby, fully supports Congressman Rangel's proposed legislation, H.R. 677, which would grant permanent resident status to Amadou Diallo's family members: Kadiatou Diallo, Laouratou Diallo, Ibrahima Diallo, Abdoul Diallo, Mamadou Bobo Diallo, Mamadou Pathe Diallo, Fatoumata Traore Diallo, Sankarela Diallo and Marliatou Bah.

Resolved, that the City Council of the City of Mount Vernon, New York, calls upon the United States Congress to support Congressman Charles Rangel's proposed legislation, H.R. 677, which would grant permanent resident status to Amadou Diallo's family members: Kadiatou Diallo, Laouratou Diallo, Ibrahima Diallo, Abdoul Diallo, Mamadou Bobo Diallo, Mamadou Pathe Diallo, Fatoumata Traore Diallo, Sankarela Diallo and Marliatou Bah.

I extend my personal thanks to Mayor Ernest D. Davis, City Council President Karen Watts, City Councilman William R. Randolph, and the rest of the Mount Vernon City Council for this resolution.

Surely, this Congress can heed the advice of the City Council and truly embrace the Diallo family for the loss of their son and brother.

HONORING THE CONTRIBUTIONS OF SAN MARCOS CITY COUNCILMAN ED MIHALKANIN

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. CUELLAR. Mr. Speaker, I rise today to recognize Ed Mihalkanin for his nine years of service to the people of San Marcos, Texas.

In addition to serving the City of San Marcos on the Council, Mr. Mihalkanin works at Texas State University as an Associate Professor of Political Science. He has been teaching at Texas State since 1990, and previously taught at Gettysburg College in Gettysburg, PA.

He received a Master's Degree in 1985 and a Ph.D in 1991 from American University in Washington, DC. Mr. Mihalkanin is originally from Hanover Park, Illinois, and he received his undergraduate degree at Bradley University in Peoria, Illinois.

Mr. Mihalkanin was first elected to the Council in 1996, and currently represents the City Council on the Economic Development Council. He has served as Mayor Pro Tempore in 1999 and Deputy Mayor Pro Tem in 2003–2004.

Mr. Mihalkanin is a member of the Downtown Association, the Greater San Marcos Area Chamber of Commerce, and many other organizations that help to better the San Marcos community as a whole.

Mr. Mihalkanin is a model of hard work and dedication to the city and to his students. By working as project director for the ''Civitas Project,'' Mr. Mihalkanin helped to revive civic life in the communities of Lockhart, San Marcos, and Wimberley, Texas.

Mr. Speaker, I am honored to have had this opportunity to recognize the many achievements of San Marcos City Councilman Ed Mihalkanin.

DR. WILLIAM SCHWARTZ HONORED

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. LANTOS. Mr. Speaker, I rise today to honor Dr. William Schwartz as the co-founder of the Samaritan House Free Medical Clinic, as well as his dedication to the clinic since its inception in 1992. Dr. Schwartz was awarded the Jefferson Award for his work at the clinic that is located in San Mateo, California, in my district. His friends and colleagues have praised him for his selfless acts and hard work in trying to make our community a better place, and I hope the acknowledgment that comes from this award will inspire others to devote more of their time to helping those in need.

Thirteen years ago, Dr. Schwartz and Dr. Walter Gains started a free clinic for those who could not afford health care. They treated patients in the conference room at Samaritan House one or two nights a week after spending the day at their own offices. The clinic provided free care through the generous contributions of lab work and x-rays by Mills Peninsula Hospital. Now open 6 days a week in two separate locations in San Mateo and Redwood City, the clinic serves 8,000 patients a year through donations that range from $25 and $50.

Mr. Speaker, small contributions and volunteers have kept this free clinic thriving. Ninety percent of the staff members donate their time after they leave their own jobs or after retirement. Dr. Schwartz worked as an internist in San Mateo for the 32 years in private practice and was preparing to retire when he got the idea to start the clinic. Now most of the doctors, nurses and translators running the clinic are retired. They include specialists in dentistry, gynecology, oncology, optometry, psychology, and orthopedics.

Dr. Schwartz has seen many free clinics disappear over time with people turning to more mainstream medical facilities, yet the number of needy people has risen. Most of the patients have extremely low incomes of less than thirty percent of median income. The Jefferson Award is bestowed by the American Institute of Public Service for making a difference in one's community. Dr. Schwartz has done just that. His clinic even has been able to relieve some of the stress on overcrowded emergency rooms that many poor people have come to rely on for many non-emergency situations.

Mr. Speaker, I invite my colleagues to join me in thanking Dr. William Schwartz for his contributions to my community. He has devoted his time to making a difference, beginning as a clinical professor at the University of California at San Francisco and now giving to the people of San Mateo and Redwood City medical attention. I rise today to congratulate him on winning the ''Nobel Prize of Community Service.'' He and his wife, Florette, deserve a long vacation and the nation's thanks.

CONGRATULATING THE FALCONS ROBOTICS TEAM OF CARL HAYDEN HIGH SCHOOL ON ITS ACHIEVEMENTS

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. PASTOR. Mr. Speaker, I rise before you today to proudly draw your attention to the Falcons Robotics Team of Carl Hayden High School in my district. This talented group of students has succeeded in winning numerous robotics competitions, even beating the MIT team last year in a contest sponsored by NASA and the Office of Naval Research.

Teachers Allan Cameron, Fredi Lajvardi and Sam Alexander, with the help of other Carl Hayden faculty, wanted to create a club where students could engage in science, engineering, and math related activities that were educational as well as fun. Through the club, the students also had opportunities to meet professionals from science-oriented fields. The robotics team is small, made up of four students: Cristian Arcega, Lorenzo Santillan,

Oscar Vazquez and Luis Aranda. The Falcons Robotics Team provides these students from low income neighborhoods a positive option for after school activities. One of the team members was failing most of his classes before joining the robotics club and credits the club from keeping him off of West Phoenix streets and avoiding trouble.

The Falcons Robotics Team's first mission was to put together a robot to compete in the Marine Advanced Technology Remotely Operated Vehicle Competition, the underwater robotics contest sponsored by NASA and the Office of Naval Research. They needed a remote-controlled robot that could explore a sunken mock-up of a submarine. Thus, Stinky was born. Constructed of plastic tubing, propellers, lights, cameras, a laser, depth detectors, pumps, and other equipment, Stinky was capable of recording sonar pings and retrieving objects 50 feet under water. Stinky got its unflattering moniker from the foul-smelling glue that kept it together. The team went into the competition feeling intimidated, but they won the grand prize, beating out MIT and other college teams with slicker robots and corporate sponsors.

Since their competition victory last year, the team has gone on to compete in the For Inspiration and Recognition of Science and Technology (FIRST) Robotics Competition, where it won the highest award, the Chairman's Award, at the Arizona Regionals in March. Dean Kamen, inventor and founder of FIRST, a multinational non-profit organization that aspires to make science, math, engineering, and technology cool for kids, presented the award. As Mr. Kamen explained, the FIRST Robotics Competition is about much more than the mechanics of building a robot or winning a competitive event. The FIRST mission is to change the way America's young people regard science and technology and to inspire an appreciation for the real-life rewards and career opportunities in these fields.

In his remarks, Mr. Kamen echoed the sentiments of many in Arizona who are following the progress of this team of innovators. The impact from the team's victory is priceless. Participation in the Falcons Robotics Team, and its competition successes, has changed the students' appreciation of engineering and science, and their attitude towards education. These students are now hoping to pursue higher education and are inspiring other students to strive for similar goals. The team's accomplishments are countering stereotypes of innercity students from Hispanic neighborhoods, and demonstrating that innercity "tough kids" can be just as talented and capable as the best from MIT. The Falcons team has become the subject of articles in Wired Magazine and the Washington Post, primetime stories on shows such as NPR's Here and Now and ABC's Nightline, and Warner Brothers is even planning a movie.

As the team now prepares to compete in the FIRST Championship ITom April 21 to 23 at the Georgia Dome in Atlanta, I wish to honor the Falcons Robotics Team and the students, teachers, and community of Carl Hayden High School. The successes of Cristian, Lorenzo, Oscar and Luis demonstrate the accomplishments students can achieve, given a little inspiration from devoted teachers. I ask my colleagues to join me today in congratulating the Falcons Robotics Team, and wishing the students and teachers at Carl Hayden High School much continued success in their future endeavors.

PRESERVING ACCESS TO AFFORDABLE DRUGS ACT

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. MENENDEZ. Mr. Speaker, today I am proud to be introducing a revised version of the Preserving Access to Affordable Drugs (PAAD) Act. Unfortunately, the misguided Medicare Prescription Drug, Improvement, and Modernization Act of 2003 threatens to reduce or eliminate the prescription drug benefits that millions of seniors across the country already have. And if the law isn't bad enough as is, the Administration has ignored the recommendations of the President's State Pharmaceutical Assistance Transition Commission and denied New Jersey's request to automatically enroll those Medicare beneficiaries currently enrolled in New Jersey's PAAD and Medicaid programs into a preferred Medicare prescription drug plan.

This ruling effectively blocks New Jersey's efforts to preserve the generous prescription drug coverage the state currently provides to the 190,000 seniors enrolled in New Jersey's PAAD program and the 140,000 seniors and disabled enrolled in the state's Medicaid program when the new Medicare prescription drug benefit goes into effect on January 1, 2006.

In an effort to right this wrong, the bill I'm introducing today will ensure that our seniors have a seamless transition to the new Medicare Part D drug benefit, without a reduction or disruption in their coverage.

The PAAD Act will allow states to automatically enroll PAAD and dually eligible Medicaid beneficiaries in one or more preferred prescription drug plans to ensure that these beneficiaries are enrolled in a Medicare drug plan that maximizes both their federal and state prescription drug coverage. This will ensure that New Jersey seniors who currently receive prescription drug benefits under PAAD or through the state's Medicaid program are not made worse off by the new Medicare law.

In addition, the PAAD Act will allow New Jersey to provide supplemental Medicaid prescription drug benefits to low-income seniors and disabled who currently receive generous prescription drug benefits under the Medicaid program and who will now receive their prescription drug benefits through Medicare.

With approximately six million seniors nationwide, including 140,000 in New Jersey, who are dually eligible for Medicare and Medicaid, it is absolutely critical that they do not lose access to their Medicaid prescription drug benefits, which are more generous than the new Medicare benefit will be. Not to mention, hundreds of thousands of seniors across the country, and 200,000 seniors in New Jersey, currently are enrolled in state pharmacy assistance programs, and will be forced into a private Medicare drug plan. We need to make sure the new Medicare Modernization Act transition happens with the least amount of confusion and loss of coverage possible. With this bill, we will solve these outstanding problems.

PERSONAL EXPLANATION

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 12, 2005

Mr. ISSA. Mr. Speaker, on March 21st, 2005, I was traveling overseas with Minority Leader PELOSI on officially authorized travel. Had I been present during roll call vote 90, a motion to suspend the rules and pass Senate bill 686, for the relief of the parents of Mrs. Theresa Marie Schiavo, I would have voted "aye" in favor of passage.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3441–S3503

Measures Introduced: Eight bills and three resolutions were introduced, as follows: S. 761–768, S. Res.104–105, and S. Con. Res. 26. **Page S3481**

Measures Passed:

National Youth Service Day: Senate agreed to S. Res.105, designating April 15, 2005, as National Youth Service Day. **Pages S3492–93, S3501–02**

Supplemental Appropriations: Senate continued consideration of H.R. 1268, making emergency supplemental appropriations for the fiscal year ending September 30, 2005, 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, to ensure expeditious construction of the San Diego border fence, taking action on the following amendments proposed thereto: **Pages S3449–73**

Pending:

Kerry Amendment No. 333, to extend the period of temporary continuation of basic allowance for housing for dependents of members of the Armed Forces who die on active duty. **Page S3455**

Kerry Amendment No. 334, to increase the military death gratuity to $100,000, effective with respect to any deaths of members of the Armed Forces on active duty after October 7, 2001. **Pages S3455–56**

Durbin Amendment No. 356, to ensure that a Federal employee who takes leave without pay in order to perform service as a member of the uniformed services or member of the National Guard shall continue to receive pay in an amount which, when taken together with the pay and allowances such individual is receiving for such service, will be no less than the basic pay such individual would then be receiving if no interruption in employment had occurred. **Pages S3470–73**

During consideration of this measure today, Senate also took the following action:

By 46 yeas to 54 nays (Vote No. 89), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 402 of S. Con. Res. 95, Congressional Budget Resolution, with respect to the emergency designation provision in Murray Modified Amendment No. 344, to provide $1,975,183,000 for medical care for veterans. Subsequently, a point of order that the emergency designation provision would violate section 402 of S. Con. Res. 95 was sustained and the provision was stricken. **Pages S3461–68**

By 46 yeas to 54 nays (Vote No. 90), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive section 302 of the Congressional Budget Act of 1974, with respect to Murray Modified Amendment No. 344, to provide $1,975,183,000 for medical care for veterans. Subsequently, the point of order that the amendment would violate section 302 of the Congressional Budget Act was sustained, and the amendment thus fell. **Pages S3451–55, S3456–60, S3461–68**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m., on Wednesday, April 13, 2005; that there be 40 minutes equally divided in relation to Durbin Amendment No. 356 (listed above), and that the Senate vote on or in relation to the amendment, with no second degrees in order to the amendment prior to that vote. **Page S3502**

Appointment:

Advisory Committee on the Records of Congress: The Chair announced, on behalf of the Democratic Leader, pursuant to Public Law 101–509, the appointment of Guy Rocha, of Nevada, to the Advisory Committee on the Records of Congress, vice Stephen Van Buren of South Dakota. **Page S3502**

Executive Communications: **Pages S3480–81**

Executive Reports of Committees: **Page S3481**

Additional Cosponsors: **Pages S3481–84**

Statements on Introduced Bills/Resolutions: **Pages S3484–92**

Additional Statements: Pages S3479–80

Amendments Submitted: Pages S3494–S3500

Notices of Hearings/Meetings: Pages S3500–01

Authority for Committees to Meet: Page S3501

Privilege of the Floor: Page S3501

Record Votes: Two record votes were taken today. (Total—90) Page S3468

Adjournment: Senate convened at 9:45 a.m., and adjourned at 6:53 p.m., until 9:30 a.m., on Wednesday, April 13, 2005. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S3502–03.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF AGRICULTURE

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2006 for the Department of Agriculture, after receiving testimony from Mike Johanns, Secretary of Agriculture.

IRAQI SECURITY FORCES

Committee on Armed Services: Committee met in closed session to receive a briefing regarding assessment of Iraqi Security Forces from General Gary E. Luck, USA (Ret.), Peter W. Rodman, Assistant Secretary of Defense for International Security Affairs, Lieutenant General Raymond T. Odierno, USA, Assistant to the Chairman of the Joint Chiefs of Staff, and Lieutenant General Walter L. Sharp, USA, Director of Strategic Plans and Policy, J–5, The Joint Staff.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on SeaPower concluded closed and open hearings to examine Navy shipbuilding and industrial base status in review of the Defense Authorization Request for fiscal year 2006, after receiving testimony from Admiral Vernon E. Clark, USN, Chief of Naval Operations, United States Navy; Ronald O'Rourke, National Defense Specialist, Congressional Research Service, Library of Congress; Michael W. Toner, General Dynamics Corporation, Falls Church, Virginia; and Philip A. Dur, Northrop Grumman Ship Systems, Pascagoula, Mississippi.

NOMINATIONS:

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine the nominations of Michael D. Griffin, of Virginia, to be Administrator of the National Aeronautics and Space Administration, who was introduced by Senators Mikulski and Sarbanes; Joseph H. Boardman, of New York, to be Administrator of the Federal Railroad Administration, Department of Transportation, who was introduced by Senator Schumer; Nancy Ann Nord, of the District of Columbia, to be a Commissioner of the Consumer Product Safety Commission, and William Cobey, of North Carolina, to be a Member of the Board of Directors of the Metropolitan Washington Airports Authority, who was introduced by Senators Dole and Burr, after the nominees testified and answered questions in their own behalf.

OIL RESOURCE DEVELOPMENT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine developing a reliable supply of oil from domestic oil shale and oil sands resources, focusing on opportunities to advance technology that will facilitate environmentally friendly development of oil shale and oil sands resources, after receiving testimony from Mark Maddox, Principal Deputy Assistant Secretary of Energy for Fossil Energy; Ted Barna, Assistant Deputy Under Secretary of Defense for Nuclear, Biological, and Chemical Technology; Thomas Lonnie, Assistant Director, Minerals, Realty, and Resource Protection, Bureau of Land Management, Department of the Interior; Russell George, Colorado Department of Natural Resources, Denver; Stephen Mut, Shell Exploration and Production Company, Washington, D.C.; Jim Evans, Associated Governments of Northwestern Colorado, Rifle; and Steve Smith, The Wilderness Society, Denver, Colorado.

NATIONAL MALL

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded a hearing to examine management and planning issues for the National Mall, including the history of the development, security projects and other planned construction, and future development plans, after receiving testimony from John Parsons, Associate Regional Director, Lands, Resources, and Planning, National Capital Region, National Park Service, Department of the Interior; and W. Kent Cooper, National Mall Third Century Initiative, John V. Cogbill, III, National Capital Planning Commission, and David M. Childs, Commission of Fine Arts, all of Washington, D.C.

NOMINATION

Committee on Foreign Relations: Committee concluded hearings to examine the nominations of John Robert Bolton, of Maryland, to be U.S. Representative to

United Nations, with the rank and status of Ambassador and U.S. Representative in the Security Council of the United Nations, and Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as Representative of the United States of America to the United Nations, after the nominee further testified and answered questions in his own behalf. Testimony was also received from Carl W. Ford, Jr., former Assistant Secretary of State for Intelligence and Research.

NOMINATION

Select Committee on Intelligence: Committee concluded open and closed hearings to examine the nomination of John D. Negroponte, of New York, to be Director of National Intelligence, after the nominee, who was introduced by Senator Stevens, testified and answered questions in his own behalf.

RETIREMENT PLANS

Special Committee on Aging: Committee concluded a hearing to examine the role of employer-sponsored retirement plans in increasing national savings, focusing on 401(k) plans, individual retirement accounts (IRAs), and financial literacy, after receiving testimony from Mark J. Warshawsky, Assistant Secretary of the Treasury for Economic Policy; and J. Mark Iwry, The Brookings Institution, C. Eugene Steuerle, The Urban Institute, and James A. Klein, American Benefits Council, and John M. Kimpel, Fidelity Investments, all of Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 46 public bills, H.R. 1541–1586 and; 12 resolutions, H. Con. Res., 127–130 and H. Res. 203–210 were introduced.

Pages H1893–95

Additional Cosponsors: **Pages H1895–97**

Reports Filed: Reports were filed today as follows:

H.R. 29, to protect users of the Internet from unknowing transmission of their personally identifiable information through spyware programs, amended (H. Rept. 109–32);

S. 167, to provide for the protection of intellectual property rights (H. Rept. 109–33, Pt. 1);

H. Res. 134, requesting the President to transmit to the House of Representatives certain information relating to plan assets and liabilities of single-employer pension plans, adverse (H. Rept. 109–34);

H. Res. 202, providing for consideration of H.R. 8, to make the repeal of the estate tax permanent (H. Rept. 109–35);

H.R. 28, to amend the High-Performance Computing Act of 1991, amended (H. Rept. 109–36);

H.R. 1023, to authorize the Administrator of the National Aeronautics and Space Administration to establish an awards program in honor of Charles "Pete" Conrad, astronaut and space scientist, for recognizing the discoveries made by amateur astronomers of asteroids with near-Earth orbit trajectories (H. Rept. 109–37); and

H.R. 749, to amend the Federal Credit Union Act to provide expanded access for persons in the field of membership of a Federal credit union to money order, check cashing, and money transfer services, amended (H. Rept. 109–38). **Page H1893**

Speaker: Read a letter from the Speaker wherein he appointed Representative Barrett of South Carolina to act as Speaker Pro Tempore for today. **Page H1853**

Recess: The House recessed at 1:01 p.m. and reconvened at 2 p.m. **Page H1856**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Twenty-First Century Water Commission Act of 2005: H.R. 135, to establish the "Twenty-First Century Water Commission" to study and develop recommendations for a comprehensive water strategy to address future water needs, by a 2/3 yea-and-nay vote of 402 yeas to 22 nays, Roll No. 96;

Pages H1858–61, H1867–68

Pine Springs Land Exchange Act: H.R. 482, to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico; **Pages H1861–62**

Conveyance of certain lands in Lander County and Eureka County, Nevada: H.R. 541, to direct the Secretary of Agriculture to convey certain land to Lander County, Nevada, and the Secretary of the Interior to convey certain land to Eureka County, Nevada, for continued use as cemeteries, by a 2/3 yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 97; **Pages H1862–64, H1868**

Southern California Groundwater Remediation Act: H.R. 18, to authorize the Secretary of the Interior, acting through the Bureau of Reclamation and in coordination with other Federal, State, and local government agencies, to participate in the funding and implementation of a balanced, long-term groundwater remediation program in California; and **Pages H1864–65**

Colorado River Indian Reservation Boundary Correction Act: H.R. 794, to correct the south boundary of the Colorado River Indian Reservation in Arizona. **Pages H1865–67**

Recess: The House recessed at 2:53 p.m. and reconvened at 6:30 p.m. **Page H1867**

Senate Message: Message received from the Senate today appears on page 1857.

Senate Referral: S. Con. Res. 25 was held at the desk.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H1867–68, H1868. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 10:18 p.m.

Committee Meetings

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies held a hearing on Pandemic Preparedness and Influenza Vaccine Supply. Testimony was heard from the following officials of the Department of Health and Human Services: Julie L. Gerberding, M.D., Director, Centers for Disease Control and Prevention; Bruce Gellin, M.D., Director, National Vaccine Program; and Anthony S. Fauci, M.D., Director, National Institute of Allergy and Infectious Diseases, NIH.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia and Independent Agencies held a hearing on the Federal Judiciary and on the Supreme Court. Testimony was heard from Julia S. Gibbons, Chair, Committee on the Budget, Judicial Conference of the United States; Leonidas Ralph Mecham, Director, Administrative Office of the U.S. Courts; and the following Supreme Court Justices: Anthony M. Kennedy, and Clarence Thomas, both Associate Justices.

ENERGY POLICY ACT

Committee on Energy and Commerce: Continued markup of the Energy Policy Act of 2005.

Will continue tomorrow.

FEDERAL CREDIT AGENCIES

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled ''Reforming Credit Rating Agencies: The SEC's Need for Statutory Authority,'' Testimony was heard from Annette L. Nazareth, Director, Division of Market Regulation, SEC.

NATIONAL SECURITY PERSONNEL SYSTEM

Committee on Government Reform: Subcommittee on Federal Workforce and Agency Organization, hearing entitled ''NSPS: The New Department of Defense Civilian Personnel System—Reaching Readiness.'' Testimony was heard from David M. Walker, Comptroller General, GAO; Charles S. Abell, Principal Deputy Under Secretary (Personnel and Readiness), Department of Defense; George Nesterczuk, Senior Policy Advisor on the Department of Defense, OPM; Neil A. G. McPhie, Chairman, Merit Systems Protection Board; and public witnesses.

U.N. OIL-FOR-FOOD PROGRAM

Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled ''Oil-for-Food: The Inevitable Failure of U.N. Sanctions.'' Testimony was heard from Thomas A. Schweich, Chief of Staff, U.S. Mission to the United Nations, Department of State; and public witnesses.

U.S. MANUFACTURING—IMPACT OF REGULATION

Committee on Government Reform: Subcommittee on Regulatory Affairs held a hearing entitled ''The Impact of Regulation on U.S. Manufacturing.'' Testimony was heard from Al Frink, Assistant Secretary, Manufacturing and Services, Department of Commerce; John Graham, Administrator, Office of Information and Regulatory Affairs, OMB; and public witnesses.

FIRST RESPONDERS FUNDING

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science, and Technology held a hearing entitled ''The Need for Grant Reform

and The Faster and Smarter Funding for First Responders Act of 2005." Testimony was heard from J. Richard Berman, Assistant Inspector General, Audits, Office of Inspector General, Department of Homeland Security; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, GAO; Bryan E. Beatty, Secretary, Department of Crime Control and Public Safety, Secretary, State of North Carolina; Michael Chapman, Director, Office of Homeland Security, State of Missouri; David L. Miller, Administrator, Homeland Security and Emergency Management Division, State of Iowa; and a public witness.

DEFENDING AMERICA'S MOST VULNERABLE: SAFE ACCESS TO DRUG TREATMENT AND CHILD PROTECTION ACT; GANG DETERRENCE AND COMMUNITY PROTECTION ACT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security, approved for full Committee the following bills: H.R. 1528, Defending America's Most Vulnerable Safe Access to Drug Treatment and Child Protection Act of 2005; and H.R. 1279, Gang Deterrence and Community Protection Act of 2005.

Prior to this action, the Subcommittee held a hearing on H.R. 1528. Testimony was heard from Jodi L. Avergun, Chief of Staff, DEA, Department of Justice; and public witnesses.

NATIONAL PARKS/SNOWMOBILES

Committee on Resources: Subcommittee on National Parks held an oversight hearing on Snowmobile Use in the National Park System. Testimony was heard from Representatives Simpson, Peterson of Minnesota, and Holt; Michael D. Snyder, Acting Deputy Director, National Park Service, Department of the Interior; and public witnesses.

DEATH TAX REPEAL PERMANENCY ACT

Committee on Rules: Granted by voice vote, a structured rule providing one hour of debate in the House on H.R. 8, Death Tax Repeal Permanency Act, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides for consideration of the amendment in the nature of a substitute printed in the Rules Committee report accompanying the resolution, if offered by Representative Pomeroy or his designee, which shall be considered as read and shall be separately debatable for one hour equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in the report. Finally, the rule provides one motion to recommit with or without instruction. Testimony was heard from Representatives Hulshof and Pomeroy.

BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT

Committee on Rules: Heard testimony from Chairman Sensenbrenner and Representatives Watt, Scott of Virginia, Jackson-Lee of Texas, Delahunt, Schiff, Maloney, Woolsey, Hastings of Florida and Emanuel, but action was deferred on S. 256, Bankruptcy Abuse Prevention and Consumer Act of 2005.

CIA BUDGET

Permanent Select Committee on Intelligence: Met in executive session to hold a hearing on Central Intelligence Program (CIAP) Budget. Testimony was heard from departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, APRIL 13, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Legislative Branch, to hold hearings to examine proposed budget estimates for fiscal year 2006 for the Office of the Secretary of the Senate and the Office of the Architect of the Capitol, 10:30 a.m., SD–138.

Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2006 for the Office of the Chief Economist, the Office of Farm and Foreign Agricultural Services, the Office of Natural Resources and the Environment, the Office of Rural Development, and the Office of Research, Education, and Economics, all of the Department of Agriculture, 12:30 p.m., SD–192.

Committee on Armed Services: Subcommittee on Readiness and Management Support, to hold hearings to examine high risk areas in the management of the Department of Defense in review of the Defense Authorization Request for fiscal year 2006, 10 a.m., SR–232A.

Subcommittee on Personnel, to hold hearings to examine active and Reserve military and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2006, 1:30 p.m., SR–232A.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the Federal Home Loan Bank System, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine S. 714, to amend section 227 of the Communications Act of 1934 relating to the prohibition on junk fax transmissions, 2:30 p.m., SR–253.

Committee on Energy and Natural Resources: business meeting to consider pending calendar business, 11:30 a.m., SD–366.

Committee on Environment and Public Works: business meeting to consider the nominations of Luis Luna, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency, John Paul Woodley, Jr., of

Virginia, to be an Assistant Secretary of the Army, Major General Don T. Riley, United States Army, to be a Member and President of the Mississippi River Commission, Brigadier General William T. Grisoli, United States Army, to be a Member of the Mississippi River Commission, D. Michael Rappoport, of Arizona, and Michael Butler, of Tennessee, each to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, Stephen L. Johnson, of Maryland, to be Administrator of the Environmental Protection Agency, and pending legislation, 9:15 a.m., SD–406.

Committee on Finance: to hold hearings to examine The U.S.-Central America-Dominican Republic Free Trade Agreement, 10 a.m., SD–628.

Committee on Foreign Relations: to hold hearings to examine the nominations of Daniel Fried, of the District of Columbia, to be an Assistant Secretary of State for European Affairs, and Robert Joseph, of Virginia, to be Under Secretary of State for Arms Control and International Security, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: business meeting to consider the nomination of Lester M. Crawford, of Maryland, to be Commissioner of Food and Drugs, Department of Health and Human Services, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: business meeting to consider S. 21, to provide for homeland security grant coordination and simplification, S. 335, to reauthorize the Congressional Award Act, S. 494, to amend chapter 23 of title 5, United States Code, to clarify the disclosures of information protected from prohibited personnel practices, require a statement in nondisclosure policies, forms, and agreements that such policies, forms, and agreements conform with certain disclosure protections, provide certain authority for the Special Counsel, S. 501, to provide a site for the National Women's History Museum in the District of Columbia, and certain committee reports, 11 a.m., SD–342.

Committee on Indian Affairs: to hold oversight hearings to examine Indian Health, 9:30 a.m., SR–485.

Committee on the Judiciary: to hold hearings to examine securing electronic personal data, focusing on striking a balance between privacy and commercial and governmental use, 9:30 a.m., SD–226.

Subcommittee on Constitution, Civil Rights and Property Rights, to hold hearings to examine judicial activism regarding federal and state marriage protection initiatives, 2 p.m., SD–226.

Select Committee on Intelligence: to hold a closed briefing on intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies, on Centers for Medicare and Medicaid Services, and on the Administration on Aging, 10:15 a.m., 2358 Rayburn.

Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia and Independent Agencies, on OMB, 2 p.m., 2358 Rayburn.

Subcommittee on Foreign Operations, Export Financing and Related Programs, on Millennium Challenge Corporation, 10 a.m., 2359 Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on National Park Service, 10 a.m., B–308 Rayburn.

Committee on Education and the Workforce, to mark up the following bills: H.R. 739, Occupational Safety and Health Small Business Day in Court Act of 2005; H.R. 740, Occupational Safety and Health Review Commission Efficiency Act of 2005; H.R. 741, Occupational Safety and Health Independent Review of OSHA Citations Act of 2005; H.R. 742, Occupational Safety and Health Small Employer Access to Justice Act of 2005; and H.R. 940, Recreational Marine Employment Act of 2005, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, to continue markup of the Energy Policy Act of 2005, 10 a.m., 2123 Rayburn.

Committee on Financial Services, hearing entitled ''The Administration Perspective on GSE Regulatory Reform,'' 10 a.m., 2128 Rayburn.

Subcommittee on Financial Institutions and Consumer Credit, hearing on H.R. 1042, Net Worth Amendment for Credit Unions Act, 2 p.m., 2128 Rayburn.

Committee on Government Reform, to consider the following: H.R. 22, Postal Accountability and Enhancement Act; H.R. 1533, Federal Energy Management Improvement Act of 2005; H.R. 504, To designate the facility of the United States Postal Service located at 4960 West Washington Boulevard in Los Angeles, California, as the ''Ray Charles Post Office Building;'' H.R. 1001, To designate the facility of the United States Postal Service located at 301 South Heatherwilde Boulevard in Pflugerville, Texas, as the ''Sergeant Byron W. Norwood Post Office Building;'' H.R. 1072, To designate the facility of the United States Postal Service located at 151 West End Street in Goliad, Texas, as the ''Judge Emilio Vargas Post Office Building;'' H.R. 1082, To designate the facility of the United States Postal Service located at 120 East Illinois Avenue in Vinita, Oklahoma, as the ''Francis C. Goodpaster Post Office Building;'' H.R. 1236, To designate the facility of the United States Postal Service located at 750 4th Street in Sparks, Nevada, as the ''Mayor Tony Armstrong Memorial Post Office;'' H.R. 1524, To designate the facility of the United States Postal Service located at 12433 Antioch Road in Overland Park, Kansas, as the ''Ed Eilert Post Office Building;'' a measure To designate the facility of the United States Postal Service located at 695 Pleasant Street in New Bedford, Massachusetts, the ''Honorable Judge George N. Leighton Post Office Building;'' H. Res. 184, Recognizing a National Week of Hope in commemoration of the 10-year anniversary of the terrorist bombing in Oklahoma City, 10 a.m., 2154 Rayburn.

Committee on Homeland Security, hearing entitled ''The Department of Homeland Security: Promoting Risk-Based Prioritization and Management,'' 1:30 p.m., 2200 Rayburn.

Committee on International Relations, hearing on U.S. Response to Global AIDS Crisis: A Two-Year Review, 10:30 a.m., 2172 Rayburn.

Subcommittee on Middle East and Central Asia, to mark up H.R. 282, Iran Freedom Support Act, 12 p.m., 2255 Rayburn.

Subcommittee on Western Hemisphere, hearing on U.S. Trade Agreements with Latin America, 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, to mark up the following measures: H.R. 32, Stop Counterfeiting in Manufactured Goods Act; H.R. 748, Child Interstate Abortion Notification Act; H.R. 1279, Gang Deterrence and Community Protection Act of 2005; H.R. 800, Protection of Lawful Commerce in Arms Act; and H.R. 866, To make technical corrections to the United States Code, 10 a.m., 2141 Rayburn.

Subcommittee on Immigration, Border Security, and Claims, oversight hearing on Immigration and the Alien Gang Epidemic: Problems and Solutions, 4 p.m., 2141 Rayburn.

Committee on Resources, to mark up the Domestic Energy Security Act, 10 a.m., 1324 Longworth.

Subcommittee on Forests and Forest Health, oversight hearing on Management Challenges for Grazing and Range Conservation in the Forest Service and the Bureau of Land Management, 3:30 p.m., 1334 Longworth.

Subcommittee on Water and Power, oversight hearing entitled ''The Role of New Surface and Groundwater Storage in Providing Reliable Water and Power Supplies and Reducing Drought's Impacts,'' 1 p.m., 1334 Longworth.

Committee on Science, to mark up H.R. 1215, Green Chemistry Research and Development Act of 2005, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Private Equity for Small Firms: The Importance of the Participating Securities Program,'' 2 p.m., 311 Cannon.

Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation, to mark up H.R. 889, Coast Guard and Maritime Transportation Act of 2005, 2 p.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, oversight hearing on Wastewater Blending, 10 a.m., 2167 Rayburn.

Committee on Ways and Means, to mark up H.R. 1541, To amend the Internal Revenue Code of 1986 to enhance energy infrastructure properties in the United States and to encourage the use of certain energy technologies, 10:30 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on FBI Budget, 10 a.m., H–405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Wednesday, April 13

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of H.R. 1268, Emergency Supplemental Appropriations; and after 40 minutes of debate, vote on or in relation to Durbin Amendment No. 356.

Next meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, April 13

House Chamber

Program for Wednesday: Consideration of Suspensions:

(1) H.R. 1463, Justin W. Williams United States Attorney's Building Designation Act;

(2) H.R. 483, Reynaldo G. Garza and Filemon B. Vela United States Courthouse Designation Act; and

(3) H.R. 787, Robert T. Matsui United States Courthouse Designation Act.

Consideration of H.R. 8, Death Tax Repeal Permanency Act of 2005 (subject to a rule).

Extensions of Remarks, as inserted in this issue

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