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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 6, 2005.

I hereby appoint the Honorable MIKE PENCE to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend David Kassos, Pastor, First United Methodist Church, Prescott, Arkansas, offered the following prayer:

Heavenly Creator, we thank thee for the grace You provide us this day.

Give us Your wisdom so our minds will reflect Your thoughts.

Give us Your righteousness so our motivations will reflect Your heart.

Empower us so our actions will reflect Your will on Earth.

Give a special blessing to our families whose love and support strengthen us to faithfully represent our people. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. POE led the Pledge of Allegiance as follows:

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

MESSAGE FROM THE SENATE

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

S. 392. An act to authorize the President to award a gold medal on behalf of Congress, collectively, to the Tuskegee Airmen in recognition of their unique military record, which inspired revolutionary reform in the Armed Forces.

S. 1197. An act to reauthorize the Violence Against Women Act of 1994.

The message also announced that pursuant to Public Law 106–398, as amended by Public Law 108–7, in accordance with the qualifications specified under section 1238(b)(3)(E) of Public Law 106–398, the Chair, on behalf of the President pro tempore, and upon the recommendation of the Democratic Leader, in consultation with the chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, reappoints the following individuals to the United States-China Economic Security and Review Commission:

C. Richard D'Amato of Maryland for a term beginning January 1, 2006 and expiring December 31, 2007.

William A. Reinsch of Maryland for a term beginning January 1, 2006 and expiring December 31, 2007.

WELCOMING THE REVEREND DAVID KASSOS

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

Mr. ROSS. Mr. Speaker, it is with great pride that I welcome my hometown pastor from the First United Methodist Church in Prescott, Arkansas to the United States House of Representatives, the Reverend David Kassos, and his wife, Donna.

Each and every week I travel to our Nation's capital to represent the people of Arkansas's Fourth Congressional District and this great country. Each and every weekend I travel home to Prescott, a small town of about 3,600 people, and worship with my family at the Methodist church I have called home for much of my life.

It is this church, where my father grew up and where my children are being raised, that keeps me grounded and instills in me the small town values I was raised on and still believe in. It is the lessons that I learn from this church that help guide me in the decisions I make in the United States Congress. My faith is profoundly important to me, and Reverend Kassos is not only my spiritual advisor, he is my friend and he is my fishing buddy. It is a tremendous honor to have him serve as our chaplain today in the United States House of Representatives.

BORDER CRIME

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

Mr. POE. Mr. Speaker, in the Mexican border town of Nuevo Laredo, across the border from Laredo, Texas, crime has skyrocketed as disciplined drug cartels have turned up their battle for total territory control over this chief entry point into the U.S. Our open border policy encourages drug dealers to lead organized efforts to infiltrate the United States in their fighting over this territory.

So far this year more than 135 people have died, seven police officers have been killed and 44 American citizens

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have been kidnapped in this treacherous town. Mr. Speaker, I have a recent newspaper article from Nuevo Laredo that shows a police officer, a policewoman, that was set on fire in the streets of Nuevo Laredo trying to enforce the law. The reason that there is chaos, Mr. Speaker, is because these drug cartels are trying to come into the United States. They are fighting over territory. Because the United States basically has no policy in protecting our borders, there is chaos on the border.

Mr. Speaker, the border is a perilous place. How many more people have to die? How many more Americans have to be kidnapped in this border town before we protect our borders?

HURRICANE KATRINA FUNDING

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Mr. Speaker, why is Hurricane Katrina funding being treated differently than all other emergency funding? And why is this body proposing that the poor, elderly and children be made to pay for it while the corporations rake in the money and the wealthy in this country continue to get tax cuts?

And why is it that the temporary expansion of Medicaid, unemployment and Temporary Assistance to Needy Families—the very kinds of programs that need to be provided in this emergency—are being blocked?

There is something very wrong with this picture and we need to change it. There are no offsets for rebuilding Afghanistan and Iraq. There should be none for our fellow Americans.

My colleagues, Congress needs to pass the Grassley-Bacchus bill to provide the lifeline to those who Katrina left devastated and homeless. We must stop the madness of proposed cuts to entitlement programs. We cannot continue to talk about Medicaid cuts in the next 2 years.

And it is time that the rich share some of this country's burden for a change. The tax cuts cannot be made permanent.

My colleagues, the world is watching. More importantly, God is watching. Let us do the right thing for the people of the gulf region, for all Americans, and for our country.

MATT SMITH

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

Mr. NEY. Mr. Speaker, I rise today to commemorate the services of a great American, Matt Smith.

Matt Smith was enlisted in the Special Forces out of Fort Campbell, Kentucky and served in Iraq in February of 2003. While there, Matt Smith was struck by six bullets which left the left side of his body paralyzed. Remarkably, he suffered no cognitive damage and is beginning the process of his physical recovery.

Matt Smith has since been awarded a Purple Heart, a Meritorious Service Award, Global War on Terrorism Medal, a National Defense Service Medal, and an Army Achievement Medal, to name a few.

Mr. Speaker, Matt Smith represents some of the best that Ohio and America have to offer. I want to honor him for his upstanding citizenship and for the love he has for his township and his home of Morgan County, Ohio.

EQUIPPING OUR TROOPS

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of New York. Mr. Speaker, ''payback'' has more than one meaning for our troops. For dozens, perhaps hundreds, of their families, it referred to a glaring oversight by the Pentagon that led to grave disappointment, dismay and continuing frustration.

Until the Pentagon finally issued regulations yesterday, 1 year after Congress imposed its deadlines, many troops and their families were not reimbursed for their body armor, combat helmets and protective gear. We ask our troops to risk life and limb to defend us, and yet, unconscionably, we made their families pick up the tab.

With their lives on the line, our troops cannot afford to focus on the mission with distractions and worries about family debts incurred to help America's war effort. We have spent over $200 billion in taxpayer funds to carry out the war in Iraq.

The first priority for this money should be supplying our troops with protective gear they need to survive combat. I commend the Senate for voting last night to shift control of this money directly to unit commanders in the field.

Mr. Speaker, I urge my colleagues to measure up to the valor and sacrifices of our troops by expanding these rules to also cover rifle scopes, additional radios and more armor for Humvees before we approve another dime in yet another supplemental funding bill.

FEDERAL RESOURCES OUGHT TO BE FOCUSED ON THOSE THAT NEED IT MOST

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

Mr. WOLF. Mr. Speaker, as Congress considers how to provide Federal assistance to these victims of these hurricanes, it is critical that we make sure resources are focused on helping the poor and the needy rather than subsidizing certain self-sustaining industries like the gambling industry.

The vast majority of the casinos on the gulf coast are owned and operated by entertainment companies that have been and are likely to continue record profits. Most gambling conglomerates have been named to the Fortune list of 100 fastest-growing companies for the fifth consecutive year. These conglomerates have vowed to rebuild bigger and better along the coast.

With budget deficits growing to historic levels, we need to make sure that tax dollars for hurricane relief are going to those who truly need the government's help and not the gambling industry. The truth of the matter is, as Congress struggles to rein in the growth of mandatory spending, it just does not make any sense to give tax breaks to casinos.

Mr. Speaker, I hope and trust that Congress will do the right thing and make sure our Federal resources go to the poor, the needy, the vulnerable and not the big gambling interests to rebuild the casinos.

VOTE AGAINST THE GAS BILL

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

Ms. LEE. Mr. Speaker, Republicans in Congress lost no time in turning the tragedy of Hurricane Katrina into an opportunity to enrich their friends in the oil industry at the expense of the American people. The Gasoline for America's Security Act of 2005 should be called the Second Energy Special Interest Act of 2005.

Energy companies got $12.8 billion in subsidies and tax breaks just 2 months ago. Now, Republicans are giving them a bill filled with the measures that were too objectionable to go in the first time around. This bill is a polluter-friendly giveaway that has nothing to do with helping hurricane victims or securing America's energy needs.

Not only does this bill do nothing for Americans facing soaring gas or home heating prices, it guts clean air protections and undermines the Environmental Protection Agency. Only the profit-soaked oil and gas companies win with this bill. Everyone else is stuck paying higher energy prices in the short run and the incalculable long-term costs that will result from compromising our environment and failing to achieve energy independence.

CELEBRATING THE SERVICE OF GENERAL RICHARD MYERS

(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, throughout the past 4 years General Richard Myers has served our Nation with distinction and honor. While serving as the 15th Chairman of the Joint Chiefs of Staff, he has overseen some of the most challenging times in our Nation's history. After leading our troops to conquer terrorists in Afghanistan and to liberate the

nation of Iraq, his tenure has been marked with great accomplishments in the global war on terrorism. American families are safer because of his service.

Last week, President Bush described General Myers as a kind and humble man who believes in serving a cause greater than himself. As a member of the National Guard during his term and a father of three sons currently serving in the military, I have had the unique opportunity to personally witness General Myers' commitment to promoting freedom. I am very grateful for his service and his sincere dedication to our troops and the American people. As he begins the next phase of his life, I am honored to congratulate him for a job well done.

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

RESTORING NEW ORLEANS

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

Mr. BLUMENAUER. Mr. Speaker, the tragedy that was Hurricane Katrina is also an unprecedented opportunity for us to help those damaged areas in a thoughtful, comprehensive fashion. A small example is the St. Charles street car. The oldest street car line in America, located in New Orleans, dates back to 1834, when it was a horse-drawn street car. It is not just a historic landmark championed by former Representative Lindy Boggs, but this is something that could be the center of a revitalized New Orleans. For a relatively modest amount of money, it could quickly guide and inspire new investments throughout New Orleans in a way that would be an example of a cost-effective, well-planned vision for the future.

I urge my colleagues to join in an effort to support a vision of New Orleans that deals with its history, thoughtful planning, and careful economic development: Restore and expand the historic St. Charles Street street cars.

RECOGNIZING HAROLD CHAPPELL

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

Ms. FOXX. Mr. Speaker, this Saturday marks the beginning of the National Fallen Firefighters Memorial Weekend, a time dedicated to honoring those who paid the ultimate sacrifice while in the line of duty.

□ 1015

Over the weekend, thousands of Americans will gather to remember America's bravest heroes and support their families. On this occasion, I rise to honor the life of one such hero, Volunteer Firefighter Harold Dean Chappell of Jonesville, North Carolina.

As a member of Arlington Fire and Rescue, Firefighter Chappell centered his life around serving his community and was always willing to help neighbors, friends and strangers. Tragically, in July 2004, Jonesville lost one of its finest citizens as Firefighter Chappell passed away from complications he sustained after responding to a motor vehicle fire.

Firefighter Chappell was a wonderful man. He was a public servant his entire life. He was also a loving father and husband. According to his son Larry, ''If you needed something, you could call him, and he would be right there to help you. He will be thought of forever as a well-known family man and one who was known by many. May he rest in peace and watch over us all.''

Mr. Speaker, may we all honor Firefighter Chappell and his family and the hundreds of first responders who watch over us every day.

PRAISE FOR PRESIDENT'S CALL FOR BUDGET CUTS

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

Mr. PENCE. Mr. Speaker, on Tuesday, President Bush laid out a bold vision for answering the aftermath of Hurricane Katrina with generosity and fiscal discipline, saying as he did in the Rose Garden, ''We here in Washington have got a vital role to play in the recovery and reconstruction efforts on the gulf coast.'' The President said, ''I've made that clear.'' He went on to say, ''I've also made it clear we must do it in a fiscally responsible way. Congress needs to pay for as much of the hurricane relief as possible by cutting spending.'' The President added, ''I'll work with Members of Congress to identify offsets to free up money for the reconstruction efforts,'' and closed with the statement, ''The heart of America is big enough to be generous and responsible at the same time.''

Mr. Speaker, I agree. Let us heed the President's call for fiscal discipline and generosity. It is accurate to state that the President's call for reducing spending and finding offsets is of incalculable value to those of us fighting to respond to the needs of this disaster without raising taxes or adding to the national debt. Let us heed the President's call. Let us make the tough choices. Let us pay for the cost of Katrina by reducing the size and scope of government.

MEDICARE PRESCRIPTION DRUG REFORM

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

Mr. PRICE of Georgia. Mr. Speaker, over our recent break, I visited with various groups of seniors in my district, and we provided information and education about the biggest change to Medicare in the 40-year history of the program.

Beginning this January, for the first time, prescription drugs will be covered under Medicare, and over 40 million senior Americans will have the opportunity to receive their needed medications through a new program designed to assist them with payment. This is an exciting and hopeful time for these citizens.

As a physician, I understand the importance of providing appropriate medications and the imperative of preserving the physician-patient relationship and being certain that decisions about which medications are needed be made by patients and their doctors, not decisions made by Washington bureaucrats.

This new program holds great promise but also has potential difficulties. I urge my colleagues to assist in educating all seniors about the upcoming Medicare reforms. Their familiarity and knowledge about these changes are imperative if we are to have a successful program, one that follows the medical model of first doing no harm.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. ADERHOLT) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 4, 2005.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on October 4, 2005, at 3:40 p.m. and said to contain a message from the President whereby he submits a report consistent with section 7422(c)(2) of title 10, United States Code on the continued production of the Naval Petroleum Reserves beyond April 5, 2006.

With best wishes, I am

Sincerely,

JEFF TRANDAHL,
Clerk of the House.

CONTINUED PRODUCTION OF NAVAL PETROLEUM RESERVES—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109–59)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Armed Services and ordered to be printed:

To the Congress of the United States:

Consistent with section 7422(c)(2) of title 10, United States Code, I am informing you of my decision to extend the period of production of the Naval Petroleum Reserves for a period of 3 years from April 5, 2006, the expiration date of the currently authorized period of production.

Attached is a copy of the report prepared by my Administration investigating the necessity of continued production of the reserves consistent with section 7422(c)(2)(B) of title 10. In light of the findings contained in the report, I certify that continued production from the Naval Petroleum Reserves is in the national interest.

GEORGE W. BUSH.

THE WHITE HOUSE, *October 4, 2005*.

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO UNITED STATES MILITARY ACADEMY

The Speaker pro tempore. Pursuant to 10 U.S.C. 4355(a), and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Military Academy:

Mr. HINCHEY, New York

Mrs. TAUSCHER, California

APPOINTMENT OF MEMBERS TO UNITED STATES HOLOCAUST MEMORIAL COUNCIL

The SPEAKER pro tempore. Pursuant to 36 U.S.C. 2301, and the order of the House of January 4, 2005, the Chair announces the Speaker's appointment of the following Members of the House to the United States Holocaust Memorial Council:

Mr. LANTOS, California

Mr. WAXMAN, California

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 22 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1401

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 2 o'clock and 1 minute p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

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

COLIN L. POWELL RESIDENTIAL PLAZA

Mr. MICA. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1413) to redesignate the Crowne Plaza in Kingston, Jamaica as the Colin L. Powell Residential Plaza.

The Clerk read as follows:

S. 1413

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

SECTION 1. DESIGNATION OF COLIN L. POWELL RESIDENTIAL PLAZA.

(a) DESIGNATION.—The Federal building in Kingston, Jamaica, formerly known as the Crowne Plaza and now a staff housing facility for the United States mission in Jamaica, shall be known and designated as the ''Colin L. Powell Residential Plaza''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the Colin L. Powell Residential Plaza.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MICA) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

GENERAL LEAVE

Mr. MICA. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on S. 1413.

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

There was no objection.

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

Madam Speaker, S. 1413 was introduced by Senator LUGAR of Indiana and also Senator BIDEN of Delaware, and it designates the Federal building in Kingston, Jamaica, formerly known as the Crowne Plaza, which is now a staff housing facility, and it renames that facility for the United States mission in Jamaica as the Colin L. Powell Residential Plaza.

Colin Powell was born in New York City in 1937 to his parents, Luther and Maud Powell, who immigrated to the United States from Jamaica. He was educated in New York City public schools. He went on to graduate from the City College of New York with a degree in geology. He was also commissioned as an Army second lieutenant in 1958. He continued his education, gaining a master's of business administration from George Washington University.

Since that time, Colin Powell has served our great Nation as a professional soldier for some 35 years, during which time he was the recipient of numerous United States and foreign military awards and decorations and soon rose to the rank of a four-star general.

He went on to serve as the 12th Chairman of the Joint Chiefs of Staff, which is the highest military position in the Department of Defense. In his time as Chairman of the Joint Chiefs of Staff, he oversaw some 28 crises, including Operation Desert Storm and the victorious 1991 Persian Gulf war. His distinguished career was topped off when he was sworn in as the 65th Secretary of State of the United States in January of 2001.

There are other things to note about this distinguished American leader. Colin Powell is also a man dedicated to his family and to the youth of America. He is married to the former Alma Vivian Johnson of Birmingham, Alabama, and has three children as well as two grandchildren. Prior to his confirmation as Secretary of State, Colin Powell served as the chairman of America's Promise, which is The Alliance for Youth, a national nonprofit organization dedicated to building the character and also the competence of our young people.

It is my honor to bring this bill to the floor for myself, for the Transportation and Infrastructure Subcommittee, for the subcommittee chair, Mr. SHUSTER. This bill honors a dedicated American who spent his entire career serving the people of this great Nation.

I support this legislation, and I encourage my colleagues to do the same.

Madam Speaker, I reserve the balance of my time.

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

I stand in strong support of this legislation. It is certainly suitable that a Federal facility in Jamaica, where Colin Powell's parents were born, should be named after him. I would hope that this will be followed by, perhaps, something within the United States itself that commemorates his service to our Nation, which spanned decades, extraordinary service in the military and great service to this administration as Secretary of State during the first term of the Bush Presidency.

I would urge my colleagues to vote in favor of this legislation.

S. 1413 is a bill to designate a staff housing facility located in Kingston, Jamaica currently used by the State Department for state department employees as the Colin L. Powell Residential Plaza.

Colin Luther Powell was born in Harlem in 1937. His parents were Jamaican immigrants who stressed the importance of education and personal achievement. He grew up in the Bronx, and attended City College of New York to study geology. While at City College he joined the Reserve Officers Training Corps (ROTC). When he graduated in 1958 he was at the top of his ROTC class, with the rank of cadet colonel, the highest rank in the corps.

In 1962 he was sent to Vietnam for the first of his two tours of duty. In 1963 he was wounded and awarded the Purple Heart and the Bronze Star. During his second tour in Vietnam he was injured in a helicopter crash but managed to rescue his comrades for which he was awarded the Soldier's Medal. In all he has received 11 decorations including the Legion of Merit.

In 1986 Powell left Washington to serve as military commander in Frankfurt Germany. He was recalled to Washington by Frank Carlucci

to serve as his deputy national security adviser. In 1991 as Chairman of the Joint Chiefs of Staff Powell became a national figure during the successful Desert Shield and Desert Storm operations.

In 2001 President Bush appointed Powell as Secretary of State, the first African American to hold this office.

Since his retirement in 2004 Colin Powell has written a best selling autobiography, My American Journey. He has pursued a career as a public speaker and has remained involved in his work with the Alliance for Youth.

By any measure Colin Powell is an extraordinary public servant. He is America's premier Soldier-Statesman. This designation is but a small gesture to honor his devotion to public service and his lifetime of dedication to the American public.

I support this bill and urge its passage.

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

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

Today it is my honor and privilege to bring this legislation, which will recognize the leadership of an outstanding American patriot, someone who serves as a role model for all Americans. I am very proud of Colin Powell and again of his service to our Nation. I urge the support of this bill.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of S. 1413, a bill to designate a staff housing facility located in Kingston, Jamaica as the Colin L. Powell Residential Plaza. The facility currently houses Department of State employees.

Colin Luther Powell was born on April 5, 1937, in Harlem, New York. His parents, Jamaican immigrants to the United States, infused in their son a high work ethic and stressed the importance of education. He attended local public schools in the Bronx, and attended the City College of New York and studied geology. While at City College, Secretary Powell joined the Reserve Officers Training Corps (ROTC) and, by his own account, claimed he had found his calling. When he graduated in 1958 he was at the top of his ROTC class, with the rank of cadet colonel, the highest rank in the Corps.

Colin Powell served two tours of duty in Vietnam. During his first tour in 1963 he was wounded and awarded the Purple Heart and the Bronze Star. During his second tour in Vietnam between 1968 and 1969 he was injured in a helicopter crash but managed to rescue his comrades for which he was awarded the Soldier's Medal. In all, he has received 11 decorations including the Legion of Merit.

After the war, Secretary Powell attended George Washington University here in the District of Columbia earning an MBA. He was awarded a White House fellowship and was assigned to the Office of Management and Budget, where he worked for both Department of Defense Secretaries Caspar Weinberger and Frank Carlucci. Following his term as a White House fellow, Powell served in Korea. In 1976, he joined the Carter Administration as assistant to the Deputy Secretary of Defense. At the end of the Carter Administration, he assisted Secretary Carlucci during the transition to the Reagan Administration.

In 1986, Secretary Powell left Washington to serve as military commander in Frankfurt Germany. He was recalled to Washington by Frank Carlucci to serve as his deputy national security adviser. In 1991, as Chairman of the Joint Chiefs of Staff, Powell became a national figure during the successful Desert Shield and Desert Storm operations.

In 2001, President Bush appointed Powell as Secretary of State, the first African American to hold this office. As Secretary of State, he took a leading role in rallying America's allies and the United Nations in the war against terrorism.

Since his retirement in 2004, Colin Powell has written a best selling autobiography, My American Journey. He has pursued a career as a public speaker and has remained involved in his work with the Alliance for Youth.

Colin Powell is a true American success story. He is an incomparable public servant, a born leader, able administrator, and exceptional diplomat. He is America's premier Soldier-Statesman. It is fitting and proper that we honor the outstanding contributions of Colin Powell with this designation.

I support this bill and urge its passage.

Mr. MICA. 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 Florida (Mr. MICA) that the House suspend the rules and pass the Senate bill, S. 1413.

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

A motion to reconsider was laid on the table.

AUTHORIZING USE OF CAPITOL GROUNDS FOR EVENT TO COMMEMORATE 10TH ANNIVERSARY OF MILLION MAN MARCH

Mr. MICA. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 161) authorizing the use of the Capitol Grounds for an event to commemorate the 10th Anniversary of the Million Man March.

The Clerk read as follows:

H. CON. RES. 161

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR EVENT TO COMMEMORATE 10TH ANNIVERSARY OF MILLION MAN MARCH.

(a) IN GENERAL.—Million Man March, Inc. (in this resolution referred to as the ''sponsor'') shall be permitted to sponsor a public event on the Capitol Grounds to commemorate the 10th Anniversary of the Million Man March (in this resolution referred to as the ''event'').

(b) DATE OF EVENT.—The event shall be held on October 15, 2005, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make any such additional arrangements that may be required to carry out the event.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MICA) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

GENERAL LEAVE

Mr. MICA. 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 House Concurrent Resolution 161.

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

There was no objection.

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

This concurrent resolution takes care of a little bit of a housekeeping chore for our committee and also for the House. House Concurrent Resolution 161 is sponsored by the gentleman from Illinois (Mr. DAVIS) and it authorizes the use of the Capitol grounds for the 10th anniversary commemoration event of the Million Man March. It is required under our rules that we pass such a resolution for use of the Capitol grounds.

The Million Man March, Inc., is the sponsor wishing to commemorate the march of 10 years ago and to highlight the Millions More Movement.

The current movement is intended to reenergize the efforts and missions of the Million Man March, which was first held in 1995. This event is scheduled for 9 a.m. on Saturday, October 15, 2005; and it will include leaders of the African American community. It is free of charge and also open to the public.

I also find it important to note that the sponsor assumes full responsibility for all expenses and liability incident to all activities associated with the event, and House Concurrent Resolution 161 does not authorize any expenditures.

Madam Speaker, I reserve the balance of my time.

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

H. Con. Res. 161 authorizes the use of the Capitol grounds for the Millions More March scheduled for October 15, 2005. It will be on the 10th anniversary of the original Million Man March held here in Washington on the Mall in October of 1995. This event was one of the largest ever to be held on the Mall.

Similar to the original march, the themes and programs of this event will focus on unity, spiritual values, education and economic development. It is going to be extraordinarily timely this year in the wake of Hurricane Katrina and some of the conditions we saw in New Orleans.

It will be very relevant to this march, and hopefully the administration and others will be paying attention to the issues and themes raised at this event. The organizers will work with the office of the Architect of the Capitol, the Capitol Police; and the event will be free and open to the public.

I support the resolution and urge its passage.

Madam Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Speaker, I thank the gentleman for yielding.

I would take this moment to express appreciation to Speaker HASTERT, Chairman YOUNG, Ranking Member OBERSTAR, and Mr. MICA and Mr. DEFAZIO for bringing this legislation to the floor and for having an opportunity for it to be heard and to be passed.

I rise in support of it. As a matter of fact, it commemorates the 10th-year anniversary of the Million Man March which took place some 10 years ago when more than a million, primarily African American, men came to Washington D.C. for a big national town hall meeting. That is what I really think of this as being, a national town hall meeting where people from all across the country will gather on the Mall and have a day of discussions talking about problems, needs, hopes, and aspirations. It is an opportunity for those who will gather to be heard to experience fellowship and camaraderie and also to project for the Nation to see and feel an understanding of their perception of need.

I want to thank all of those who helped to make this event possible. I appreciate the sensitivity and concern displayed.

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

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

Again, I want to commend the gentleman from Illinois for bringing this legislative initiative before the House. On behalf of Chairman YOUNG of the full T&I committee and subcommittee chair Mr. SHUSTER, the gentleman from Pennsylvania, who chairs the Economic Development and Public Buildings and Emergency Management Subcommittee, I am pleased to present this legislation, and ask at this time for the House's consideration and adoption of the resolution.

Mr. OBERSTAR. Madam Speaker, H. Con. Res. 161 authorizes use of the Capitol Grounds for an event to commemorate the 10th anniversary of the Million Man March which took place on October 16, 1995. The first Million Man March was one of the largest events to be held on the mall. The 1995 event themes were unity, atonement, and brotherhood.

The anniversary event will rededicate participants to the goals and ideals of the original event. A few of the themes of this year's event include unity, spiritual values, education, and economic development.

Like all events that use the Capitol Grounds, this event is free and open to the public. The event sponsors will work with the Architect of the Capitol to resolve all issues of event preparation. This far reaching national program will include a march on October 15th and religious services on Sunday, October 16.

I support the resolution and urge its passage.

Mr. MICA. 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 Florida (Mr. MICA) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 161.

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

A motion to reconsider was laid on the table.

□ 1415

AUTHORIZING SECRETARY OF TRANSPORTATION TO MAKE EMERGENCY AIRPORT IMPROVEMENT PROJECT GRANTS-IN-AID FOR REPAIRS AND COSTS RELATED TO DAMAGE FROM HURRICANES KATRINA AND RITA

Mr. MICA. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1786) to authorize the Secretary of Transportation to make emergency airport improvement project grants-in-aid under title 49, United States Code, for repairs and costs related to damage from Hurricanes Katrina and Rita.

The Clerk read as follows:

S. 1786

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

SECTION 1. EMERGENCY USE OF GRANTS-IN-AID FOR AIRPORT IMPROVEMENTS FOR FISCAL YEARS 2005 AND 2006.

(a) IN GENERAL.—The Secretary of Transportation may make project grants under part B, subtitle VII, of title 49, United States Code, from amounts that remain unobligated after the date of enactment of this Act for fiscal years 2005 and 2006—

(1) from apportioned funds under section 47114 of that title apportioned to an airport described in subsection (b)(1) or to a State in which such airport is located; or

(2) from funds available for discretionary grants to such an airport under section 47115 of such title.

(b) ELIGIBLE AIRPORTS AND USES.—The Secretary may make grants under subsection (a) for—

(1) emergency capital costs incurred by a public use airport in Louisiana, Mississippi, Alabama, or Texas that is listed in the Federal Aviation Administration's National Plan of Integrated Airport Systems of repairing or replacing public use facilities that have been damaged as a result of Hurricane Katrina or Hurricane Rita; and

(2) emergency operating costs incurred by an airport described in paragraph (1) as a result of Hurricane Katrina or Hurricane Rita.

(c) PRIORITIES.—In making grants authorized by subsection (a), the Secretary shall give priority to—

(1) airport development within the meaning of section 47102 of title 49, United States Code;

(2) terminal development within the meaning of section 47110 of that title;

(3) repair or replacement of other public use airport facilities; and

(4) emergency operating costs incurred at public use airports in Louisiana, Mississippi, Alabama, and Texas.

(d) MODIFICATION OF CERTAIN OTHERWISE APPLICABLE REQUIREMENTS.—For purposes of any grant authorized by subsection (a)—

(1) the Secretary may waive any otherwise applicable limitation on, or requirement for, grants under section 47102, 47107(a)(17), 47110, or 47119 of title 49, United States Code, if the Secretary determines that the waiver is necessary to respond, in as timely and efficient a manner as possible, to the urgent needs of the region damaged by Hurricane Katrina or Hurricane Rita;

(2) the United States Government's share of allowable project costs shall be 100 percent, notwithstanding the provisions of section 47109 of that title;

(3) any project funded by such a grant shall be deemed to be an airport development project (within the meaning of section 47102 of that title), except for the purpose of establishing priorities under subsection (c) of this section among projects to be funded by such grants; and

(4) no project funded by such a grant may be considered, for the purpose of any other provision of law, to be a major Federal action significantly affecting the quality of the human environment.

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the rule, the gentleman from Florida (Mr. MICA) and the gentleman from Oregon (Mr. DEFAZIO) each will control 20 minutes.

The Chair recognizes the gentleman from Florida (Mr. MICA).

GENERAL LEAVE

Mr. MICA. 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 S. 1786.

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

There was no objection.

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

Madam Speaker, I am pleased to rise in strong support of Senate bill S. 1786. This legislation authorizes emergency grants to airports to repair damage caused by both Hurricanes Katrina and Rita.

Specifically, this legislation authorizes the Secretary of Transportation to make grants under the existing Airport

Improvement Program, also referred to as AIP, funds in fiscal year 2006 for hurricane-related costs incurred by public-use airports in the States of Louisiana, Mississippi, Alabama and Texas.

Under this bill, affected airports may receive grants for emergency capital costs. Some of those costs include repairs to terminal buildings, to hangars, runways, airfield signage, lighting, fencing, navigation aids and fuel systems.

In addition, emergency operating costs resulting from the hurricane will also be eligible for grants. This would cover items such as the cost of putting fences back up, renting generators and hiring extra security personnel. This bill would also waive the local cost-share requirement that traditionally applies to grants made under the AIP program, the Airport Improvement Program.

Many of these airports, particularly the small airports that have been shut down for an extended period of time, lack the ability to pay even the traditional 10 percent local match that would otherwise be required of them under the Airport Improvement Program.

Over 40 airports were damaged by Hurricanes Katrina and Rita and are in very serious and desperate need in some instances of the provisions of this bill. The Federal Aviation Administration estimates that these airports, in total, will have sustained damages of some $160 million or more.

Of this total, some $47 million has already been funded by using fiscal year, the current year that we are in, 2005, or just left, I should say, 2005 Airport Improvement Program funds. This was critical to getting some of the airports reopened quickly after the storms, and it also provided much-needed transportation links to the disaster areas.

However, at least $113 million in damages still remains to be funded in fiscal year 2006. These repairs are essential to restoring our system of airports to pre-hurricane conditions and also to the high standards that we require.

It is important to note that this bill does not increase Federal spending. Rather, it would temporarily broaden the eligible uses of existing Airport Improvement Program funds, AIP funds, so that the full spectrum of hurricane repair costs can be met.

After the hurricanes that damaged several Florida airports last year, I am particularly aware of the devastation that can be caused by these storms and the need to repair critical aviation facilities and infrastructure as quickly as possible. I, therefore, am pleased to join wholeheartedly with the gentleman from Alaska (Mr. YOUNG) and the gentleman from Minnesota (Mr. OBERSTAR), ranking member of the full Committee on Transportation and Infrastructure, and the gentleman from Illinois (Mr. COSTELLO), Aviation Subcommittee ranking member, in urging the immediate passage of this much-needed legislation.

Madam Speaker, I reserve the balance of my time.

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

The chairman has made an excellent case for this legislation. It is not to set any precedent for the future use of AIP funds, since those funds we know are not going to be adequate in the future to meet the total needs of the system. But this is a recognition of an extraordinary circumstance of the disasters of Katrina and Rita and what it has done to the aviation infrastructure in addition to other elements of the infrastructure in those regions. And it is only, I think, appropriate that the Federal Government use discretion and flexibility in helping those airports to recover and to become fully operational. They obviously suffered not only physical damage but tremendous economic losses due to the storms and, in some cases, face perhaps an uncertain economic future because of the damage in the City of New Orleans and questions about how soon or when full aviation schedules will be reinstated to serve that airport.

So I think this legislation is timely. It is appropriate, and I appreciate the chairman of the committee for bringing it forward in such an expedited way.

Madam Speaker, I reserve the balance of my time.

Mr. MICA. Madam Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. LATOURETTE) and also Chair of the Railroads Subcommittee of the Committee on Transportation and Infrastructure.

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

Mr. LATOURETTE. Madam Speaker, I thank the gentleman from Florida for not only yielding me this time but also for his leadership in bringing S. 1786 to the floor and also the gentleman from Oregon and the gentleman from Illinois (Mr. COSTELLO) on the Aviation Subcommittee.

I asked for time today to indicate that S. 1786 is exactly the kind of legislation that we should be crafting in both the House and the Senate and sending to the President of the United States in response to the devastation of Hurricanes Rita and Katrina. And primarily what motivated me to come speak today is that there was mischief afoot in the other body as this bill was being crafted relative to the issue of prevailing wages. And there is some thought that while we should extend grants through the AIP program to help ailing airports, perhaps we could do it on the cheap and suspend what are known as Davis-Bacon wages.

And I want to alert the House and my fellow Members that this is something that will come to a head in a couple of weeks. It is disturbing to a number of us. Davis and Bacon happened to be Republican legislators who, after the Great Depression, became concerned with the issue of bands of roving laborers going from market to market and undercutting the local labor market and not living in the community, not receiving a decent wage, not paying taxes that supported the infrastructure, the schools and other things that go on. And unlike S. 1786, other legislation that we have already crafted in the House and an executive order by the President of the United States has suspended, we hope temporarily, Davis-Bacon wages for the reconstruction of the gulf coast. And I have heard a lot of different stories as to why that was done. Some in my party say it is all going to go to the labor unions and we do not want to help the labor unions.

I will tell them, not only was the history of Davis-Bacon of Republican origin, the sad and really the truth of the matter is that if we look at what the combined wage rates are in the gulf coast for the laborer, the carpenter, the operating engineer, it is certainly not some sop to the labor unions.

For example, in Alabama, Madam Speaker, a laborer makes $5.15 an hour. Tell me, where we are going to find somebody to clear away the horrible debris in the gulf coast for less than $5.15 an hour, first of all, and why would we, as a Federal policy, even think that that was a good idea?

The other unintended consequence of the suspension of Davis-Bacon is that we repeal things known as the Copeland Anti-Kickback provisions. And what that says is, if people are complying with the Federal Labor Standards Act, they have to, if they are a contractor, submit every week a certified payroll with the employee's name, what their wage rate was, what their Social Security number is, and what they did. They cannot come waltzing in as a contractor and say, I hired 50 guys with chainsaws last week and here is my bill. It makes sure that we do not permit profiteering in the gulf coast. It makes sure that our Federal dollars are spent as we intend them, and it makes sure that some unscrupulous contractors do not come in and make a boatload of money on the backs of the misery in the gulf coast.

So while I think S. 1786 is a wonderful piece of legislation, we are doing it the right way, I do sort of serve notice to the House that there are some of us on this side of the aisle that do not intend to let this situation with reconstruction and the situation with Davis-Bacon stand much longer.

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

I would like to support the remarks of my colleague from Ohio. He mentioned what a laborer would earn under Davis-Bacon. I have become aware of the fact that a skilled pipe fitter under Davis-Bacon wages in the Southeast would earn $10.22 an hour. That hardly seems to me to be an excessive wage.

And with the extraordinary poverty that was brought to the Nation's attention in New Orleans, one would think that we would want to have people working in jobs that pay a living wage, a decent wage, so that they can support themselves and their families. And it is just extraordinary to me.

We had a meeting with the IG and the GAO regarding the FEMA contracts under Homeland Security, and we asked if they could document, particularly with Hurricane Andrew last year and some other times when Davis-Bacon has been suspended, that, in fact, the taxpayers came out ahead. And they said, well, they really could not. So I said, they mean we might just be lowering wages and increasing the profit margin? And they said, they had a lot of concerns about a lot of these contracts and the no-bid nature of the contracts and whether or not taxpayers were getting full value for their money. And it is particularly distressing when we do not know that we are getting full value for our money and we might, in fact, be only increasing profits while depriving people of a living wage.

So I support the gentleman's remarks, and I do hope that we are allowed to bring legislation to the floor in the near future to overturn the President's misguided efforts in this area.

Madam Speaker, I urge Members to support the legislation.

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

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

Again, I urge my colleagues to pass S. 1786. This is a needed piece of legislation and an immediately needed bill. It will provide some relief to some of the Gulf States that were hit by two of our most recent and very tragic hurricanes.

Airports do provide a link between communities and a gateway to the Nation and the world. It is one of our most important economic generators in this country, and it is a Federal responsibility to move forward in the repair and the replacement of the infrastructure and facilities at these transportation hubs.

I might repeat that this does not require any additional funding, but it does allow flexibility. It does allow additional payments to these areas for their traditional Federal requirement share and local requirement share.

Also, in closing, we hear a lot of criticism about Federal agencies, but I am pleased to stand here and commend those of the FAA for their quick response to all of the States that were hit by the hurricane disasters we have seen this year.

I also want to thank them for last year. My area in Central Florida was hit by three very serious hurricanes, and as the Members know, we had a fourth, a tremendous storm that hit the gulf coast.

□ 1430

In each instance, the Federal Aviation Administration, starting with Marion Blakey, the administrator, and also with Woodie Woodward, who is our national airports administrator, they were ready in advance. They assisted us then and they are assisting now in an admirable fashion. So I am pleased to also commend their work.

Madam Speaker, I ask for passage of S. 1786, which will provide our airports much-needed relief in these hard-hit areas.

Mr. OBERSTAR. Madam Speaker, I rise in support of S. 1786, which authorizes the Secretary of Transportation to make emergency airport improvement project grants-in-aid under title 49, for repairs and costs related to damage from Hurricanes Katrina and Rita.

Madam Speaker, S. 1786 permits the Secretary of Transportation to make project grants from the Federal Aviation Administration's, FAA, Airport Improvement Program, AIP, fiscal year 2006 funds for capital costs to repair or replace public use facilities damaged as a result of Hurricanes Katrina and Rita, which were incurred by a public use airport in Alabama, Louisiana, Mississippi, and Texas that is listed in the FAA's National Plan of Integrated Airport Systems. The bill also permits AIP grant funding to cover emergency operating costs incurred by these airports as a result of the Hurricanes.

According to the FAA, airports located in Alabama, Louisiana, Mississippi, and Texas sustained structural damage costing over $162 million. Importantly, S. 1786 provides FAA with the flexibility to fund repairs to airport structures, such as terminals and hangars, which would otherwise not be eligible for grants under the AIP program. The bill also requires the Federal Government to cover 100 percent of the allowable project costs, thereby waiving State and local government match requirements.

Earlier this week, I joined several of my Committee on Transportation colleagues on a trip to the gulf coast to see the devastation of Hurricane Katrina first hand. Flying over New Orleans, Bay St. Louis, Biloxi, and Mobile, we witnessed destruction unlike anything we had ever seen.

We also had the opportunity to meet with airport officials at the Louis Armstrong Airport in New Orleans. The bill addresses the direct emergency capital and operating costs to address the structural damage to the New Orleans and other affected airports as a result of Hurricane Katrina.

In addition, the New Orleans and other affected airports face long-term revenue challenges. Although the New Orleans airport has reopened, it is operating at a significantly diminished capacity, which is directly affecting airport revenues. The airport, which served as a major origin-and-destination airport with almost 10 million passengers per year prior to Hurricane Katrina, expects it to take several years to recover from this disaster. Passenger traffic in the coming year is expected to equal only 10–15 percent of pre-disaster levels and equal only 70 percent within 3 years. As a result of this lost revenue, the airport faces a potential deficit of approximately $90 million by the end of 2007.

This legislation will enable the FAA to provide additional emergency capital and operating grants for the structural damage of the New Orleans and other affected airports in the region.

I strongly support the bill and urge my colleagues to join me in support of this legislation.

Mr. COSTELLO. Madam Speaker, I rise today in strong support of S. 1786, legislation to authorize emergency grants for airports damaged by Hurricanes Katrina and Rita. This important legislation gives the Secretary of Transportation authority to use millions of dollars in existing federal grant funds to make emergency repairs at airports in the Gulf Coast region damaged by the hurricanes. The bill also permits grant funding to cover emergency operating costs incurred as a result of the devastating hurricanes by these airports.

To get the local economy and jobs improving and moving again, fully functional airports are needed. S. 1786 will restore these airports by making the necessary funds available to immediately begin repairing and refurbishing the airport infrastructure to help restore passenger and commercial air traffic throughout the Gulf region.

I recently visited the Gulf Coast region and saw the devastation and destruction Hurricanes Katrina and Rita left in their wake firsthand. I listened to state and local officials describe their immediate infrastructure needs and this legislation would provide some resources to address their airport needs. Those affected by these hurricanes should be commended as they continue to display tremendous courage and persistence.

Madam Speaker, this legislation is an important step toward economic recovery of the entire Gulf Coast region and towards restoring these airports to their full operational capacity as soon as possible. I ask my colleagues to join me in support of this legislation.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and pass the Senate bill, S. 1786.

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. DEFAZIO. 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.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL CAMPUS SAFETY AWARENESS MONTH

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 15) supporting the goals and ideals of National Campus Safety Awareness Month, as amended.

The Clerk read as follows:

H. RES. 15

Whereas college and university campuses are subject to criminal threats both from within and outside their borders;

Whereas under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act a total of 86 homicides, 7,648 sex offenses, 9,649 aggravated assaults, and 3,590 arsons were reported on-campus from 2000 to 2002;

Whereas between one fifth and one quarter of female students become the victim of a completed or attempted rape, usually by someone they know, during their college careers;

Whereas each year more than 70,000 students between the ages of 18 and 24 are victims of alcohol-related sexual assault;

Whereas each year more than 600,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking;

Whereas 1,400 college students between the ages of 18 and 24 die each year from alcohol-related unintentional injuries, including motor vehicle crashes;

Whereas each year there is approximately $2.8 million worth of property damage from fires on-campus;

Whereas Security On Campus, Inc., a national group dedicated to promoting safety and security on college and university campuses, has designated September as National Campus Safety Awareness Month; and

Whereas the designation of National Campus Safety Awareness Month provides an opportunity for colleges and universities to inform students about existing campus crime trends, campus security policies, crime prevention techniques, fire safety, and alcohol and other drug education, prevention, and treatment programs: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of National Campus Safety Awareness Month

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from Illinois (Mr. DAVIS) 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. Res. 15, as amended.

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.

House Resolution 15 expresses the sense of the House of Representatives that it support the goals and ideals of a National Campus Safety Awareness Month.

Each fall, thousands of freshmen begin their college careers without taking the adequate precautions to protect themselves from real-world threats to their safety. Students often do not think about dangers like theft, date rape, assault, or even other more serious invasions of privacy and more serious crimes.

According to the nonprofit organization Security on Campus, between one-fifth and one-quarter of female students become the victims of an attempted rape during their college careers. Often it is by someone they know. In addition, each year more than 600,000 students between the ages of 18 and 24 are assaulted by another student who has been drinking; and 1,400 students die from alcohol-related injuries, including motor vehicle crashes.

Some may remember the story of Jeanne Ann Clery. On April 5, 1986, Jeanne was tortured, raped and murdered at her dormitory room at Lehigh University. Her killer was a Lehigh student whom Jeanne had never met. He was also an abuser of drugs and alcohol. Her killer was able to enter her room because three doors which should have been locked were propped open.

Shortly after her death, it was revealed that America's colleges and universities reported only 4 percent of crime statistics. Because of this, Congress passed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, which requires colleges and universities to fully report the number of crimes that occur on their campuses each year so that parents and students can know what the safety situation is and the crime situation is on particular college campuses.

Before that act was passed, many colleges and universities tried to cover up what was a truly serious situation, and almost every college that has had a serious problem has attempted to do more and better in this area in enforcing the laws on campuses since that act was passed.

The statistics reported since then have been very unsettling, however. As proof, a total of 86 homicides, 7,648 sex offenses, 9,649 aggravated assaults, and 3,590 arsons were reported on campuses from 2000 to 2002. These incidents occur on campuses of all sizes all over the country.

In August of 1988, Tommy Baer, a student at the University of Tennessee's Knoxville campus in my district, was fatally stabbed in the doorway of his fraternity house. His death was senseless. The person who stabbed Tommy was belligerently drunk and had been harassing people inside the house for most of the night. Even as we speak, most people have heard about the tragic case of Taylor Behl, who may be the latest young person living on a campus victimized by someone.

This resolution's support of September as National Campus Safety Awareness month will help make incoming college freshmen aware that these types of dangers are out there. Adoption of this resolution also provides an opportunity for colleges to inform students about existing campus crime trends, campus security policies, crime prevention techniques, fire safety and alcohol and other drug education, prevention, and treatment programs.

Madam Speaker, by adopting H. Res. 15, the House of Representatives could send the message that it takes the issue of campus crime very seriously and supports greater student awareness.

I would like to thank the Student Government Association of the University of Wisconsin at Green Bay and the nonprofit organization Security on Campus, especially, for their efforts on behalf of this legislation.

Finally, Madam Speaker, I would also like to thank the gentleman from Wisconsin (Mr. GREEN) for his support and assistance with H. Res. 15. I urge its adoption.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I am pleased to join in support of H. Res. 15, supporting the goals and ideals of National Campus Safety Awareness Month.

The first weeks of college are an amazing time for young people in America. As a matter of fact, I was jokingly thinking to myself of a few years ago when I first entered. College represents the culmination of years of hard work by both students and their families.

For most, going to college is a student's first time away from home. Unfortunately, a time that should be full of joy and eager anticipation for college students is also a very dangerous time. This time has been dubbed the ''red zone'' by some because of the risk of becoming a victim of campus crime being so high.

Each year, over 600,000 students between the ages of 18 and 24 are victims of crimes and accidents on college campuses. In addition, the cost of public and private property damage that results from campus crime is in the millions.

Sexual and physical assaults are particularly rampant on college campuses, placing females at greater risk. Nearly one-quarter of all female college students are victims of either attempted rape or rape during their college years. The majority of these assaults are committed by people those women know. Students are more likely to become victims of crimes or have accidents when alcohol is involved.

Security on Campus, Incorporated, is a national nonprofit organization that works to eliminate campus crime. The organization provides legal advice to victims of campus crime, works to secure campus improvements that reduce safety and security risks, and provides programs that help reduce the abuse of drugs and alcohol.

Fueled by a desire to help secure our Nation's college campuses and by the knowledge that the public is unaware of the scope of safety issues that exist on campuses, Security on Campus, Incorporated, declared September to be National Campus Safety Awareness Month. I support this action as a concerned citizen and as a parent. The need for safer environments in our Nation's colleges and universities is critical to the success of our youth.

Madam Speaker, I support H. Res. 15 because I feel that the issue of campus

safety is of national importance. I want to thank the gentleman from Tennessee for his introduction of this resolution and for his thoughtfulness in making us aware of this issue and raising the awareness around campus safety.

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

Mr. DUNCAN. Madam Speaker, I urge all Members to support the adoption of H. Res. 15, as amended, 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 agree to the resolution, H. Res. 15, as amended.

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

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF PANCREATIC CANCER AWARENESS MONTH

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 276) supporting the goals and ideals of Pancreatic Cancer Awareness Month.

The Clerk read as follows:

H. RES. 276

Whereas over 31,860 people will be diagnosed with pancreatic cancer this year in the United States;

Whereas the mortality rate for pancreatic cancer is 99 percent, the highest of any cancer;

Whereas pancreatic cancer is the 4th most common cause of cancer death in the United States;

Whereas there are no early detection methods and minimal treatment options for pancreatic cancer;

Whereas when symptoms of pancreatic cancer generally present themselves, it is too late for an optimistic prognosis, and the average survival rate of those diagnosed with metastasis disease is only three to six months;

Whereas pancreatic cancer does not discriminate by age, gender, or race, and only four percent of patients survive beyond five years;

Whereas the Pancreatic Cancer Action Network (PanCAN), the first national patient advocacy organization serving the pancreatic cancer community, focuses its efforts on public policy, research funding, patient services, and public awareness and education related to developing effective treatments and a cure for pancreatic cancer; and

Whereas the Pancreatic Cancer Action Network has requested that the Congress designate November as Pancreatic Cancer Awareness Month in order to educate communities across the Nation about pancreatic cancer and the need for research funding, early detection methods, effective treatments, and prevention programs: Now, therefore, be it

Resolved, That the House of Representatives supports the goals and ideals of Pancreatic Cancer Awareness Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from Illinois (Mr. DAVIS) 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. Res. 276.

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, House Resolution 276, offered by the distinguished gentleman from Pennsylvania (Mr. PLATTS), would increase awareness about a horrible disease, pancreatic cancer.

This year, over 31,000 people will be diagnosed with pancreatic cancer. Because of the lack of early detection methods, 99 percent of those diagnosed will lose their lives, the highest mortality rate of any form of cancer. By the time the symptoms present themselves, it is almost always too late for a positive prognosis. Diagnosed patients have an average life expectancy of only 3 to 6 months.

Although pancreatic cancer is the fourth most common cancer, many Americans are not aware of the devastating statistics associated with the disease. Currently, the Pancreatic Cancer Action Network, known as Pan CAN, is the only national advocacy organization available for pancreatic cancer patients as well as their families and friends. This outstanding organization exists to create awareness, patient support, professional education and advocacy for pancreatic cancer funding.

Pan CAN regards each November as Pancreatic Cancer Awareness Month. With the adoption of House Resolution 276, Congress would be further increasing awareness of pancreatic cancer. As a Nation, we desperately need to improve detection and treatment approaches and avenues. This is a cancer that has touched many people, including the only brother of one of my brothers-in-law, a young boy who passed away at the age of 13 with this very devastating disease.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, the cancer of the pancreas stands out as a highly lethal disease, with its victims facing the poorest likelihood of survival of all those who survive major malignancies. It accounts for only 2 percent of all newly diagnosed cancers in the United States each year, but 5 percent of all cancer deaths. It is the fourth leading cause of cancer-related deaths.

Only 4 percent of patients survive beyond 5 years. Men have higher incidences and mortality rates of pancreatic cancer than women in each racial or ethnic group. Black men and women have incidences and mortality rates that are 50 percent higher than the rates of whites. Rates for Hispanics and the Asian American groups are generally lower than that of whites. Cigarette smoking has been identified consistently as an important part of the cause.

Most pancreatic cancers arise from the ductal cells of the pancreas. The pancreas, an organ situated deep in the abdominal cavity, serves several critical functions. It produces enzymes that are delivered to the small intestines to aid in the digestion of food, and it controls sugar levels in the body.

□ 1445

The disease is often far advanced by the time symptoms occur and a diagnosis made.

The Pancreatic Cancer Action Network is dedicated to focusing national attention on the need to find a cure for pancreatic cancer. I support this resolution and Pan CAN's efforts to designate November as Pancreatic Cancer Awareness Month.

Madam Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the distinguished gentleman for his leadership and for yielding me this time, and I thank the sponsors of this legislation. I rise to support this resolution, which is H. Res. 276, which is supporting the goals and ideals of Pancreatic Cancer Awareness Month.

We know that cancer can be deadly, but early detection is crucial. We also know how devastating the diagnosis of pancreatic cancer can be because of its rapid decline in the individual that has this particular disease. I know firsthand from a prominent citizen in my community, someone who was vibrant and contributing, who suffered through the disease of pancreatic cancer, having good days and bad days, having recoveries and then relapses.

So I believe it is extremely important that we make the Nation aware of the deadliness of this particular form of cancer and the ability to continue to provide the instrument of early detection. I rise in support of this legislation, and as I do so, might I say and make a few comments about a number of resolutions that I would like to add a voice of support.

Let me rise in support as well for S. 1413, the Colin L. Powell Residential Plaza Redesignation Act, that redesignates the plaza in Jamaica, West Indies, in honor of General Colin L. Powell, the former Secretary of State. We appreciate his leadership, his dedication to service and, as well, the statement that his family made coming here to the United States from Jamaica, West Indies, being immigrants and then, of course, being contributing

members of this Nation and, of course, to the United States armed services.

Likewise, I would like to join my friend and colleague, the gentleman from Illinois (Mr. DAVIS), in his resolution authorizing the use of the Capitol grounds for an event to commemorate the tenth anniversary of the Million Man March, and let me salute the concept of the Nation of Islam and Prime Minister Farrakhan for understanding it is a million more, for inviting communities from all over America, diverse ethnic and religious groups and racial groups to come simply to say that the poor have not been forgotten. I hope that as we commemorate, we will set a legislative agenda to turn around and to change America for the better.

I add my support for H.R. 15, which deals with the supporting of the goals and ideals of the National Campus Safety Awareness Month. I do that for a general reason, but also, Madam Speaker, for a personal reason. I have two young people in my family, my daughter and my son, who are on college campuses today. I can assure you that, as a parent, you send your child off with the best intentions, but it is also very important to remind them nationally, if you will, even from the podium of the United States Congress, that all young people should be aware of the dangers of overdosing on drugs, of alcohol abuse, of hazing, of the dangers of altercations between students. Just this past couple of months, we buried a very bright young man in our community that we still mourn, and we do so because, unfortunately, he lost his life in an altercation and brawl on his campus, through no fault of his own, a bright, energetic and talented young man. His family still mourns, and his mother is seeking to be engaged in campus safety, and I look forward to working with her, so that we can find ways to touch students and touch their hearts.

This legislation is so very important, because at least it makes a public and national statement that young people should be safe, but they should also be their brothers' and sisters' keeper. When you see something going on, tell someone in order to save a life. Campus safety also means campus involvement and campus recognition that we are in fact our brothers' and sisters' keeper.

I would ask my colleagues to support the underlying bill which deals specifically with the idea of supporting the goals and ideals of Pancreatic Cancer Awareness Month, and, of course, I thank my colleagues for allowing me to submit statements on behalf of the above-mentioned resolutions.

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

Mr. DUNCAN. Madam Speaker, I have no additional requests for time, I urge all Members to support the adoption of H. Res. 276, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and agree to the resolution, H. Res. 276.

The question was taken.

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

Mr. DAVIS of Illinois. 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.

RECOGNIZING THE CONTRIBUTIONS OF AFRICAN-AMERICAN BASKETBALL TEAMS AND PLAYERS FOR THEIR ACHIEVEMENTS, DEDICATION, AND CONTRIBUTIONS TO THE SPORT OF BASKETBALL AND TO THE NATION

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 59) recognizing the contributions of African-American basketball teams and players for their achievements, dedication, and contributions to the sport of basketball and to the Nation.

The Clerk read as follows:

H. CON. RES. 59

Whereas, even though African-Americans were excluded from playing in organized white-only leagues, the desire of African-Americans to play basketball could not be repressed;

Whereas, unlike baseball, which had Negro leagues, basketball had no organized black leagues, thus forcing blacks to take to the road out of necessity;

Whereas among the most well-known black barnstorming teams who found their beginnings in the 1920s were the New York Renaissance (or Rens), the Harlem Globetrotters, the New York Enforcers, the Harlem Clowns, the Harlem Road Kings, the Harlem Stars, the Harlem Ambassadors, and the Philadelphia Tribunes;

Whereas, despite the racism they faced, Negro basketball teams overcame great obstacles to play the game before black players were allowed to play in the National Basketball Association in the early 1950s;

Whereas the New York Rens became one of the first great basketball dynasties in the history of the game, compiling a 2,588–539 record in its 27-year existence, winning 88 straight games in the 1932–33 season, and winning the 1939 World Professional Championship;

Whereas the Harlem Globetrotters proved that they were capable of beating professional teams like the World Champions Minneapolis Lakers led by basketball great George Mikan in 1948;

Whereas the barnstorming African-American basketball teams included exceptionally talented players and shaped modern-day basketball by introducing a new style of play predicated on speed, short crisp passing techniques, and vigorous defensive play;

Whereas among the pioneers who played on black barnstorming teams included players such as Tarzan Cooper, Pop Gates, John Isaacs, Willie Smith, Sweetwater Clifton, Ermer Robinson, Bob Douglas, Pappy Ricks, Runt Pullins, Goose Tatum, Marques Haynes, Bobby Hall, Babe Pressley, Bernie Price, Ted Strong, Inman Jackson, Duke Cumberland, Fat Jenkins, Eddie Younger, Lou Badger, Zachary Clayton, Jim Usry, Sonny Boswell, and Puggy Bell;

Whereas the struggles of these players and others paved the way for current African American professional players, who are playing in the National Basketball Association today;

Whereas the style of black basketball was more conducive to a wide open, fast-paced spectator sport;

Whereas, by achieving success on the basketball court, African-American basketball players helped break down the color barrier and integrate African-Americans into all aspects of society in the United States;

Whereas, during the era of sexism and gender barriers, barnstorming African-American basketball was not limited to men's teams, but included women's teams as well, such as the Chicago Romas and the Philadelphia Tribunes;

Whereas only in recent years has the history of African-Americans in team sports begun receiving the recognition it deserves;

Whereas basketball is a uniquely modern and uniquely American sport;

Whereas the Black Legends of Professional Basketball Foundation, founded by former Harlem Globetrotter Dr. John Kline, of Detroit, Michigan, honors and highlights the significant contributions of these pioneers and their impact on professional basketball today; and

Whereas the hard work and efforts of the foundation have been instrumental in bringing African-American inductees into the Naismith Memorial Basketball Hall of Fame in Springfield, Massachusetts: Now therefore, be it

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

(1) Congress recognizes the teams and players of the barnstorming African-American basketball teams for their achievement, dedication, sacrifices, and contribution to basketball and to the Nation prior to the integration of the white professional leagues;

(2) current National Basketball Association players should pay a debt of gratitude to those great pioneers of the game of basketball and recognize them at every possible opportunity; and

(3) a copy of this resolution be transmitted to the Black Legends of Professional Basketball Foundation, which has recognized and commemorated the achievements of African-American basketball teams, the National Basketball Association, and the Naismith Basketball Hall of Fame.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from Illinois (Mr. DAVIS) 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. Con. Res. 59.

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, I rise in support of H. Con. Res. 59 introduced by the distinguished gentlewoman from Michigan (Ms. KILPATRICK). This resolution would recognize the dedication of African-American basketball players who played on the barnstorming teams of the early 1920s through the 1950s. The motivation of these teams to organize despite being excluded from playing in the white-only structured teams and leagues was truly a story of perseverance and honor.

The history is very similar to the Negro baseball leagues which have received such honor and distinction in recent years. One of the first basketball dynasties, the New York Renaissance, was founded in 1923. The team's namesake came from their home court, the Harlem Renaissance Ballroom, in which they played 27 seasons. The Renaissance organized games each day of the week and twice on Sundays. Because the racial climate of the 1930s was often harsh and unforgiving, while away from their home court, the Rens were often refused food and board. Other barnstorming teams included the Harlem Globetrotters, the New York Enforcers and the Philadelphia Tribunes.

Not only did these players bring organized basketball to all those who may not have had the opportunity to play, but they also helped influence the way basketball is played today. The fast pace of the game and the short, concise passing techniques originated with the talented players that dominated the barnstorming teams. More importantly, on April 25, 1950, the first African-American player was drafted into the National Basketball Association.

By demanding respect on the basketball court, these brave players did their part to facilitate racial integration in all aspects of American life. They were an inspiration to many.

Therefore, I encourage my colleagues to support this resolution, and I congratulate the gentlewoman from Michigan on her efforts.

Madam Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Madam Speaker, I yield such time as she may consume to the sponsor of this resolution, the gentlewoman from Michigan (Ms. KILPATRICK).

Ms. KILPATRICK of Michigan. Madam Speaker, I thank the gentleman from Illinois for yielding me this time, and I thank the gentleman from Tennessee for controlling the time and allowing us to present this to the American people.

I first want to thank Dr. John Kline, a psychologist in my district who has been on this for many years. He is a former Harlem Globetrotter and now a psychologist in the City of Detroit who has been working tirelessly with me to see that we honor the men, particularly the men, and now the women who play in the WNBA, for their talent and for their commitment to the sport of basketball. Dr. Kline has been working on this for some time, and he established in 1996 the Black Legends of Professional Basketball Foundation where he works himself to see that the players reach the Hall of Fame in the basketball world. I want to thank Dr. Kline for his tenacity, and my staff thanks him, and we look forward to working with him.

Basketball has been a dream come true for many young people in America and around the world. They are able because of the pioneers who have gone before them to present themselves in the discipline and the competition that the sport requires. I want to first say before there was a Bill Russell and a Cazzie Russell, as well as a Michael Jordan and Dr. J, in 1920, as was mentioned by my colleague, other gentlemen came forth and began to play organized basketball that began and created a competition that endured in men the skill, the tenacity, the commitment and the competition to move forward.

As was mentioned, in 1922, the first team, the New York Renaissance was established, and in the 27 years that followed, they played every year. After them, in 1930, the Harlem Globetrotters were organized to play basketball, and even though they could not play in the NBA, they continued to play.

It is important that as we move into this new season of the NBA, which will be starting in the next month, that we not forget those who set the pace, both African-Americans as well as European-Americans and others who played the sport of basketball and brought it to our country and now around the world.

The Basketball Legends Professional Foundation is here to recognize and to assist, under Dr. John Kline's leadership, that men be inducted into the Michigan Sports Hall of Fame as Dr. Kline has done. It is important that we continue the sport of basketball. Not only is it a character-building, competition-raising, beautiful sport, it also offers cities around the country the opportunity to participate. I would like to at this time send a shout out to the Detroit Pistons, world champions in 2003 and also in the semifinals in 2004.

So as we pay homage to Earl Lloyd, a former 1950's basketball player from my district, as well as some of the others that came before him, let us remember that the NBA was started many years after the African-American basketball players played their sport. Together it has evolved into a wonderful sport. I urge my colleagues to adopt this resolution. It is called the resolution recognizing the contributions of African American basketball teams that started in the 1920s.

Madam Speaker, I thank the gentleman from Tennessee as well as the gentleman from Illinois, and let us continue to remember that through competition and sports, we too can build a strong America and a strong family.

Madam Speaker, in less than a month the 2005–2006 professional basketball season will begin, and I am proud that the resolution being considered today pays tribute to the founding African-American basketball teams and players who made the game what it is today.

In the past, Congress has recognized the contributions of the Harlem Globetrotters, one of the first barnstorming teams that roamed the United States before professional leagues were integrated, and the professional Negro Baseball Leagues. But no one until now, has recognized the contributions of the early African-American basketball teams and their players.

Before the New York Knicks of the newly formed National Basketball Association signed Nathaniel "Sweetwater" Clifton in 1950, an African-American, organized professional basketball was a whites-only sport. Accompanying Clifton to the NBA were Earl Lloyd, and Chuck Cooper. Cooper, Lloyd, and Clifton may not be household names, but their place in the NBA's history will be secure forever.

The First white pro-basketball team was founded in 1914.

The first African-American team came into being in 1922 with the organization of the New York Renaissance. They were known as the New York Rens. The New York Rens became one of the first great basketball dynasties in the history of the game, compiling a 2,588–539 record in its 27-year span as an organized basketball team.

The New York Globetrotters—the forerunner of the Harlem Globetrotters—were organized in 1930. Other teams that came into being include the New York Enforcers, the Harlem Clowns, the Harlem Road Kings, the Harlem Stars, the Harlem Ambassadors, and the Philadelphia Tribunes.

African-American basketball teams had a different style of play from their white, professional counterparts. They played for the "fast break", shot with one-hand, made short, crisp passes, and emphasized a vigorous style of defense. Their style stood in marked contrast with the waltz-paced game played by the two-hand set shooters of the all-white basketball teams. These African-American barnstorming teams introduced a style of play that makes the world sport of basketball the wide-open, fast paced game it is today.

Before Bill Russell, Wilt Chamberlain, Kareem Abdul Jabar, Julius Erving and Michael Jordan, we celebrated basketball notables such as Tarzan Cooper, Pop Gates, John Isaacs, and Goose Tatum just to name a few.

Their love for the game allowed them to conquer many hardships on their barnstorming tours. They traveled from town to town, often sleeping in their cars because they were refused lodging. They were denied service at restaurants and suffered all the indignities of Jim Crow laws.

The barnstorming African-American basketball teams were exceptionally talented, and they had the chance to prove it, when in 1948 the Harlem Globetrotters beat the world champion Minneapolis Lakers led by pro-basketball's first big man, George Mikan, the game's first superstar.

Special thanks go to Dr. John Kline, a former Globetrotter, who resides in Detroit, Michigan, which I am privileged to represent. Dr. Kline has made it his personal mission that the great players who made this game what it

is today are not forgotten and that their legends continue to be noted in the annals of basketball history.

Dr. Kline founded in 1996 the Black Legends of Professional Basketball Foundation to honor black pros who played prior to 1960. Dr. Kline was recently inducted into the Michigan Sports Hall of Fame. The Foundation which he heads lobbies for African-American players to be considered for induction into the National Basketball Hall of Fame to make sure these men finally get their due—in much the same way that Negro League baseball players have finally begun to get recognition for their talents and sacrifices.

We are proud of his work and a copy of this resolution will be presented to the foundation, the Naismith Basketball Hall of Fame, and the National Basketball Association.

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

Madam Speaker, basketball was invented in December 1891 by James Naismith at the YMCA's School for Christian Workers, now Springfield College in Springfield, Massachusetts. Also, I guess it is also home to the Basketball Museum Hall of Fame and just a great place.

Within months, the game spread across the country through a network of YMCAs. Unfortunately, blacks were excluded from professional sports at that time, when leagues were established in the United States during the late 19th and early 20th centuries.

Unlike baseball, which had the Negro Leagues, basketball had no organized black leagues. Black players responded by participating in barnstorming teams. Barnstorming clubs crossed the country to play wherever a club, black or white, amateur or professional, could be found. Three of the most well-known black barnstorming teams of the 1930s were the New York Renaissance, the Harlem Globetrotters and the Philadelphia Tribunes.

□ 1500

Founded in 1923 by Bob Douglas, a British West Indies native, the New York Renaissance became one of the first dynasties in basketball. Named after the Harlem Renaissance Ballroom which served as the team's home court, the Rens played for 27 seasons and compiled a 2,588–539 record by playing each day of the week and twice on Sundays.

Due to the racial climate during the 1930s, the Rens faced discrimination away from home. While on the road, the Rens often were refused lodging and food. The team ate cold sandwiches and often slept on buses when excluded from hotels. In the Midwest, the team would use Chicago or Indianapolis as its base. The team would drive as far as 200 miles to play a game, drive back to Chicago or Indianapolis to sleep and do it all over again the next day.

Barnstorming was not limited to men's teams. There were two women's black teams, the Chicago Romas and the Philadelphia Tribunes.

Whether it was the Rens, the Chicago Romas or the famed Harlem Globetrotters, they were competitive and dedicated to the sport despite the discrimination they faced.

I also would urge my colleagues to support this resolution, and I, too, would join the gentlewoman from Detroit in acknowledging the prowess of the Detroit Pistons in terms of winning their championship and being the runner-up. But of course, they have never really been a match for the Chicago Bulls, who reside in my district, the Seventh District of Illinois.

But not only are the Bulls there, but the Reinsdorfs, who own the Bulls, are great civic and community leaders, being involved in activities that stretch from education to community development to providing atmosphere and environment. My district has also been a prolific developer of NBA stars, people like Mark Aguirre, Isaiah Thomas, Doc Rivers, Randy Brown, who my wife taught in high school at the George W. Collins High School, Michael Findley, Mickey Johnson, Kevin Garnett, who came from the Farragut high school where I used to teach, Tim Hardaway, Terry Cummings, Dwayne Wade, just to name a few.

And so, basketball has indeed been a godsend for many young athletes, allowing them to not only get a good education as a result of their athletic prowess, but also to become mainstays in a professional environment where they could earn a livelihood.

Madam Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Madam Speaker, let me thank the distinguished gentleman from Illinois (Mr. DAVIS) for his kindness in yielding and to the gentleman from Tennessee (Mr. DUNCAN), my Republican colleague, who is leading the debate on this issue, and might I add my deep appreciation to the gentlewoman from Michigan (Ms. KILPATRICK), the distinguished Congresswoman, for the vision and wisdom in working with the scholars who understood that, for its history to be complete, we must not overlook the beginnings of a sport that everyone thinks they can play. It is a wonder, as you look at how basketball has exploded over the last decades, and you will see teams throughout the community; you will see the young teams, the middle school teams, high school teams, the college teams, you will see the community teams. Everyone loves basketball. But it is important for our history to be remembered and to be honored.

So I rise today in support of this particular resolution that deals with the honoring of the very beginnings of basketball amongst African-Americans. I support H. Con. Res. 59, recognizing the contributions of African-American basketball teams and players for their achievement, dedication and contributions.

Madam Speaker, I would like to make these points as I recognize the work of my colleague. It is, of course, to be able to say that, as we look at America's history, we will find that many aspects of African-American history have been missed. And it is never too late for us to come back and correct that absence. In this instance, it is interesting to note that these basketball teams of African-Americans, and as noted by my colleague from Illinois, men and women started as early as the 1920s.

Might I remind my colleagues that it was not too long into the 1920s or before the 1920s that America was strangled by Jim Crow laws, which defined separatism by blacks and whites, terror in the deep south. And so for these teams to spring up, call themselves barnstorming and go about creating joy but also competition is a tribute that should be acknowledged. The fact that they played for 27 years without recognition and in discriminatory times should be acknowledged. The fact that they were not in organized leagues should be acknowledged. The fact that they were men and women should be acknowledged. And might I say that I hope that, as they may be installed into the Michigan Hall of Fame, that they might find their way into the National Basketball Hall of Fame as well. This legislation is long overdue, and the leadership of my colleague should be applauded.

Might I also say to my colleagues that this speaks very loudly to the inappropriate statement that was made just last week by Dr. Bill Bennett who noted that the reduction of crime could be done by aborting every black baby. And I think we should not forget that, as we look to honor those who are forgotten in history. For anyone to blatantly make such a statement in 21st century America means that they have forgotten the long years of prejudice and discrimination that faced many African-Americans in many disciplines, including sports and education and the sciences and medicine; that they would offer to suggest that the likes of those who have been called on this floor, the likes of Colin Powell, the likes of former Mayor Lee Brown, the likes of Mark Morial, the likes of Sojourner Truth, the likes of Mae Jemison, the first black woman astronaut, all who started out as black babies, would have contributed only if they were aborted and would have helped to reduce crime. I frankly believe that he should be suspended off the air, and I frankly believe that these words, if he was in Congress, should be taken down.

But as we celebrate, I hope that we are reminded that every person, every person's life who has the ability to contribute should be cherished, and we should remind ourselves of their great history. And so this legislation has a very important place in history and a very important place for our colleagues to celebrate the history of those early African-American sports persons and basketball players.

I could not end my remarks without trying to compete, though I am obviously working hard to compete, by noting the history of the Houston Rockets and to give a shout out to my home team and to mention the early basketball players. Probably there were some earlier than this, but I might mention John Lucas, who now has a son playing and will be entering a second generation of pro basketball players; and Calvin Murphy, who not only, along with John, played basketball but were fixtures in our community, contributed to the lives of young people and turned their lives around and were role models for them; Olajuwon and the famous dream team that we had; and Clyde Drexler, who is a businessman and contributor in our community; Steve Francis, who supports the programs of young people; Kenny Smith and many, many others who played for the Houston Rockets.

Might I say that we are still striving, but I know that our day will come when we will be national basketball champs. We look forward to celebrating the All-Stars in Houston this coming year, and we want to thank all of our NBA players for the contributions they have made over the years to improving the quality of life of all of our citizens across America, and particularly the work they have done in helping us with Hurricane Katrina and Hurricane Rita.

I ask my colleagues to support this legislation. Again, I support enthusiastically and congratulate the gentlewoman from Michigan (Ms. KILPATRICK) for her leadership on H. Con. Res. 59 and ask my colleagues to support it.

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

Mr. DUNCAN. Madam Speaker, I urge all Members to support the adoption of H. Con. Res. 59.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Tennessee (Mr. DUNCAN) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 59.

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

A motion to reconsider was laid on the table.

AVA GARDNER POST OFFICE

Mr. DUNCAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3439) to designate the facility of the United States Postal Service located at 201 North 3rd Street in Smithfield, North Carolina, as the ''Ava Gardner Post Office''.

The Clerk read as follows:

H.R. 3439

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

SECTION 1. AVA GARDNER POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 201 North 3rd Street in Smithfield, North Carolina, shall be known and designated as the ''Ava Gardner Post Office''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Ava Gardner Post Office''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Tennessee (Mr. DUNCAN) and the gentleman from Illinois (Mr. DAVIS) 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. 3439.

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 as much time as I may consume. I rise in support of H.R. 3439, authored by the distinguished gentleman from North Carolina (Mr. ETHERIDGE).

This bill would designate the Post Office in Smithfield, North Carolina, as the ''Ava Gardner Post Office Building.'' All Members of the North Carolina delegation have cosponsored this legislation.

The life of Ava Gardner is a true rags-to-riches story that started on a tobacco farm in the rural south. Born and raised in Johnston County, North Carolina, Ava Gardner had planned on becoming a secretary in her adult life. However, at the age of 18, a scout from MGM Studios offered her a 7-year contract from seeing a photo of her in the window of her brother-in-law's New York photograph shop. Having no acting an experience at all, Ava had to settle for scripts containing little better than one-line bits.

In 1946, she landed her first starring role in the B-grade movie, Whistle Stop. Later that year, on loan from MGM, Universal Studios cast her in her breakout hit, The Killers. Her career as a leading lady then took off in such films as Magambo opposite Clark Gable, The Barefoot Contessa and Night of the Iguana, all between the years of 1953 and 1964.

Ava Gardner, the earthy girl from North Carolina, had beaten the odds to become one of Hollywood's most famous icons. Today, anyone can view the personal effects and career artifacts of Ava's extraordinary life at the Ava Gardner Museum in Smithfield, North Carolina. The museum enables both young and old to experience the history of classic cinema. I urge all Members to join me in saluting her dedication and perseverance towards her unlikely but spectacularly successful career.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, as a member of the House Government Reform Committee, I am pleased to join my colleague in consideration of H.R. 3439, legislation naming a postal facility in Smithfield, North Carolina, after Ava Gardner, an illustrious actress often remembered as the most beautiful in Hollywood history. This measure, which was introduced by the gentleman from North Carolina (Mr. ETHERIDGE) on July 26, 2005, and unanimously reported by our committee on September 15, 2005, enjoys the support and cosponsorship of the entire North Carolina delegation.

Ava Lavinia Gardner was born in the small town of Grabtown, North Carolina, as the youngest of seven children. Ava Gardner's film career began at the age of 18 when an MGM agent saw her photograph in the window of her brother-in-law's New York City photograph studio. Her prolific film career includes roles in Mogambo (1953), for which she was nominated for an Academy Award for Best Actress; The Barefoot Contessa (1954); The Sun Also Rises (1957); On the Beach, (1959); The Night of the Iguana (1964), for which she was nominated for an Academy Award for Best Supporting Actress; and Regina Roma (1982).

Ava Gardner was married to three legendary Hollywood actors, including Mickey Rooney, Artie Shaw and Frank Sinatra. She died in London on January 25, 1990, of pneumonia at the age of 67 and was buried in Smithfield, North Carolina, in the Gardner family plot near the Ava Gardner Museum.

Madam Speaker, I commend my colleague for speaking to honor Ava Gardner, who rose from humble roots to become one of the most famous actresses in film history.

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

Mr. DUNCAN. Madam Speaker, I would just like to thank my colleague from Illinois for his help on all of these resolutions. He is always such a gentleman, so dignified. I have sometimes said that east Tennessee, where I am from, is the only part the whole country where the people speak with absolutely no accent whatsoever, but I do have to admit that the gentleman from Illinois has a beautiful voice, and it is always a pleasure to work with him.

Madam Speaker, with that, I urge all Members to support the passage of H.R. 3439.

Mr. ETHERIDGE. Madam Speaker, I rise today to urge my colleagues to support H.R. 3439, legislation to name the main post office in Smithfield, North Carolina, in honor of Ava Gardner.

I am proud to be sponsor of this legislation not only because Ava Gardner is a native of our great State, but because growing up in Johnston County I was always aware of her accomplishments and of the lives she touched around the world.

Ava Gardner lived the American Dream but never forgot her humble beginnings in Johnston County, her high school days at Rock Ridge or her days at Atlantic Christian College. Ava Gardner's career spanned five decades, and she was America's sweetheart during Hollywood's Golden Age.

This small town girl was a big time celebrity. In fact, she was the first woman from North Carolina to grace the cover of Time Magazine. She was also a patriot who performed for our servicemen and a tireless leader in the fight against cancer.

Ava represents the can-do attitude and patriotism embodied by the people of Smithfield and Johnston County. At the request of the Mayor and Town Council of Smithfield, I was pleased to introduce this legislation in July and work for its passage.

I urge my colleagues to support H.R. 3439 and honor a famous North Carolinian.

Mr. DUNCAN. 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. 3439.

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.

□ 1515

HURRICANE KATRINA EMERGENCY HOUSING ACT OF 2005

Mr. BAKER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3894) to provide for waivers under certain housing assistance programs of the Department of Housing and Urban Development to assist victims of Hurricane Katrina in obtaining housing, as amended.

The Clerk read as follows:

H.R. 3894

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 ''Hurricane Katrina Emergency Housing Act of 2005''.

SEC. 2. WAIVERS FOR SECTION 8 VOUCHER PROGRAM.

(a) IN GENERAL.—The Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') may, for all or any part of the period specified under subsection (c), waive any of the requirements described in subsection (b) in the connection with the provision of assistance under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) on behalf of an individual or family if—

(1) the individual or family—

(A) resides or resided, on August 25, 2005, in any area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; or

(B) resides or resided, on September 24, 2005, in any area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Rita;

(2) the residence of the individual or family became uninhabitable or inaccessible as result of such major disaster or emergency; and

(3) as of the date referred to in paragraph (1), as applicable, rental assistance under such section 8(o) was provided on behalf of such individual or family.

(b) WAIVER OF ELIGIBILITY REQUIREMENTS.—The requirements described in this subsection are the requirements under—

(1) paragraph (2) of section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)(2)), relating to tenant contributions towards rent, except that any such waiver shall expire on an individual's return to work;

(2) paragraph (4) of such section 8(o), relating to the eligibility of individuals to receive assistance;

(3) subsection (k) of such section 8 and paragraph (5) of such section 8(o), relating to verification of income;

(4) paragraph (7)(A) of such section 8(o), relating to the requirement that leases shall be for a term of 1 year;

(5) paragraph (8) of such section 8(o), relating to initial inspection of housing units by a public housing agency;

(6) subsection (r)(1)(B) of such section 8, relating to restrictions on portability;

(7) any regulation, notice, or order requiring prior approval by the Secretary with respect to any addendum to the model lease that permits lease terminations in the event that a tenant—

(A) was not eligible for assistance at the time of lease approval;

(B) would not have been eligible for assistance if a criminal background check had been completed prior to lease approval; or

(C) would not have met that landlord's screening criteria with respect to rent or credit history if a full a screening had been completed prior to lease approval; and

(8) any regulation or Executive Order providing for access to Federally funded programs by eligible persons having limited English proficiency.

(c) TERMINATION OF AUTHORITY.—The period specified under this subsection is the 12-month period beginning on the date of the enactment of this Act., unless before the expiration of the 6-month period beginning on such date of enactment the Secretary makes a determination that waivers under this section are no longer needed, in which case the period specified under this subsection is the 6-month period beginning on such date of enactment.

SEC. 3. AUTHORITY OF THE SECRETARY TO DIRECTLY ADMINISTER VOUCHERS WHEN PHAS ARE UNABLE TO DO SO.

If the Secretary of Housing and Urban Development determines that a public housing agency is unable to implement the provisions of subsection (o) of section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) or section 2 of this Act due to the effects of Hurricane Katrina or Hurricane Rita, the Secretary may—

(1) directly administer any voucher program described in such subsection or in section 2 of this Act; and

(2) perform the functions assigned to a public housing agency by such subsection or section 2 of this Act.

SEC. 4. WAIVERS FOR PROJECT-BASED SECTION 8 TO FACILITATE HOUSING OF AFFECTED FAMILIES.

(a) IN GENERAL.—For all or part of the period specified under subsection (c), the Secretary of Housing and Urban Development (in this section referred to as the ''Secretary'') may waive the applicability of any of the requirements described subsection (b) with respect to any housing provided project-based assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) for any individual or family that meets the requirements of paragraphs (1) and (2) of section 2(a) of this Act.

(b) PROVISIONS WAIVED.—The requirements described in this subsection are—

(1) section 3(a) of the United States Housing Act of 1937 (42 U.S.C. 1437a(a)), relating to tenant contributions towards rent, except that any such waiver shall expire on an individual's return to work;

(2) section 8(k) of such Act, relating to verification of income;

(3) section 8(d)(1)(B)(i) of such Act, relating to the requirement that leases shall be for a term of 1 year;

(4) any requirement relating to initial inspection of housing units by a public housing agency;

(5) any regulation, notice, or order requiring prior approval by the Secretary with respect to any addendum to the model lease that permits lease terminations in the event that a tenant—

(A) was not eligible for assistance at the time of lease approval;

(B) would not have been eligible for assistance if a criminal background check had been completed prior to lease approval; or

(C) would not have met that landlord's screening criteria with respect to rent or credit history if a full a screening had been completed prior to lease approval; and

(6) any regulation or Executive Order providing for access to Federally funded programs by eligible persons having limited English proficiency.

(c) TERMINATION.—The period specified under this subsection is the 12-month period beginning on the date of the enactment of this Act., unless before the expiration of the 6-month period beginning on such date of enactment the Secretary makes a determination that waivers under this section are no longer needed, in which case the period specified under this subsection is the 6-month period beginning on such date of enactment.

SEC. 5. PRESERVATION OF PROJECT-BASED SECTION 8 HOUSING ASSISTANCE PAYMENTS CONTRACTS FOR DAMAGED OR DESTROYED HOUSING UNITS.

Notwithstanding any other provision of law, a project-based housing assistance payments contract entered into pursuant to section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) covering a project damaged or destroyed by Hurricane Katrina or Hurricane Rita shall not expire or be terminated because of the damage or destruction of dwelling units in the project. The expiration date of the contract shall be deemed to be the later of the date specified in the contract or a date ending three months after the units are first made habitable.

SEC. 6. REPORT ON INVENTORY OF AVAILABILITY OF FACILITIES AND PROPERTIES FOR HOUSING USE.

(a) COMPILING OF INVENTORY.—Not later than 20 days after the date of the enactment of this Act—

(1) the Secretary of Housing and Urban Development, the Secretary of Defense, the Administrator of the General Services Administration, the Secretary of Agriculture, the Secretary of Veterans Affairs, and such other agency heads as the Secretary of Housing and Urban Development determines appropriate, and the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, shall compile an inventory of Federal civilian and defense facilities (or, in the case of the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation, properties held by such entities) that—

(A) identifies such facilities and properties that can be used—

(i) to provide emergency housing;

(ii) as locations for the construction or deployment of temporary housing units; or

(iii) to provide permanent housing; and

(B) for each such facility and property included, identifies the appropriate use or uses under clauses (i) through (iii) of subparagraph (A); and

(2) each such agency head and entity shall submit the inventory compiled pursuant to paragraph (1) to the Secretary of Housing and Urban Development.

(b) REPORT TO CONGRESS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Housing and Urban Development shall compile and submit to the Congress an aggregate inventory comprised of the inventory compiled by the Secretary pursuant to subsection (a) and all the inventories submitted to the Secretary pursuant to such subsection.

SEC. 7. GAO REPORT ON STATE EMERGENCY HOUSING PLANS.

Not later than 180 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to the Congress—

(1) identifying any States that have developed emergency housing contingency plans for use in the event of a disaster;

(2) describing such plans; and

(3) assessing the effectiveness of such plans.

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the rule, the gentleman from Louisiana (Mr. BAKER) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. BAKER).

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

Madam Speaker, I rise today in strong support of H.R. 3894, Hurricane Katrina Emergency Housing Act of 2005. The legislation authorizes the Secretary of the Department of Housing and Urban Development to waive several limitations on the rental voucher programs. These waivers will allow us to help families who have been displaced by the hurricanes to move quickly to secure shelter they so desperately need.

Having a roof over your head is one of the most basic human needs. In the aftermath of the storms, Federal and local governments now face the monumental task of coordinating the relocation of thousands upon thousands of individuals across the entire Nation.

This legislation will assist those displaced individuals and families who are already receiving assistance under section 8 to quickly find housing, and I wish to reiterate the point: this assistance being modified is for those currently qualified to receive section 8 assistance. Under the bill, HUD is given the statutory authority to waive the section 8 voucher eligibility requirements for a period not to exceed 1 year. Specifically, HUD is given the authority to waive tenant contributions toward rent eligibility of individuals to receive assistance, income verification, 1-year lease term, initial inspections of housing units, portability restrictions, model leasing, and English proficiency regulations.

This bill provides similar waivers for the project-based section 8 program with the exception of eligibility of individuals to receive assistance.

In addition, H.R. 3894 includes a provision to preserve existing project-based section 8 housing assistance payments contracts for those who were either damaged or destroyed due to hurricanes Katrina and Rita.

In an effort to better address the needs of individuals and families displaced by the storms, DOD, HUD, Veterans Affairs, and government-sponsored enterprises are instructed to compile a list of Federal, civilian, and defense facilities that can be used as temporary housing, as locations to construct or deploy temporary housing or provide permanent housing. This information is to be coordinated by HUD within 30 days of enactment of the bill, and the Secretary of HUD is required to report to the Congress accordingly. GAO is also instructed to conduct a study of State emergency plans to assess their effectiveness.

I would also want to speak to the role of the gentleman from Louisiana (Mr. ALEXANDER), who has worked tirelessly on this important legislation, is the principal author of the measure, and with his assistance brings it to the floor for consideration of the bill.

I would urge my colleagues to support final passage.

Madam Speaker, I reserve the balance of my time.

Ms. WATERS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, a little over a month ago, the gulf coast region was struck with one of the worst natural disasters ever to fall upon this country, Hurricane Katrina followed by Hurricane Rita.

In its wake, Katrina left hundreds of thousands of homes destroyed, over 1 million citizens displaced, and countless families separated.

Madam Speaker, after the hurricane, hundreds of thousands of people were forced into churches, armories, hotels, community centers, Red Cross-managed shelters, the Cajun Dome, the Superdome, the Astrodome and on and on and on. Almost 5 weeks after Katrina, more than 100,000 people are still living in shelters, over 442,000 more in hotels, 4,600 on cruise ships, and untold others are camping out.

Now, certainly shelters are a short-term solution. None of us can be satisfied with what we have accomplished to date. We are failing to manage a credible program to house these hurricane victims. We can do better than that.

We in the Congress of the United States as public policy-makers have a responsibility to these victims to provide swift and targeted resources in order to assist in the reconstruction of homes, communities, and cities.

Today, we have three Katrina-related housing bills on the suspension calendar. None of them are adequate to do what needs to be done to get people out of shelters, to get people into viable temporary housing, or to rebuild the housing that has been lost in the gulf region.

H.R. 3894 provides temporary waivers for several bureaucratic provisions within the section 8 housing program, but it does nothing in the way of adding new vouchers or addressing the immediate need for housing construction in the affected areas; nor does this bill attempt to address the existing affordable housing crisis in other parts of the country, especially those cities providing shelter for the evacuees.

Madam Speaker, instead of providing additional resources to programs which we know work and which we know have the infrastructure to provide immediate relief and assistance to those most in need, we have again left the door open for another blank check to be written by FEMA.

This bill is a bill that would allow for an expedited process within the section 8 housing program. It will waive several requirements for what have been described as cumbersome roadblocks to housing section 8 voucher holders, such as income verification, tenant contributions, and initial inspections.

These things are helping, and of course, I am going to support the bill; but what I am really concerned about is all of those persons who were on the waiting list for vouchers, who are already eligible, even if they are given some temporary assistance from FEMA, even if they got it for 18 months, what happens then. They still need housing. They still are, what, on the waiting list?

It is all right to waive some of these bureaucratic rules, but this is the time that we should be thinking about what we can do about homelessness. That is not even addressed here. This simply says, if you had a section 8 voucher, we will replace it and we will make it a little bit easier for you. It does not talk about the homeless people who were not even in the system, nor does it talk about those who are on the waiting list.

There is an article that I would like to just read verbatim because I think it describes the mess that we are in; and while I do this, I am not placing blame on my friends on the opposite side of the aisle. Even though I am very concerned that we were so slow in getting to the floor with even this legislation that does not do a lot, I am really concerned that we did not take this as an opportunity to really deal with the housing crisis in the gulf as it is a housing crisis all over the country.

This is an article that I am just going to read because I think it sums it up very well: ''Housing Promises to Evacuees Have Fallen Short.'' It is a Washington Post article that was written just a few days ago, 10/2/2005, by Spencer S. Hsu and Elizabeth Williamson:

''Red Cross to Halt Hotel Stipends in 2 weeks, and Hundreds of Shelters Have

Closed.'' Well, what is important about this is the President of the United States said he wanted everybody out of the shelters by October 15. That deadline is not going to be met.

''Two weeks before President Bush's mid-October goal for moving Hurricane Katrina victims out of shelters, more than 100,000 people still reside in such makeshift housing, and 400,000 more are in hotel rooms costing up to $100 a night. Housing options promised by the Federal Government a month ago have largely failed to materialize. Cruise ships and trailer parks have so far proved in large part to be unworkable, while an American Red Cross program, paid for by the Federal Government that allows storm victims to stay in motels or hotels is scheduled to expire October 15.

''It is projected to cost the Federal Emergency Management Agency as much as $168 million. Federal officials are struggling to launch an alternative interim housing program that would give families whose homes are destroyed or uninhabitable a lump sum of $2,358 in rental assistance, or $786 a month for 3 months, with the possibility of a 15-month extension.

''So far, 330,000 families have signed up for the housing assistance. But if evacuees have to use those stipends to pay for hotel rooms when FEMA stops covering such lodging, the funds will not last long. Last week, the number of evacuees in hotels increased from 220,000 to more than 400,000 people in 140,000 rooms. Many have no idea what they will do when the program ends in 2 weeks.'' No idea.

And they talk about this one man, whose case I am just going to read from this article: ''Ronnie Ashworth, a truck driver from Chalmette, Louisiana, east of New Orleans, currently lives at the Baton Rouge Marriott. If no other housing is forthcoming after October 15, 'I'll be sleeping in the back of my truck,' Ashworth, 60, said. 'I have no funds right now.'

''Red Cross spokeswoman Carrie Martin said, 'We're administering the hotel program with the expectation that it ends on October 15. After that, we'll still have shelters open, but we definitely don't want to move backwards.' Meanwhile, more than 100,000 people remain in about 1,000 shelters operated by the Red Cross, smaller charities and churches, scattered across two dozen States as far flung as New York and Washington.''

I am going to discontinue reading this article because I think my colleagues get the picture, and I think we are all desirous of doing something substantial. But how long has it taken us to get to the floor with this minimal response to the housing problems of the victims of Hurricane Katrina and now Rita?

Madam Speaker, I think we can do better than this, and we should be on this floor today not only talking about vouchers simply for those who held vouchers before; but we should be talking about those people who were waiting for vouchers. We should be talking about how we are going to build permanent low- and moderate-income housing. Right now we are failing.

Madam Speaker, I reserve the balance of my time.

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

I would just like to state that I agree with much of what the gentlewoman had to offer to the House in her comments with regard to long-term and permanent assistance for those dislocated by the storms.

I certainly believe that people should be given the ability to make the best choices for their families, take vouchers, and move wherever it suits their family's need close to employment, close to job training, whatever suits their circumstance best.

Unfortunately, we in Louisiana who feel that way have had a different path outlined by our Governor. I read her most recent comment: ''The path I have outlined, moving our people from shelters or the homes of in-laws or friends or into hotels and transitional trailer communities here in Louisiana, gives our people hope. It gives them a clear path that they can see, a path that will help them get their lives together and get them home to Louisiana.''

I do not necessarily share that perspective. I think we should be doing the highest and best job with the limited resources that are available to us, and I agree with the gentlewoman that we should be doing something on a grander scale. The bills before the House today are merely modest steps. They are significant progress, but we need to do better.

Madam Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. ALEXANDER), the principal sponsor of the bill.

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

Madam Speaker, to begin with I want to thank the gentleman from Louisiana (Mr. BAKER) for his leadership and his contribution to the State of Louisiana, both with the Committee on Financial Services and within our delegation.

Because of the hurricanes in Louisiana, Mississippi and Alabama, over 1 million households have been affected. Between 40 and 50 percent of those households, whether rented or owned, will need to be completely replaced. These are high numbers and do not even include Katrina's damage in Florida. In fact, FEMA estimates that 300,000 families are homeless and 200,000 will require government housing.

This is a housing crisis unlike anything we have seen in this country due to a natural disaster. Here in the United States, a country that gives more in aid to countries around the world than any other, we have largely been unable to provide the basic need of housing for our citizens.

Today is the 36th day since Hurricane Katrina made landfall, and there are still thousands of Louisianans in shelters across this country and the State of Louisiana.

□ 1530

These numbers do not even reflect the number of people living in private homes, in churches and motels.

For 36 days now, these people have slept on cots. They have eaten at community tables and showered in communal facilities. These people, the citizens of our country, want their privacy. They want to use the phone at will. They want to sleep in their own beds. They want to have the freedom to walk around without carrying their belongings, and they want to tuck their children into bed at night in peace and not have strangers watching them. In this country of great prosperity and resources, people should not be forced to live like this for over a month.

This act will give the Secretary of HUD the authority to waive specific requirements under section 8 and project-based assistance programs for victims of Hurricanes Katrina and Rita in order to expedite emergency housing assistance to those families that need it the most. This waiver authority will last for a period of 6 months, with a 6-month extension beyond that if the Secretary deems it necessary.

By waiving the requirements of verification of income and initial inspection of units, we are enabling displaced persons who have lost documentation due to the hurricanes to obtain vouchers and ensuring occupancy immediately by waiving the initial inspections.

By removing the 1-year rental contract requirement that the vouchers be confined to a specific area, we are making sure that people have the flexibility to determine where and how they will live. While many people are deciding what to do on a permanent basis, they still need temporary but independent living arrangements. This bill does just that.

This bill authorizes the Secretary to directly administer section 8 vouchers if the appropriate housing agency is unable to do so because of damage or displaced employees due to the hurricanes. This will ensure that those persons traditionally served will continue to be served by HUD's programs.

This bill requires the Secretary to report to Congress within 30 days of the enactment of this legislation on Federal, civilian and Defense facilities that can be used to provide emergency housing or as locations for construction or deployment of temporary housing units.

Lastly, it requires the Comptroller General to submit a report to Congress identifying and describing States that have developed emergency housing contingency plans for use in the event of a disaster to help us be better prepared the next time.

While I recognize that this is not all that is needed to address the housing

crisis, this is a step in the right direction and part of the overall plan to get people into more permanent living arrangements. We cannot solely rely on the trailer plan to house displaced persons. These vouchers offer choice to people, use existing housing and do not necessitate the need to build additional public housing.

I am concerned for the people of my State. I am concerned for the people of the gulf coast region. It is time for us to take action to get these people out of the shelters and into apartments, into homes or into a place where they can begin to start their lives over. These are Americans. They are our citizens. I urge my colleagues to help pass H.R. 3894. It is time that we act to get our citizens out of these shelters and into homes.

Ms. WATERS. Madam Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK).

Mr. FRANK of Massachusetts. Madam Speaker, I appreciate the gentlewoman from California (Ms. WATERS) for yielding me this time. She is the ranking Democrat on the Subcommittee on Housing and Community Opportunity and has been playing a very leading role, not just now but for years, on housing issues, and I fully subscribe to her really very forceful and eloquent description of where we are.

Let me take up where she left off. I am going to vote for this bill. It is later than we would like. It is less, in some ways, than we like, but everything it does do, it seems to me, is useful. And I want to express my appreciation to the Members on the other side who had, I believe, a role in making sure of this.

There was some original fear that the housing vouchers or the equivalence of vouchers which will be funded out of FEMA would somehow be competing with the existing voucher program. Several of my colleagues told me that they had heard from housing authorities in their areas, in other parts of the country that they were being told, Okay, here come these FEMA people, they go to the head of the list, and they would in effect take a voucher away where there are waiting lists.

Let us be clear that that is not happening. These are additives. These are additional. So it is very important to note that, because as the gentlewoman from California noted, we have waiting lists. We have an ongoing problem, and this does not make it any worse, but it does not make it any better. But let us be clear, it does not make it worse. So anyone who was under that misimpression, we had a briefing, and I appreciate the majority facilitating this, and staff from both sides and Members were there, and FEMA and HUD both made it very explicit to us that these are additional to the voucher program. So no one should feel they are going to be competing with someone already there.

The next question, though, is, what do we do next? Yes, it is important to get people the vouchers, but they are a short-term solution by definition: 6 months and 6 months. We hope people will be able to find some alternatives. But what do we do? That is the point I want to address, because this underlines the need for us to get back in the business of helping construct on a permanent basis new affordable housing.

We made great mistakes as a society decades ago by building for low-income people Columbia Point or Pruitt Igoe or Cabrini Green, large sterile warehouses for far too many people with far too few services, and they did not work well, and not because of any character defect in the people that lived there but because of the inherent flaw in the way they were planned. We have learned since then how to use public money to build housing that is desirable; how, in particular, to use public money in conjunction with private developers, profit-making and nonprofit, to provide decent homes.

There has been a lot of concern here about making sure that faith-based organizations are allowed to participate in government programs. Well, in the housing area, there is nothing new about that. Faith-based organizations for years have been the leaders in using Federal programs to provide affordable housing. In my own State of Massachusetts, the Boston Archdiocese and Office of Urban Planning has been a superb provider of affordable housing. So has the Jewish Community Housing for the Elderly. If you talk to the Association of Homes for the Aging, religious entities are very much involved.

I would note that none of them ever told me that they had to discriminate in hiring to provide that housing. But what we should be doing is taking advantage of that experience and broadening it, because we have got to the point where the only housing that has been built has been for older people. And that is important, building housing for the elderly and the disabled, but as we now see, we also need some family housing.

Here is the problem: If all we do is what we are doing today, and what we are doing today is important and I am for it, but if this is all we do, a year from now, where will these people live? Because there is not this great excess of affordable residential units all over the country. There are pockets where there are.

We also have the question about what happens in New Orleans and other areas. Now, I was very distressed to hear the Secretary of HUD say; not surprised, I must add but distressed, that when New Orleans is rebuilt, there will be fewer African-Americans there. Shame on us if that is the result because, where are these people supposed to go? This was their home. This was a community. And we should be providing temporary help, but we should also be determined to allow this community to rebuild itself.

That does not mean building inadequate housing in the middle of a floodplain. It does not mean having people be vulnerable to floods. It means we should use our wit and our resources to provide replacement housing for people that is better and safer and protected. We know how to do that.

So as I support this bill today, I want to reaffirm, and I know the gentlewoman from California has been a leader on this, and I want to acknowledge that the gentleman from Louisiana, who is managing this bill, he and I and others on our committee are working on one piece of legislation that might be a vehicle for this, that there are many ways to do it. But I want to stress the importance of, after the vouchers, then what?

If we want to allow people to move back not just to New Orleans but to the Mississippi gulf and other communities, then we, in part, should be building housing. There are other things we need to today, and our committee is working on that and working with the financial community.

And in this context, I really have to express my great disappointment here in the President's approach. When the President gave his major speech not for the interim but for the longer-term situation, the only housing situation he addressed was the homeownership through an urban homesteading plan. Now, homesteading has a great history in the United States. And in the 19th century, people were given a piece of land out in the unsettled parts of the country, and they could chop down trees, and they could build their houses. I do not think that model translates all that well to an urban area.

I do not think, when the people in New Orleans are given a piece of land, which is what the President's program says, I will give you the land but nothing else, even if there were any trees left after the flood, I do not think the average returning resident of New Orleans will be able to chop them down and build a house. The urban homesteading plan is wholly inadequate. By definition, the President's urban homesteading plan helps a very small percentage of those who need the help. He is having a lottery.

Since when for a program to meet basic human needs do you have a lottery, which by definition means a very small percentage of the people get in there? Just look at the inadequacy of that program. It says the Federal Government will try to find property it owns. It will not be based on suitability about where to build. It will be on what the Federal Government owns and has no use for and then will be made available to a small percentage of people. And then they are on their own and have to find somehow some money to build on it or to rehabilitate it. That just does not make sense.

What we need to do, following on from this, is a sensible housing production program working with the local

officials in New Orleans and in the gulf and elsewhere, the gulf of Mississippi and elsewhere. Let sensible planning go forward at the local level, building not large sterile public housing units but mixed housing, because people with various incomes will need help, and various forms of help will be necessary.

For some people, because we want to promote home ownership, various forms of mortgage assistance will make sense, so working with the financial institutions. For others, we will need to build some housing. We also, I think, have an obligation to rebuild the public housing units that were destroyed, not exactly as they were. We have had some experience, and our committee has in general voted often to reauthorize the HOPE 6 program, which is a way to take public housing and improve it.

So, yes, I vote for this bill. I also welcome the fact it does not take away from the existing voucher program. It does, of course, emphasize the importance of the voucher program, but it also will leave us, and I hope we will address this in this Congress later this year or early next year, a program for the reconstruction of housing in New Orleans for people of various incomes, some of whom will not be able to return to their homes without the construction, with Federal help, of affordable housing.

We know how to do that. We have very good examples of it. And it is very important that we go forward.

Ms. WATERS. Madam Speaker, I, too, join with my colleague and the ranking member of our Financial Services Committee in commending those on the opposite side of the aisle who really do have the providing of housing for low- and moderate-income persons on the top of their priorities.

And while I commend them because they have always shown an interest in doing this, I think we are all to be criticized for how slow this process is in dealing with the victims of Katrina and Rita. We have just got to be able to move faster than we are moving.

And while, again, today what we do in replacing those vouchers is a good thing, I am still worried about the fact that there are so many people who needed housing even before Katrina and who are going to be left out there to receive whatever resources are available from FEMA, but they will be back in the same situation they were in before, still without adequate housing, still, I suppose, on some kind of a waiting list and still among those in the United States of America without decent and adequate housing for themselves and their families.

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Let me just say, as I raise the question about us being slow and not doing enough, one may ask what could have been done in this period of time. Well, by now we should have an assessment of all of those buildings, all of those apartment buildings, all of those homes, many of which are considered dilapidated, sitting everywhere from Baton Rouge to Alexandria to New Iberia, on into Texas and other places where we could have created a program by which to provide resources to bring these houses and units up to code in order to create more housing. There are a lot of such homes, a lot of such units.

Do not forget, many of the areas that we are dealing with were in deep housing crisis before Hurricane Katrina. While I am very respectful of the fact that FEMA moved people to Utah, California and New Jersey, what I am hearing is people do not want to be in New Jersey and in California and other places. They want to be near their homes; they want to be near their home cities and their home towns.

I think that we could by now have done an assessment of all of those properties that could be rehabilitated, some of which are owned by individuals, others owned by corporations, and put together a program for rehabbing and rehabilitation and bringing them back online in order to make them available.

We should also be about the business of converting warehouses into lofts and moderate-income housing. And even in some of the factory areas that are closed down, dilapidated, boarded up throughout the South, there are opportunities for the creation of housing. And there are many nonprofit, low-income and moderate-income developers who are waiting for an opportunity to be of help. I think we could have done more.

While I am going to vote for this bill, I do not pat myself on the back, nor do I pat the Members from the other side of the aisle on the back. I know they may be confronted with an administration that says it does not want to spend any money, but I must say that our citizens do not want to hear that the President or this administration does not want to spend money to deal with this housing crisis created by a natural disaster at a time when we are dumping billions of dollars into war, into Iraq, into Afghanistan. Our citizens are disappointed that we are not doing better than we are doing.

Madam Speaker, I include for the RECORD the complete article that I read a portion of titled, ''Housing Promises Made to Evacuees Have Fallen Short.''

[From the Washington Post, Oct. 2, 2005]

HOUSING PROMISES MADE TO EVACUEES HAVE FALLEN SHORT

(by Spencer S. Hsu and Elizabeth Williamson)

RED CROSS TO HALT HOTEL STIPENDS IN 2 WEEKS, AND HUNDREDS OF SHELTERS HAVE CLOSED

Two weeks before President Bush's mid-October goal for moving Hurricane Katrina victims out of shelters, more than 100,000 people still reside in such makeshift housing, and 400,000 more are in hotel rooms costing up to $100 a night. Housing options promised by the federal government a month ago have largely failed to materialize. Cruise ships and trailer parks have so far proved in large part to be unworkable, while an American Red Cross program—paid for by the federal government—that allows storm victims to stay in motels or hotels is scheduled to expire Oct. 15. It is projected to cost the Federal Emergency Management Agency as much as $168 million. Federal officials are struggling to launch an alternative interim housing program that would give families whose homes are destroyed or uninhabitable a lump sum of $2,358 in rental assistance, or $786 a month for three months, with the possibility of a 15-month extension. So far, 330,000 families have signed up for the housing assistance. But if evacuees have to use those stipends to pay for hotel rooms when FEMA stops covering such lodging, the funds will not last long. Last week, the number of evacuees in hotels increased from 220,000 to more than 400,000 people, in 140,000 rooms. Many have no idea what they—will do when the program ends in two weeks.

Ronnie Ashworth, a truck driver from Chalmette, La., east of New Orleans, currently lives at the Baton Rouge Marriott. If no other housing is forthcoming after Oct. 15, ''I'll be sleeping in the back of my truck,'' Ashworth, 60, said. ''I have no funds right now.'' Red Cross spokeswoman Carrie Martin said, ''We're administering the hotel program with the expectation that it ends on October 15th. . . . After that, we'll still have shelters open, but we definitely don't want to move backwards.'' Meanwhile, more than 100,000 people remain in about 1,000 shelters operated by the Red Cross, smaller charities and churches, scattered across two dozen states as far-flung as New York and Washington.

The Red Cross has said it will keep its shelters open for as long as necessary, but many are in churches and public buildings that are needed for their primary functions. Hundreds of shelters have closed over the past two weeks, and many of their occupants, the Red Cross said, appear to be moving into hotels, in hopes of benefiting from the hotel program in its final days. In search of temporary housing immediately after the hurricane, FEMA officials went on a $1.5 billion spending spree, buying out entire dealerships of recreational vehicles and signing contracts for more than $500 million with one manufacturer of mobile homes. But the plan to create ''cities'' of 500 to 600 RVs across the South has run into major logistical and political problems. In FEMA lots in Alabama, Louisiana, Mississippi and Texas, several thousand trailers stand empty, waiting for the agency to navigate land leases, zoning laws, local opposition and policy questions. ''We have 12,000 mobile homes with no place to put them,'' said Rosemarie Hunter, a FEMA spokeswoman in Baton Rouge. To date, only 1,396 trailers in Louisiana house displaced people. About 1,100 are occupied by workers engaged in New Orleans's recovery effort, and 173 house families left homeless by the storm. Policymakers say that warehousing tens of thousands of people in trailer park communities until New Orleans and other cities are rebuilt could lead to the creation of dysfunctional ''FEMAvilles,'' as residents of past encampments have called them.

Democrats go further, warning that they may become known as ''Bushvilles,'' just as Depression-era shantytowns were called ''Hoovervilles.'' Refugee Council USA, which includes nine U.S. resettlement agencies that have integrated 2.5 million global refugees into the United States since 1975, said storm victims would be better off getting on with their lives—finding housing, jobs and counseling services in new communities rather than waiting indefinitely for homes to be rebuilt. FEMA officials agree. Evacuees,

said FEMA spokesman Eugene Kinerney, ''need to consider long-term housing in areas where there is available rental stock and prospects for employment to take care of other needs, such as food.'' But some civic and political leaders worry that the alternative—resettling storm victims—will lead many to stay permanently in their host communities, fundamentally changing the nature and politics of Louisiana and possibly beyond.

FEMA initially estimated that the homes of 300,000 families were destroyed by Katrina and that 200,000 of them will need government help with housing but said only time would reveal the true scope of need. The lack of an effective strategy to manage the largest displaced population of Americans in at least 60 years has touched off a furious policy debate. ''The big picture is . . . everyone who has some scheme for how people should live is now living vicariously through the opportunity New Orleans offers'' of a blank slate, said Ronald D. Utt, senior researcher at the Heritage Foundation. ''All this push and pull is happening, and all of which can be lumped in with some notion of social engineering.'' Policy think tanks from the Brookings Institution on the left to Heritage on the right have criticized FEMA for relying on trailers as it traditionally does for hurricane victims, saying Katrina's scale overwhelms that solution. By contrast, they say vouchers provide more choices to individuals, reduce the need for building public housing and take advantage of existing housing stock.

In a joint statement last week, Senate Minority Leader Harry M. Reid (D-Nev.) and House Minority Leader Nancy Pelosi (D-Calif.) criticized how long it took the Bush administration to implement its voucher program. ''It wasn't until nearly one month after the disaster struck that the Bush Administration finally announced it would begin to provide rent payments to families displaced by the storm,'' as Democrats urged, they said. Under the FEMA housing assistance plan, families that remain eligible can get as much as 18 months of cash assistance for a maximum of $14,148, but the money would count against a cap of $26,200 per family that Congress has set for FEMA to give in cash, rental assistance and home repairs.

Even before FEMA announced the program, Sen. Paul S. Sarbanes (D-Md.) pushed a plan through the Senate last month to provide $3.5 billion in housing vouchers to 350,000 Katrina-displaced families. On Friday, Sarbanes called on Bush to transfer control of housing assistance from FEMA to the Department of Housing and Urban Development. ''The scope of this disaster calls for changes in how we think about disaster assistance,'' Sarbanes wrote the White House. ''Hundreds of thousands of people may need housing assistance for 18 months or even longer. We cannot rely on FEMA, an emergency response agency, to provide on-going housing assistance to this large number of families,'' he said, citing HUD's ''experience, staff and infrastructure.''

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

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

Madam Speaker, I rise to respond to the concerns raised by the gentlewoman from California (Ms. WATERS) with regard to the forward-looking picture of housing needs in not only the disaster-stricken area but across the Nation, but particularly in the Hurricane Katrina area which I was fortunate to be adjacent to and not a part of.

It is certainly clear that a new housing vision is required. Much attention has been given to the city of New Orleans where damage was significant. Much attention, however, has not been given to areas north and south of the city, whether it is St. Bernard Parish or St. Tammany. In St. Tammany, the wind damage was extensive. Acres upon acres of large trees were blown down across streets, across houses. The damage was difficult to believe.

In St. Bernard Parish where the flooding left 9 to 14 feet of water in houses for periods up to 2 weeks, it is tragic to think what people will discover when they are finally able to revisit their neighborhoods. Certainly normal government strategies will not work in the face of such tragedy.

At the direction of the gentleman from Ohio (Mr. OXLEY) and working with the administration, the President, Secretary Snow and Secretary Jackson, we will have a plan to consider in the House of Representatives that will be different and unique. We have the capability to address this problem that we have never addressed before with a response that has never been proposed before. We hope to have such legislation before the break next week; but if not, immediately upon our return.

I look forward to working with the Members on the other side of the aisle and all Members from the affected areas. We understand that the needs are great, and the needs will not be met in one year or two. This is going to be a decades-long remedy requiring the patience of the Congress and the continuing generosity of all Americans.

None of us could foresee the scope of devastation. None of us would wish this on any place in the world; but it has happened and there are people who are living in shelters without resources, without futures, not knowing what tomorrow will bring. We have a high obligation to respond, and the Members of the Louisiana delegation fully intend to do their best in meeting this need.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Louisiana (Mr. BAKER) that the House suspend the rules and pass the bill, H.R. 3894, as amended.

The question was taken.

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

Ms. WATERS. 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.

GENERAL LEAVE

Mr. BAKER. 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. 3894.

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

There was no objection.

RURAL HOUSING HURRICANE RELIEF ACT OF 2005

Mr. BAKER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3895) to amend title V of the Housing Act of 1949 to provide rural housing assistance to families affected by Hurricane Katrina, as amended.

The Clerk read as follows:

H.R. 3895

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 ''Rural Housing Hurricane Relief Act of 2005''.

SEC. 2. DISASTER AUTHORITY.

Section 541 of the Housing Act of 1949 (42 U.S.C. 1490q) is amended to read as follows:

''SEC. 541. DISASTER ASSISTANCE.

''(a) IN GENERAL.—Notwithstanding any other provision of this title, the Secretary may exercise any authority described in subsection (b) with respect to the counties designated as disaster areas pursuant to the declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina or Hurricane Rita, and the counties contiguous to such counties, and for any individuals who resided in such counties at the time of the disaster.

''(b) SPECIAL AUTHORITIES.—The authorities described in this subsection are as follows:

''(1) CONVERSION OF RENTAL ASSISTANCE.—The Secretary may convert rental assistance under section 521 allocated for a property that is not inhabitable because of the disaster into

''(A) housing voucher assistance authorized under section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)); or

''(B) rural housing vouchers authorized under this title.

Any conversion and use of rental assistance pursuant to this paragraph shall apply only for the period described in subsection (c) or a portion thereof, as determined by the Secretary.

''(2) WAIVER OF RURAL AREA REQUIREMENTS.—The Secretary may, for the period described in subsection (c) or any portion thereof, waive the application of the provisions of section 520 with respect to assistance provided under this section, as the Secretary considers appropriate.

''(c) DURATION OF AUTHORITY.—The period described in this subsection is the 6-month period that begins upon the date of the enactment of this Act.

''(d) AUTHORIZATION OF APPROPRIATIONS.—In addition to funds otherwise available to carry out this section, there are authorized to be appropriated such sums as may be necessary to carry out, during the period described in subsection (c), this section or any other activity authorized under this title.''.

SEC. 3. RURAL HOUSING VOUCHER AUTHORITY.

During the 6-month period beginning on the date of the enactment of this Act, the Secretary of Agriculture may exercise the

authority under section 542 of the Housing Act of 1949 (42 U.S.C. 1490r), except that in carrying out this section—

(1) notwithstanding the first sentence of subsection (a) of such section 542, the Secretary may assist low-income families and persons, but only if—

(A) such family or person—

(i) resides or resided, on August 25, 2005, in any area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; or

(ii) resides or resided, on September 24, 2005, in any area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Rita; and

(B) the residence of such family or person became uninhabitable or inaccessible as result of a major disaster or emergency referred to in subparagraph (A) of this paragraph; and

(2) subsection (b) of such section 542 shall not apply.

SEC. 4. GUARANTEED LOANS FOR SINGLE FAMILY HOUSING.

Section 502(h) of the Housing Act of 1949 (42 U.S.C. 1472(h)) is amended—

(1) in paragraph (4), by striking ''or construct'' and inserting '', construct, repair, or rehabilitate''; and

(2) in paragraph (14)(A), by striking ''made under this section or guaranteed under this subsection'' and inserting ''used to acquire or construct a single-family residence that meets the requirements of subparagraphs (A), (B), and (C) of paragraph (4)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BAKER) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. BAKER).

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

Madam Speaker, H.R. 3895 is important legislation to again provide flexibility to the Rural Housing Authority relative to converting available funds to vouchers to provide additional options for those displaced by Hurricane Katrina and Hurricane Rita. It also provides additional loan flexibility with regard to repairs and remodeling pursuant to storm damage for existing loans now provided by the agency.

I wish to acknowledge the work of the chairman of the subcommittee, the gentleman from Ohio (Mr. NEY), and the gentleman from Ohio (Mr. OXLEY), chairman of the Committee on Financial Services, who have been extraordinary in their desire and willingness to help those of us in the gulf coast area with remedies to the identified problems.

This legislation, the second of three to be considered by the House today, is an important step. Not in and of itself a significant remedy, but it does provide significant new flexibility to a historically proven and valuable program. For these reasons, I believe it is highly important for the House to adopt this matter as well as the legislation to follow. In cooperation, all three bills will provide significant and meaningful assistance to those who find themselves without a place to call home.

Madam Speaker, I reserve the balance of my time.

Mr. FRANK of Massachusetts. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I intend to vote for this bill, as I believe all of us plan to. It is a very reasonable approach. It makes some changes in the rural housing program which are limited both geographically and chronologically, which is the way to do this short-term approach.

There were some other issues raised, and the majority has agreed with us there are other changes that could be made in this program; and I believe we will be taking them up later to do a more permanent situation.

There is one permanent change here involving the program known as the 502 program which gives some flexibility in financing and I think all who are interested in this favor.

I will take a minute or two to note, this is about rural housing. This is housing built with Federal help, generally public-private cooperation, federally subsidized, assisted housing in rural areas; and I stress that because too often when we talk about Federal housing programs, people think only about the big cities. Here we are not talking just about New Orleans, but the adjacent parishes. As the gentleman from Mississippi (Mr. TAYLOR) pointed out, we are talking about small communities along the Mississippi coast.

There is a need for housing assistance in various places, and we should stress again this is very important housing that helps people of low- and moderate income in rural areas, sparsely settled areas, to have decent places to live. So it is a reminder that housing programs are not simply big-city programs, but appropriately done are programs that meet needs in various places.

What this does is to give the flexibility during the next 6 months so the rural housing programs and the housing built there in the affected areas, people can respond to that with some flexibility. Money will not be lost; money will be reprogrammed. It is a product of a great deal of thoughtful collaboration on both sides of the aisle, and I intend to vote for this bill.

Madam Speaker, I reserve the balance of my time.

Mr. BAKER. Madam Speaker, I yield such time as he may consume to the gentleman from Ohio (Mr. OXLEY), chairman of the Committee on Financial Services, who has been extraordinarily cooperative and is exhibiting great leadership in helping the people of the gulf coast deal with these catastrophes.

Mr. OXLEY. Madam Speaker, I rise in support of this legislation and commend the sponsor of the legislation, the gentleman from Louisiana (Mr. BAKER), for his tireless work and dedication for providing housing relief for the victims of Hurricane Katrina and Hurricane Rita.

Residents of the rural gulf region have been especially affected by the devastating impact of Hurricanes Katrina and Rita. While media attention in the aftermath of these catastrophes has been focused on the urban disaster, particularly New Orleans, rural communities in the region, and individuals and families who are assisted by rural housing service programs, face a challenging road.

Rural areas are often plagued by poverty, high numbers of substandard homes, affordable housing shortages, costly development, and inadequate access to mortgage loans. RHS, through its programs, provides direct loans, guaranteed loans and grants to help families obtain and maintain affordable housing in those rural areas. Because so many rural families in the gulf region have left their communities, either because their housing is now in ruins or because they have settled in another community, it is extremely important that RHS has the flexibility to provide assistance to these families who have been displaced from rural gulf communities.

The legislation we are considering today will enable RHS to continue to meet the needs of rural families who have been displaced by the hurricanes. This legislation will temporarily give RHS the necessary funding options it needs to keep families in the program in the wake of this disaster. In short, this important revision will give RHS the ability to convert to vouchers funds tied to a rural housing project that is no longer habitable due to the effects of Hurricane Katrina and Hurricane Rita. RHS will have the authority to reprogram funds in either HUD section 8 vouchers or RHS vouchers authorized under title V of the Housing Act of 1949.

This legislation is designed to provide temporary housing relief for families affected by the hurricanes and upon enactment will be effective for 6 months.

Next, H.R. 3895 will expand the flexibility of RHS by temporarily eliminating the current limitations regarding the number of vouchers that can be issued and where they can be used. Again, this is a temporary suspension, to be in effect for 6 months upon enactment, which reflects the need for timeliness and efficiency in securing housing for rural families under RHS programs.

Finally, this legislation amends the single family housing guaranteed loan program by expanding refinancing to include loans for housing repair and rehabilitation. Currently, repair and rehabilitation costs cannot be financed from refinanced guaranteed loans. This legislation will also allow refinancing of loans from borrowers who are not currently in the USDA single family housing program.

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While these authority changes to the single-family housing program are not limited to disaster situations, they will be very helpful in assisting families affected by Hurricanes Katrina and Rita.

H.R. 3895 will help ensure that housing assistance continues to be available to those of the neediest individuals and families in the rural gulf region, who have already suffered greatly in the aftermath of the hurricanes.

I urge my colleagues to support this legislation, and, Madam Speaker, point out that the committee, once again, has worked effectively through these issues, these three suspension calendar votes, in anticipation, as the gentleman from Louisiana pointed out, and my friend from Massachusetts mentioned, with a goal of looking at a long-term solution to this problem that is one that will not go away and will be over a period of years, as the gentleman from Louisiana pointed out.

I want to say to the members of the committee and to the House that this committee stands ready to do what is necessary to bring relief to those regions in a fiscally responsible manner. I have every reason to think we will do exactly that.

Mr. FRANK of Massachusetts. Madam Speaker, I yield 4 minutes to the gentlewoman from California (Ms. LEE), a member of the committee.

Ms. LEE. Madam Speaker, let me thank our ranking member for yielding. Also I want to thank the ranking member on the Housing Subcommittee for her leadership and for really trying to make sure that these bills before us today have bipartisan support and have become better bills as they move through this process.

People displaced by this horrible disaster deserve clean, safe and decent housing. They should be provided with the opportunity to return home as quickly and as safely as possible. Yet, I do not believe these bills accomplish this goal.

HUD has not received, first of all, nearly enough authority or funding to do what is necessary to provide for the Katrina survivors. First, nowhere do we acknowledge the inadequate response to date of the administration or the Department of Housing and Urban Development to the housing crisis in the gulf.

Secondly, there is no additional funding in any of these bills for the CDBG or emergency housing vouchers for families affected by Hurricane Katrina. There is not enough money at HUD, and we should not redirect funding that is already inadequate in one account, to move it to another account. Indeed, we need more resources to accomplish what we need to accomplish. The bottom line is, there needs to be new money for housing, and we need it now.

Finally, there is not enough thought given to prohibiting the use of substandard housing for Katrina survivors or for the creation of affordable housing construction programs for new, safe and affordable housing. Although these bills waive the pre-inspection process for about 6 months for Katrina survivors in terms of their housing needs, I really worry that people will find themselves living in substandard and dilapidated housing if we do not monitor this very closely.

What I find also very striking about these bills is that there are no measures to ensure that Katrina survivors can return to the gulf region without fear of housing discrimination from landlords or lenders. There are some serious housing policy issues at stake in these bills. There should be more opportunity for debate and thoughtful legislation.

Madam Speaker, the reality is, these bills do very little for the people who are relying on us to help. Having traveled to Houston and having talked to Katrina survivors; I went to the shelters, like many, and I have heard firsthand the needs and seen firsthand their pain. I know very well that housing, providing affordable decent safe housing, is very central to their recovery.

When I think about how much Katrina survivors have lost, compared to what this administration is willing to sacrifice in their misguided budget priorities, it falls way short, I am sorry to say, of what we should be doing. We need to provide housing bills that create new funding for emergency, flexible, section 8 vouchers. We need to increase the funding and authority of HUD to truly help Katrina survivors and also to take steps to eradicate poverty. Effective housing strategies with full funding would help to begin to address these underlying systemic issues which surface during this tragedy.

I would like to thank our housing leaders again, Congressman BARNEY FRANK and Congresswoman MAXINE WATERS, for attempting to make these bills better. I welcome the opportunity to continue to work with my colleagues to authorize and to fund significant Katrina housing legislation in the near future.

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

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Louisiana (Mr. BAKER) that the House suspend the rules and pass the bill, H.R. 3895, as amended.

The question was taken.

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

Mr. FRANK of Massachusetts. 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.

GENERAL LEAVE

Mr. BAKER. 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. 3895.

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

There was no objection.

HURRICANE KATRINA EMERGENCY RELIEF CDBG FLEXIBILITY ACT OF 2005

Mr. BAKER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3896) to temporarily suspend, for communities affected by Hurricane Katrina, certain requirements under the community development block grant program, as amended.

The Clerk read as follows:

H.R. 3896

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 ''Hurricane Katrina Emergency Relief CDBG Flexibility Act of 2005''.

SEC. 2. SUSPENSION OF PUBLIC SERVICES CAP.

(a) UNITS OF GENERAL LOCAL GOVERNMENT AND INDIAN TRIBES.—

(1) SUSPENSION FOR DIRECTLY AFFECTED COMMUNITIES.—The percentage limitations under paragraph (8) of section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(8)) on the amount of assistance under title I of such Act that may be used for the provision of public services by a unit of general local government or Indian tribe that is, or is within, a directly affected community (as such term is defined in section 4 of this Act) shall not apply with respect to any of fiscal years 2005 through 2008 for such unit of general local government or Indian tribe.

(2) AUTHORITY TO SUSPEND FOR INDIRECTLY AFFECTED COMMUNITIES.—For any indirectly affected community (as such term is defined in section 4 of this Act), the Secretary may waive the applicability, for such period during the fiscal years referred to in paragraph (1) as the Secretary considers appropriate, of the percentage limitations under paragraph (8) of section 105(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(8)) on the amount of assistance under title I of such Act that may be used for the provision of public services by a unit of general local government or Indian tribe that is, or is within, such indirectly affected community. In determining the period for which to waive such limitations, the Secretary shall take into consideration the specific economic circumstances of each such indirectly affected community.

(b) NONENTITLEMENT COMMUNITIES.—Assistance provided under title I of the Housing and Community Development Act of 1974 may be used for the provision of public services in any directly affected community (as such term is defined in section 4 of this Act) without regard to the percentage limitations under paragraph (8) of section 105(a) of such Act (42 U.S.C. 5305(a)(8)) on the amount of assistance that may be used statewide in nonentitlement communities for such activities and any such amounts so used in any directly affected community shall not be considered for purposes of such statewide limitations.

SEC. 3. SUSPENSION OF PUBLIC HEARING REQUIREMENT.

(a) IN GENERAL.—The Secretary shall, with respect to a grant under section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306) for fiscal year 2006 for any unit of general local government or Indian tribe that is, or is located in, a directly affected community, waive or specify alternative requirements for the public hearing requirements specified under subsection (b).

(b) PUBLIC HEARING REQUIREMENTS.—The public hearing requirements specified under this subsection are—

(1) the requirement under section 104(a)(2)(C) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(a)(2)(C)) to hold public hearings;

(2) the requirements under subparagraphs (D) and (F) of section 104(a)(3) of such Act to make certifications in the detailed citizenship participation plan regarding public hearings; and

(3) any requirement pursuant to section 106(d)(7)(C) of such Act (42 U.S.C. 5306(d)(7)(C)) to hold public hearings.

SEC. 4. DEFINITIONS.

For purposes of this Act, the following definitions shall apply:

(1) DIRECTLY AFFECTED COMMUNITY.—The term ''directly affected community'' means a unit of general local government or area for which the President has declared a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina or Hurricane Rita.

(2) INDIRECTLY AFFECTED COMMUNITY.—The term ''indirectly affected community'' means a unit of general local government or area that—

(A) is a metropolitan city, urban county, or Indian tribe (as such terms are defined in section 102(a) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(a));

(B) is not, and is not within, a directly affected community; and

(C) is determined by the Secretary of Housing and Urban Development to have been significantly affected economically by the occurrence of Hurricane Katrina or Hurricane Rita (including economic effects from the presence of persons evacuated from an area for which the President has declared a major disaster in connection with Hurricane Katrina or Hurricane Rita).

(3) SECRETARY.—The term ''Secretary'' means the Secretary of Housing and Urban Development.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BAKER) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. BAKER).

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

Madam Speaker, today I rise in support of H.R. 3896, the Hurricane Katrina Emergency Relief CDBG Flexibility Act of 2005. Many local officials are quite familiar with the provisions of the CDBG block grant program, which enables local communities to meet needs at their discretion. Within the body of the existing rules that govern the applicability of these funds, however, there is a provision that restrains the utilization of money for certain purposes to no more than 15 percent of the total funds made available.

For example, the prohibited areas are limited areas and are known as public services, would include activities such as crime prevention. If a community wished to spend more than 15 percent of its block grant on crime-related services, it would be prohibited from doing so now under the current rule.

Further defined under the definition of public services are homebuyer down payment assistance, fair housing counseling, health services and child care. So in the affected area of the Katrina disaster, if a community wished to help individuals get access to homeownership with a homebuyer down payment assistance program, they would be limited in the scope of those funds to only 15 percent being made available for that activity.

This bill merely lifts temporarily that 15 percent limitation on CDBG block grants.

I think it is a very good way to provide needed resources within local communities to meet the needs as they best see them. Of course, the grant is still subject to all the normal review and processes, so there is accountability for utilization, but it simply creates more flexibility within local governments to meet the needs of the communities as a result of these dire circumstances.

Madam Speaker, I reserve the balance of my time.

Ms. WATERS. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, today we stand here in the aftermath of Hurricane Katrina, considering uses for the community development block grant to address the housing and infrastructure crisis wrought upon us by Hurricane Katrina and Hurricane Rita. Madam Speaker, it is ironic because it was not more than a few months ago that I stood with my colleagues, opposed to the administration's attempt to block grant CDBG to the States and to move CDBG and 17 other programs to the Commerce Department. I am so pleased that did not happen.

Today, based upon the proven merits of this program, based on the effectiveness and consistency of a statutory mission, based on the need to quickly and effectively provide relief, the administration is now looking to CDBG, and I support that. H.R. 3896 attempts to make two major temporary changes to the community development block grant. H.R. 3896 seeks to weigh the public services cap, which is currently set at 15 percent, and which I support, that is, with a caveat, and H.R. 3896 seeks to waive the requirement for public hearings concerning the use of CDBG funds, and I am concerned about that.

Madam Speaker, at the core of CDBG is its original statutory goal to develop viable urban communities by providing decent housing and suitable living environments and the expansion of economic opportunities, principally for persons of low and moderate income.

When I traveled to Baton Rouge and New Orleans, I toured the devastation, the homelessness and the desperation that had been created by this disaster. This hurricane certainly exacerbated the poverty and lack of education, lack of economic opportunity that has plagued New Orleans and surrounding areas throughout the gulf, specifically the African-American population.

This hurricane has shown a virtual spotlight on problems that are emblematic of inner cities all across this country. I spoke to people about their needs and their hopes for their immediate future. The one thing that was consistent, the one thing that was unchanging, was the determination of people to return home.

Madam Speaker, community development block grant is a proven program that provides critical infrastructure resources, and it is a program that can help Katrina victims in their stated goal of returning home. CDBG is one of the best mechanisms that we can employ to help in the reconstruction of the gulf region, because it puts money in the hands of the community and the city government, and they know what to do with it. Furthermore, it is directed to rebuild critical infrastructure, which is a step or step one in reestablishing community. But, again, that amounts at best to flexibility and at worse a little more than a legislative process, exercise.

H.R. 3896 provides no additional resources to the directly affected areas. Rather, this bill simply creates programmatic waivers which will allow flexibility but not expansion.

Let me just say this: We all agree at this critical moment that CDBG is a great program. Many of us have thought to expand CDBG, because it is such a great program. This program helps large cities, small towns, communities, not only to repair its infrastructure but to provide services that cannot be provided in any other way because there are no other resources to provide these services.

My colleague from Louisiana just identified a number of those services, helping people with down payment, helping with child care, helping with other programs. I would have hoped that we could have expanded this program. We could deal with the identified needs, not only of New Orleans but the other parishes and the surrounding communities and with Mississippi, Gulfport, and Alabama, but because CDBG is proven to be able to help move whole cities and communities from communities and cities where they have disproportionate poverty that they have no resources to deal with.

I am pleased that we have it here today so that we can lift the cap, and they will have a little bit more flexibility. Ladies and gentlemen, I want this to be a lesson for us, a lesson for us all, that we should not only fight to maintain CDBG in HUD and not transfer it out to Department of Commerce, where we would get people who do not know what to do with it, do not know how to administer it and would only mess it up; but that we would expand it

so that we would have the resources to deal with housing crises, because this is a great program to deal with housing needs in every city and every town across this country that is eligible for it.

□ 1615

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. FRANK), our ranking member, to further support CDBG.

Mr. FRANK of Massachusetts. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, once again, this is a bill that is broadly, probably unanimously, supported, or overwhelmingly; and it reflects a good deal of conversation. We appreciate the willingness of the Members on the majority side to come together. Obviously, there continue to be some differences between us on some policy issues; but in terms of responding to this emergency, those are not things that should get in the way. I think both sides showed a spirit of cooperation. The majority was very helpful, and we have legislation that can be widely supported.

But, once again, the problem is what it does is good, but what it does not do is not so good. In particular in this case we ought to be substantially increasing the CDBG funding. Now, we are not the Committee on Appropriations. We do have an authorizing power.

Giving the people the ability to spend on more things but not more money is better than nothing, but not nearly good enough. CDBG needs the kinds of things that CDBG does, both for the larger communities of 50,000 or more, called ''entitlement cities,'' but also what we should be doing here is providing to the Governors of the affected States funding which they could use in their CDBG programming, because they get one-third of it, for those communities that are in areas of less than 50,000 population, that is, they are the Small Communities Program, and we should be increasing the funding there. I hope at an appropriate time we will do that, because these communities are going to need a great deal of help.

The CDBG program is one of the logical ways to do it. We know how to spend here. It is a program which has had virtually no scandal, to my knowledge. It is a program which works well, and simply expanding this existing funding mechanism would be one very good way to get money to people very quickly in ways they know how to spend.

But I also should note, as the gentlewoman from California noted, I guess in some ways those of us who have been advocates of an active government role in the housing and community development areas can feel somewhat more supported today than we often are on this floor, because we have now had three bills in a row which take advantage of the existence of federally funded programs which have a lot of critics around here.

We have had proposals from the administration this year, from HUD, to dismantle in their existing form both the voucher program and the CDBG program. There was a proposal to block grant the voucher program. Block granting, by the way is what people do to programs they do not like. I have been here a long time. Nobody in my memory has ever proposed block granting a Federal program which he or she supported.

What we had basically was an effort to cut back on the voucher program. What we are doing now is taking the concept of the voucher program and greatly expanding it, through FEMA funding; but, yes, it is a voucher program that has not only proven its worth but is a lifeline at a time when we need one. It would have been a bad thing if we would have had to invent such a program right now because of all the startup problems you would have.

Similarly, as the gentlewoman from California pointed out, this administration proposed the most hair-brained reorganization of the Community Development Block Grant program imaginable. They took the Community Development Block Grant, which aids communities, they took the Community Services Block Grant, which deals with poverty, they took the Community Development Financial Institutions, which deals with economic development in cities, and decided to put them all in the Commerce Department.

CDBG and CSBG have a particular impact on poverty. I think what happened was they had a contest over there in the administration, maybe one of those lotteries they have when they try to help 1 percent of the people that need housing, and they decided to find the Federal Department that had the least orientation towards helping poor people, so they could take these programs that help poor people and give it to that Department.

So we took it out of HUD, and we took it out of the Health and Human Services Department, and they took programs out of Labor, and they sent them to the Department of Commerce, I think on the grounds that the Department of Commerce really did not know enough about poverty, and this is a way for them to learn. I am all for educating people, but not by giving them Federal programs as their blocks.

So what we have today is an affirmation in this bill of the importance of the Community Development Block Grant program as a proven mechanism for getting aid out.

Again, I want to say, and I suppose this will cause a little friction, maybe some people will have to disassociate themselves, but I do appreciate the difference between the members of our committee on the majority side in their approach to these things and the administration. Unlike the administration, which had as its intention dismantling these things, and we, I think were not going to act on that, we are here trying to build on them.

Of course, there is always room for improvement. We have been having some conversations about how to improve the voucher program, how to streamline it, how to make it more efficient. But substantially diminishing it would have been a mistake. So I am very pleased.

Of course, that was also the case with rural housing, because one of the things I hope we will do in the near future, in the next few months, this year or next year, is to go to the rural housing program and take some steps that will preserve that as a source of affordable housing.

There are trends and various complications that we do not need to go into here now, which, if not confronted, we could lose that housing. So we have a recognition today of the importance of the concept of the voucher program. We have a recognition of the importance of the Community Development Block Grant mechanism in delivering services with Federal funding. We have a recognition of the importance of preserving and using that rural housing stock. I hope all of those will go forward.

Finally, Mr. Speaker, I do want to repeat again, these steps are useful. They leave us with a lot to do. The problem is that the Bush administration at this point has zero proposals that will respond to the longer-term needs of these affected communities. I am told these proposals are coming, and I do not doubt some of my colleagues will be coming forward with them.

But we did have a speech from the President of the United States in which he outlined his plans; and the one I looked at very closely was his housing plan, his housing plan consisting of an effort to find existing Federal properties that the Federal Government does not want or need and have a lottery, so a very small percentage, 1 or 2 percent of the people in need, can get Federal property and zero dollars from any source that we control to help make them into housing. And that, let us be clear, that is the sum total of the President's proposal for the longer term. It is wholly inadequate.

We have made a step here today. I look forward to our being back on this floor in coming months to talk about a broader set of proposals for community development, for housing and for other things; and I hope at the time we will keep in mind the importance of building on and improving these existing programs and continue to reject the kind of radical dismantling that the administration has proposed, and instead to try and have their return to the 19th century with the concept of homesteading, which is inappropriate, inadequate, and ill thought out.

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

Mr. Speaker, I want to make a brief comment, but a heartfelt comment, about my appreciation to the gentleman from Ohio (Mr. OXLEY), the gentleman from Ohio (Mr. NEY), the

gentleman from Massachusetts (Mr. FRANK), and the gentlewoman from California (Ms. WATERS) as to the true bipartisan manner in which these matters have been debated, considered, and supported.

I also want to make known that the administration has exhibited great concern, the President visiting the affected areas now many times, the various agency Secretaries, an innumerable number of Federal employees, occupying one of the former largest department stores in our community in an operations center that we have never seen anything like before. Although inefficient at times, never meeting anyone's expectations appropriately, many people, volunteers as well as paid employees, have spent now countless hours on the ground in all of the communities that are affected.

It is indeed a disaster beyond one's comprehension, and the remedies offered will take considerable time. There is no magic wand in any Department of the government, State, Federal or local, one can wave and make the hurt go away. This is going to take a decade, if not longer. Restoration of the levees to a category 5 integrity, environmental remediation to remove the siltation that was deposited, restoration of bridges and structures to provide people merely access to the communities in which they once resided, restoration of employer opportunities so people can have jobs, and schools need to be built so kids can get an education, fire stations and police stations must be built to provide for civil order, this is no small task.

So I say to my colleagues in the United States House, I am deeply appreciative of your kind expressions of concern and offers of assistance. In fact, one of the barriers to speeding up assistance, I wanted, along with Chairman NEY, to create a House Intranet, just for House Members. I had Members who went to FEMA with resources they wanted to volunteer to give to us in our communities, and they could not get through the regulatory processes to do it in any reasonable time.

I am now told if I were to propose, which I intend to do, the establishment of a Web page on the official services of the House on which Members could voluntarily list assets which they would make available to communities to be used freely for restoration of services in small towns across the gulf coast, that would be a violation of House ethics, using official resources for a charitable solicitation.

I am asking Members to join on to a letter asking that the rules be waived or, if necessary, an act be passed on this House floor, to allow those Members who have come up to me and said, I would like to offer this, to be able to offer that to the mayors, police systems and those affected across the stricken region.

My point is there is great empathy here in this body when disaster strikes this country. I am very appreciative of that. I merely ask going forward that we continue to work in a bipartisan manner as we propose remedies coming from those in the affected communities that we believe appropriate and responsible.

I do not wish to leave this day without expressing the view held by all members of the Louisiana House delegation: we understand this is United States taxpayers' money. We understand there are people in jobs across this country working to pay their bills; and we are asking, through you, to take their money and give it to us. Certainly we have need, but we also understand there should be accountability. It should be transparent, and any abusive practice should be held accountable; and people who take advantage of this circumstance should be held to the measure of conduct that is appropriate.

So I say to my Members of the House, continue to work with us. We understand your obligation to protect the public trust, but we have to balance that with the needs of people who are now the victims of the greatest natural disaster in our Nation's history. I assure you, we will do our part. We will introduce a bill to provide for permanent resolution of our housing disaster, and I hope you will give it the care and concern you have demonstrated today.

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

Mr. Speaker, I would like to say to my colleague on the opposite side of the aisle, the gentleman from Louisiana (Mr. BAKER), that I agree with him that there should be a mechanism by which people who have goods and services to donate to these small towns and these parishes, there should be a way by which they should be able to do that; and I would support such an effort. Because as I traveled throughout my community, in the churches where we talked about this disaster, I had many of the parishioners say to me that they owned land in Louisiana or in Texas and they would like to donate their land for the siting of manufactured housing or even for RVs or something of that nature. They were not sure, but they knew they wanted to put the land to use for the victims of the hurricane. So I think we should find a way by which to do that.

In addition, CDBG is such a good program that I could not help but wonder as I sat here whether or not some of the money that may not be well spent in FEMA should be transferred in some way over to CDBG. Because, again, I wonder about those persons who lost their homes and all of their furnishings and they have no flood insurance. They will receive FEMA assistance of $26,000, some of which will go toward rent, and then it will run out, but the house is still left there, to be rehabilitated if it can be, or to be rebuilt and furnishings need to be purchased, et cetera, et cetera. It seems to me that CDBG would be a wonderful way by which to do rehabbing of housing and reestablishing of housing and homes.

□ 1630

I am just wondering aloud and hopeful that we will all give it some very, very deep thought, about how we can truly be of assistance to these victims long after the FEMA assistance is no longer operative or the Red Cross assistance is no longer operative.

Mr. OXLEY. Mr. Speaker, today I rise in support of H.R. 3896, the Hurricane Katrina Emergency Relief CDBG Flexibility Act of 2005. This legislation would temporarily remove the public services cap on a locality's Community Development Block Grant, CDBG, funds and would waive the program's public hearing requirement for Hurricanes Katrina and Rita affected areas.

In the aftermath of Hurricanes Katrina and Rita, the Federal and local governments now face the Herculean task of coordinating the relocation of thousands upon thousands of individuals and families whose lives have been torn apart by devastation and rising flood waters.

This bill would allow communities affected by Hurricanes Katrina and Rita to receive grants under the CDBG program in an expedited fashion. First, temporarily removing the public services cap would give affected communities flexibility in applying grant funds to hurricane affected areas. Second, although the community participation provision is an important part of the CDBG program, it is not currently feasible for affected localities to hold a public hearing. In the interest of time, temporarily removing the public hearing requirement would allow funding to be dispersed more efficiently so that affected communities may begin the rebuilding process.

In times like these, it is more important than ever for Americans to stand united in helping our fellow citizens. The House of Representatives will continue to stand with the people of the gulf coast throughout this effort, and we encourage Americans who want to help to contact charitable organizations in their area. America has overcome challenges in the past. As members of the House and specifically the Financial Services Committee, we are prepared to roll up our sleeves and do the hard work to overcome this tragedy. Giving communities easier access to their CDBG dollars is just one step in the process of helping those who have been affected by Katrina and Rita's waters.

I would like to thank Housing Subcommittee Chairman BOB NEY for his expeditious work in sending this bill to the floor. I would also like to thank Chairman RICHARD BAKER, Congressman BARNEY FRANK, and Congresswoman MAXINE WATERS for their bipartisan support in moving this bill.

I urge my colleagues to support this piece of legislation.

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

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

The SPEAKER pro tempore (Mr. SIMMONS). The question is on the motion offered by the gentleman from Louisiana (Mr. BAKER) that the House suspend the rules and pass the bill, H.R. 3896, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of

those present have voted in the affirmative.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

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

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

There was no objection.

HONORING THE LIFE AND WORK OF SIMON WIESENTHAL

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 248) honoring the life and work of Simon Wiesenthal and reaffirming the commitment of Congress to the fight against anti-Semitism and intolerance in all forms, in all forums, and in all nations, as amended.

The Clerk read as follows:

H. CON. RES. 248

Whereas Simon Wiesenthal, who was known as the ''conscience of the Holocaust'', was born on December 31, 1908, in Buczacz, Austria-Hungary, and died in Vienna, Austria, on September 20, 2005, and he dedicated the last 60 years of his life to the pursuit of justice for the victims of the Holocaust;

Whereas, during World War II, Simon Wiesenthal worked with the Polish underground and was interned in 12 different concentration camps until his liberation by the United States Army in 1945 from the Mauthausen camp;

Whereas, after the war, Simon Wiesenthal worked for the War Crimes Section of the United States Army gathering documentation to be used in prosecuting the Nuremberg trials;

Whereas Simon Wiesenthal's investigative work and expansive research was instrumental in the capture and conviction of more than 1,000 Nazi war criminals, including Adolf Eichmann, the architect of the Nazi plan to annihilate European Jewry, and Karl Silberbauer, the Gestapo officer responsible for the arrest and deportation of Anne Frank;

Whereas numerous honors and awards were bestowed upon Simon Wiesenthal, including the Congressional Gold Medal, honorary British Knighthood, the Dutch Freedom Medal, the French Legion of Honor, the World Tolerance Award, and the Jerusalem Medal;

Whereas the Simon Wiesenthal Center was founded in 1977 in Los Angeles and named in honor of Simon Wiesenthal to promote awareness of anti-Semitism, monitor neo-Nazi and other extremist groups, and help bring surviving Nazi war criminals to justice;

Whereas, in 1978, inspired in part by the work of Simon Wiesenthal, the Congress enacted a law to deny citizenship and Federal benefits to former Nazis, and the Office of Special Investigations of the Department of Justice has since conducted more than 1,500 investigations, won 101 cases, and blocked the immigration of 170 individuals, and the work of the Office continues;

Whereas, in keeping with the efforts of Simon Wiesenthal, many governments have responded to the growing tide of anti-Semitism worldwide, elected leaders have spoken out against anti-Semitism, and law enforcement officials and prosecutors have aggressively pursed the perpetrators of anti-Semitic acts; and

Whereas Simon Wiesenthal's legacy teaches that the perpetrators of genocide cannot and will not be allowed to hide from their crimes: Now, therefore, be it

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

(1) honors the life and work of Simon Wiesenthal to memorialize the victims of the Holocaust and to bring the perpetrators of crimes against humanity to justice;

(2) reaffirms its commitment to the fight against anti-Semitism and intolerance in all forms, in all forums, and in all nations; and

(3) urges all members of the international community to facilitate the investigation and prosecution of surviving Nazi war criminals and to continue documenting and collecting information on Nazi war crimes for archival and historical purposes.

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

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a cosponsor of H. Con. Res. 248, I am very pleased to bring this timely resolution before the House today. I thank the sponsor of the resolution, the gentleman from California (Mr. WAXMAN) and the leadership of the gentleman from Illinois (Chairman HYDE) of the Committee on International Relations, as well as the gentleman from California (Mr. LANTOS), a Holocaust survivor himself, for crafting this measure in honor of an extraordinary man who has passed from our midst, Simon Wiesenthal.

Known as the ''Conscience of the Holocaust,'' Mr. Wiesenthal deserves recognition and the deepest respect by the Congress of the United States.

Simon Wiesenthal died at the age of 97 in Vienna, Austria on September 20, 2005. A Ukrainian architect and civil engineer by training, he survived five Nazi death camps during World War II. Yet, he lost a staggering 89 relatives in the Holocaust.

Mr. Wiesenthal lived by his own words. ''There is no freedom without justice,'' he would say. Living in Europe, almost literally among the ashes of the 6 million victims of the Holocaust, he began the tedious work of tracing and tracking war criminals who had been overlooked by the first waves of prosecutions by the allies and the new European governments. He worked meticulously and judiciously, sticking to the evidence at hand and avoiding any sensationalism. This occasionally brought him in conflict with others, but that was his way.

The killers who managed Hitler's factories of death could never rest. Simon Wiesenthal was tireless in his pursuit of them. His dedication and dogged determination was instrumental in the capture and conviction of Adolf Eichmann, the architect of the Nazi plan to annihilate European Jewry, as well as Karl Silberbauer, the Gestapo officer who committed many heinous crimes including the arrest of Anne Frank.

While many Nazis eluded immediate justice at the end of World War II, many did not escape it forever, thanks to Simon Wiesenthal. Today, as we fight anti-Semitism across the OSCE region, Europe and the Middle East and in Asia, we remember his legacy and act on the lessons of the Holocaust. His noble work was fueled by a passion for justice that has and will inspire others.

In the United States, his example and inspiration led to the establishment of the Office of Special Investigations which allowed war criminals who found their way to our shores to be brought to justice.

As noted in the resolution, Mr. Speaker, the Simon Wiesenthal Center, which has offices in L.A., Paris, New York, Toronto, Miami, Jerusalem and Buenos Aires, which has become a leading institution in advocating both remembrance and tolerance so as to help prevent future genocides, was named in his honor. The Simon Wiesenthal Center in Paris, I would point out to my colleagues, testified at two Helsinki hearings that I chaired, and we inducted Shimon Samuels, who provided expert testimony on the deterioration of respect for Jews in Europe, the United States and Canada. Also, I would point out to my colleagues that the dean of the Simon Wiesenthal Center participated this past June in the U.S. delegation to the Cordoba OSCE Conference on Anti-Semitism and Other Forms of Intolerance.

Mr. Speaker, Congress honored Simon Wiesenthal with a Gold Medal, and he won countless other forms of recognition from grateful individuals in governments from around the world.

Simon Wiesenthal confronted humanity with the truth about those who masterminded and carried out the Holocaust. As a testament to the memory of the millions of victims, he gave meaning to the words ''never again'' by helping us to learn from the lessons of the past. Now that he has passed away, we must resolve to continue his work, as is urged upon us in this resolution, and I urge all of my colleagues to support this very important resolution.

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

Mr. LANTOS. Mr. Speaker, I rise in strong support of H. Con. Res. 248, a resolution honoring the life and courageous work of my friend, Simon Wiesenthal, and I yield myself such time as I may consume.

Mr. Speaker, I want to commend my colleague from California (Mr. WAXMAN) for introducing this resolution,

the gentleman from Illinois (Mr. HYDE) for his support in bringing it to the floor so quickly, and I want to express a special thanks to my good friend from New Jersey (Mr. SMITH) who has been an indefatigable fighter for all the causes that Simon Wiesenthal fought for and fighting against the monstrous hatred to which Simon Wiesenthal dedicated his life against.

Mr. Speaker, when Simon Wiesenthal died on September 20, the world lost one of its great heroes of the last century. He was the conscience of the Holocaust who labored heroically for decades to make certain that history will not forget that nightmare, nor let its perpetrators escape justice. He did this, as he said, not just for the Holocaust victims like himself, but for his grandchildren, because if one generation's criminals go unpunished, their descendents will conclude that they too can literally get away with murder.

Simon was a personal friend of mine who inspired my wife Annette who, like me, is also a Holocaust survivor, in her efforts on behalf of another giant of righteousness and decency, Raoul Wallenberg, the Swedish diplomat who saved the lives of tens of thousands of Hungarian Jews during the Nazi era.

Wallenberg disappeared after the Soviet Army seized Hungary in 1945. Over 30 years later, it was Simon Wiesenthal who announced at a press conference in 1977 that Wallenberg was alive and imprisoned in Siberia. That announcement reenergized my wife Annette to intensify her search for Wallenberg and to obtain his release.

Mr. Speaker, Simon Wiesenthal was a survivor who lived through numerous cruel, forced marches and imprisonment in many concentration camps. As all who experienced that unimaginable nightmare, he was deeply changed by the experience of the Holocaust.

When American forces liberated this emaciated young man from the Mauthausen concentration camp in Austria, he weighed a little over 90 pounds.

Rather than continue with his prewar profession of architecture, Wiesenthal made it his life's work to pursue justice for victims who could not do this for themselves. Through his untiring efforts, some 1,100 Nazi war criminals were tracked down and brought to justice. Some of these represented the holocaust's most egregious and monstrous perpetrators. They include Karl Silberbauer, the Gestapo officer who arrested and sent to her death young Anne Frank of Amsterdam; Franz Stangl, the vicious and brutal commandant of the Sobibor and Treblinka death camps; and perhaps the most notorious of all, Adolf Eichmann, the Nazi SS commander who was the person primarily responsible for formulating and carrying out Hitler's ''final solution'' for the Jewish people. It was Eichmann who arrived in Budapest in July of 1944 to eliminate the Jewish population of Hungary, and he succeeded in large measure.

Wiesenthal's tireless work as a Nazi hunter was undertaken to demonstrate that those who commit crimes against humanity will face justice. He preached vigilance so that never again would the world witness the tragedy of the Holocaust and be complicit through inaction.

Wiesenthal helped in the establishment of two important institutions. First, in 1947, he founded the Jewish Documentation Center in Linz, Austria, from which he conducted his own relentless search for perpetrators of Nazi crimes against humanity; and then in 1977, he gave inspiration to the Simon Wiesenthal Center, a Holocaust memorial foundation that established the Museum of Tolerance in Los Angeles. That museum focuses its work on the prosecution of Nazi war criminals, the commemoration of the events of the Holocaust, teaching tolerance of all mankind and fighting against bigotry and anti-Semitism.

Mr. Speaker, my wife Annette and I will miss our visits with Simon Wiesenthal, but he has left us with a proud legacy through his vigilance, through his bravery, through his determination and through his passionate commitment to justice.

Mr. Speaker, I urge all of my colleagues to join me in supporting this legislation today and in honoring this titan of justice who reminded us that mass murder must never go unpunished. We remember a great man who taught us that solemn commemoration is what true remembrance means.

Mr. Speaker, I am delighted to yield 3 minutes to the gentleman from California (Mr. WAXMAN), the author of this resolution.

Mr. WAXMAN. Mr. Speaker, I rise to pay tribute to Simon Wiesenthal, a tireless champion of justice for the victims of the Holocaust and for all humanity.

As a survivor of the Holocaust, Simon Wiesenthal called his life a miracle. One often wondered whether it was by strength, providence or simple luck that he survived 12 gruesome concentration camps, but when he emerged from Mauthausen, liberated by American troops, he pledged to dedicate his survival to the fight for justice for Nazi victims.

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He began with painstaking detective work in the War Crimes Section of the U.S. Army, gathering documentation to be used in the prosecution of the Nuremberg trials. His meticulous archival research became a key building block for the Yad Vashem archive in Jerusalem.

And when the Iron Curtain fell and the allied powers tired of tracking Nazi war criminals, Simon Wiesenthal pressed on. He helped locate Adolf Eichmann, the architect of the Final Solution, who was put on trial and hanged in Israel.

His efforts also led to the capture of Nazi war criminals living here in the United States. His success inspired the creation of the Office of Special Investigations at the Justice Department to seek their denaturalization and deportation.

For Mr. Wiesenthal, the pursuit of war criminals and hate groups was an integral part of Holocaust remembrance. The genocide of millions could not be mourned properly while the murderers walked free. The cry of ''never again'' could not be fulfilled if the world did not act against neo-Nazis and other extremists who continue to foment hatred and violence.

I am especially proud that my district in Los Angeles is home to the Simon Wiesenthal Center, a leading voice in Holocaust education and the fight against anti-Semitism, racism, and extremism.

With offices around the world, the Wiesenthal Center has actively worked with UNESCO and the OSCE individual nations and regional institutions to fight increasing anti-Semitism in Europe and expose hate groups on the Internet.

The center's Museum of Tolerance opened in 1993 and has welcomed over 4 million visitors to its permanent collection on the Holocaust and contemporary exhibits on Rwanda, Sudan, and the former Yugoslavia.

These programs are all part of Simon Wiesenthal's legacy as a hero to the victims of the Holocaust, the survivors, and future generations.

As we mourn his passing, let us reaffirm our commitment to honor his courage and conviction and continue his life's work.

Mr. Speaker, I rise to pay tribute to Simon Wiesenthal, a tireless champion of justice for the victims of the Holocaust and for all humanity.

As a survivor of the Holocaust, Simon Wiesenthal called his life a miracle. He often wondered whether it was by strength, Providence, or simple luck that he survived 12 gruesome concentration camps. But when he emerged from Mauthausen, liberated by American troops, he pledged to dedicate his survival to the fight for justice for Nazi victims.

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And when the Iron Curtain fell and the allied powers tired of tracking Nazi war criminals, Simon Wiesenthal pressed on. He helped locate Adolf Eichman, the architect of the ''Final Solution,'' who was put on trial and hanged in Israel. He tracked down the Gestapo officer who arrested and deported Anne Frank to prove wrong the early Holocaust deniers who claimed her story was untrue.

His efforts also led to the capture of Nazi war criminals living here in the United States. His success inspired the creation of the Office of Special Investigations at the Justice Department to seek their denaturalization and deportation.

To date, OSI has won 101 cases. Its most recent victory came in August when a U.S.

District Court in Chicago revoked the citizenship of a member of a Nazi-sponsored Ukrainian unit that decimated the Jewish community of Lvov.

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The Center's Museum of Tolerance, opened in 1993, has welcomed over 4 million visitors to its permanent collection on the Holocaust and contemporary exhibits on Rwanda, Sudan, and the former Yugoslavia.

Thousands of students, teachers, and law enforcement officers have participated in the Museum's ''Tools for Tolerance'' program to combat hate crimes, prejudice, and bias in our own communities.

These programs are all part of Simon Wiesenthal's legacy as a hero to the victims of the Holocaust, the survivors, and future generations.

As we mourn his passing, let us reaffirm our commitment to honor his courage and conviction and continue his life's work.

Mr. LANTOS. Mr. Speaker, I am delighted to yield 3 minutes to the distinguished gentleman from Maryland (Mr. CARDIN) who has been an indefatigable fighter against discrimination of all types during his entire congressional career.

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

Mr. CARDIN. Mr. Speaker, let me thank the gentleman from California (Mr. LANTOS) for being the leader in this body for us never to forget the Holocaust and the lessons of the Holocaust.

Let me thank the gentleman from New Jersey (Mr. SMITH) for his leadership on the Helsinki Commission and on the International Relations Committee and speaking up about intolerance and fighting all forms of discrimination.

I thank the gentleman from California (Mr. WAXMAN) for his leadership in bringing forward this resolution so that we can spend a few moments to commemorate the life of Simon Wiesenthal.

As has been pointed out, Simon Wiesenthal was a survivor from the Holocaust. He lost 89 relatives to the Holocaust and then decided to devote his life to bringing those responsible for the Holocaust to justice. As a result of his work, many people were brought to trial and held accountable for their roles in the Holocaust. It established a legacy that we will never allow people who are responsible for crimes against humanity to go unpunished.

Today, we have permanent centers for tolerance that Simon Wiesenthal was responsible for establishing. I have the honor of being the ranking Democrat on the Helsinki Commission. The gentleman from New Jersey (Mr. SMITH) is our chairman. We are inspired by Mr. Wiesenthal's work in our fight to end all forms of intolerance and discrimination, including anti-Semitism; and we worked with Simon Wiesenthal in mind to establish international priorities to fight anti-Semitism. Our conference in Berlin in 2004 and the OSCE's 2005 conference in Cordoba, Spain in which the Simon Wiesenthal Center was a leading participant, all this helps develop the legacy of Simon Wiesenthal.

Civilized nations must pursue all those who promote or carry out acts of anti-Semitism, intolerance, or crimes against humanity. Politicians, teachers, and community leaders have an obligation to speak out against promoters of hate. Only through our continued vigilance can we ensure justice, deter future war crimes, and send the message that political and military leaders that promote or condone acts of genocide will face prosecution to the fullest extent of the law. This is how we should remember and honor Simon Wiesenthal's legacy.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Speaker, I want to thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. WAXMAN) and particularly the gentleman from California (Mr. LANTOS).

Mr. Wiesenthal's living spirit must have soared to hear the gentleman from California (Mr. LANTOS) speak on this resolution.

Simon Wiesenthal spent most of his adult life in pursuit of justice, the justice that is achieved through accountability. And while many of us would like to believe that all people are at heart decent and God-fearing, the reality is that evil does exist among us. And it is that threat of justice being served, of people's deeds and people themselves being held accountable that in fact does deter evil, and thus is an instrument that we can use to reduce suffering and to save lives. And that is what Simon Wiesenthal's life's work was designed to do.

I would like to just use some of his own words because I think they are fitting in the context of this resolution. He said: ''I am someone who seeks justice, not revenge.'' He said: ''When history looks back, I want people to know the Nazis were not able to kill millions of people and get away with it. This is a warning for the murderers of tomorrow that they will never rest. When we cannot through some action warn the murderers of tomorrow, then millions of people will die for nothing. And when we come to the other world and meet the millions of Jews who died in the camps and they ask us what have you done, there will be many answers but I will be able to say 'I did not forget you.' ''

And just one last thing. On the Austrian policeman who was arrested for the murder of Anne Frank because of Mr. Wiesenthal's dogged determination, he said: ''My most hard work, and I am very proud of this case, was to find the man who arrested Anne Frank. The Family Frank was like 10,000 other families, but Anne Frank became a symbol of the million murdered children. And I tell it to the father of Anne Frank, the diary of his daughter had a bigger impact than the entire Nuremberg trial. Why? Because people identified with the child. This was the impact of the Holocaust. This was a family like my family, like your family and so you could understand this.''

Simon Wiesenthal was a mere mortal human being. But his legacy and his lessons should be immortal for all our sakes.

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

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just to conclude, I would especially like to thank the gentleman from California (Mr. LANTOS), as I said earlier, a Holocaust survivor himself, for his very clear and unambiguous statement in support of human rights globally, but especially as it relates to a very disturbing trend with regards to anti-Semitism, and for his eulogy today, on the floor, to his dear friend, Simon Wiesenthal.

Mr. UDALL of Colorado. Mr. Speaker, I rise today in support of House Concurrent Resolution 248, honoring the life and achievements of Mr. Simon Wiesenthal, the world's most successful Nazi-hunter and advocate for religious tolerance.

In the history of mankind, few events are as deplorable, unconscionable, and unrepeatable as the Holocaust. During this period, Nazi Germany imprisoned, enslaved, tortured, and eventually murdered 11 million Jews, Gypsies, homosexuals, political dissidents, and others. Mr. Simon Wiesenthal, a Polish Jew, was one of those individuals imprisoned by the Nazis. After being taken from his home and his wife Cyla, Wiesenthal successfully escaped one concentration camp, only to be recaptured. Suspecting his wife was dead, and thousands of people dying beside him, Wiesenthal courageously survived.

After the United States and our allies defeated the Axis Powers in World War II, many thousands of Nazis fled Germany, knowing full well that they would face justice for their unthinkable crimes if they remained. Many Nazis established new identities and lived their lives with a secret so hideous they told no one.

Upon liberation by the Allies, Wiesenthal reunited with Cyla and regained his health, and immediately dedicated his efforts to bringing Nazi war-criminals to justice. He was instrumental in aiding the U.S. Army's prosecution

of many prominent Nazi criminals at the International Military Tribunal in Nuremberg, Germany. To prosecute the countless Nazis who had evaded the law, Wiesenthal, along with several other Holocaust survivors, founded the Jewish Documentation Center in Austria to collect and prepare evidence for future trials. Over the years, Wiesenthal honed his expertise in researching, tracking, and ultimately capturing Nazi criminals scattered throughout the world so they could face trial.

Though the world community had collaborated to protect against future genocides, Wiesenthal personally strived to meet this goal. As one of the foremost speakers on the subject, he educated people around the world about the Holocaust and the prevention of genocide and intolerance. In 1977, the Simon Wiesenthal Center was established to further pursue the prosecution of hiding Nazi criminals, monitor anti-Semitism, and promote religious and racial tolerance.

On September 20, 2005, Simon Wiesenthal passed away of natural causes. He had led an extraordinary life as a Holocaust survivor, educator, political activist, and humanitarian. By the time he retired in 2003, he and his colleagues had brought over one thousand hiding Nazi war criminals to justice. For decades, these Nazis thought they were above the law and would avoid trial. Wiesenthal and others proved that no crime so horrific goes unpunished, and there is no escaping their responsibility. Wiesenthal also succeeded in keeping the memories of the Holocaust alive and teaching others to embrace diversity, so future genocides may be prevented.

Mr. Speaker, I believe that Simon Wiesenthal embodies the ideals that are so important to the United States: a commitment to justice, a common good based on tolerance, and ensuring a secure future by educating our youth. For his achievements, the United States has already awarded Wiesenthal the Presidential Medal of Freedom, the Congressional Gold Medal of Honor, and many other honors. This resolution reinforces the United States' utmost respect and admiration for Simon Wiesenthal, who bravely endured through history's darkest hour to give justice to those who perished in the Holocaust. Though Simon Wiesenthal has passed on, the United States must continue to pursue the noble endeavors he championed, and give hope to victims of injustice of the past, present, and future.

I would like to thank Representative HENRY WAXMAN for introducing this resolution. I urge my colleagues to support H. Con. Res. 248 and always remember and honor Simon Wiesenthal.

Mr. DREIER. Mr. Speaker, I rise today in strong support of H. Con. Res. 248, honoring the life of Simon Wiesenthal, and thank my good friend, the gentleman from California, Mr. WAXMAN, for authoring this important resolution. We were all saddened to hear recently that Mr. Wiesenthal passed away at the age of 96.

Mr. Wiesenthal overcame great trials to become one of the few fortunate enough to survive the slaughter of 6 million people during the Holocaust. He did not escape unscathed as, tragically, 89 members of his family perished at the hands of the Nazis.

Almost immediately upon being liberated by an American military unit on May 5, 1945, Mr. Wiesenthal dedicated his life to tracking down and bringing to justice Nazi war criminals. Initially working for the Army's Office of Strategic Services and Counter-Intelligence Corps, and later operating the Jewish Historical Documentation Center in Vienna, Mr. Wiesenthal is credited with obtaining the information necessary to apprehend more than 1,100 war criminals. As Rabbi Marvin Hier, Dean of the Simon Wiesenthal Center, described him, ''Simon Wiesenthal was the conscience of the Holocaust.''

Among the most egregious mass murderers that he helped apprehend was Adolf Eichman, who, as a member of the Gestapo, supervised the execution of the Jewish ''Final Solution.'' Mr. Wiesenthal also was responsible for aiding in the captures of Karl Silberbauer, the Gestapo officer who arrested Anne Frank; Franz Stangl, the commandant of the Treblinka and Sobibor concentration camps in Poland; and Hermine Braunsteiner, who supervised the killings of hundreds of children and who had found refuge in the United States.

Mr. Speaker, while Mr. Wiesenthal devoted the majority of his life to bringing Nazi criminals to justice, he did so not out of the need for revenge, but the need for atonement. Mr. Wiesenthal's goal was to bring these genocidal crimes out of the shadows. He felt a duty to those who had died to ensure that the memory of what had transpired would not be forgotten. He also felt a duty to teach future generations the lessons of the past so that they would not be repeated. Simon Wiesenthal Centers span the globe, and are valuable venues to teach America's youth about tolerance and understanding, as well as this important lesson: evil men can perpetuate ghastly crimes when the world chooses to permit it.

Mr. Speaker, only one who had witnessed such atrocities could shoulder the burden and carry the respect necessary to continue this quest for justice over so many decades. While Mr. Wiesenthal's friends and family sacrificed their lives in the death camps of the Nazis, Mr. Wiesenthal sacrificed his life to ensuring their memories would live forever.

In his memoirs, Mr. Wiesenthal quotes what one Nazi officer told him late in World War II, ''You would tell the truth [about the concentration camps] to the people in America. And you know what would happen, Wiesenthal? They wouldn't believe you. They'd say you were mad. Might even put you into an asylum. How can anyone believe this terrible business—unless he has lived through it?''

Mr. Speaker, Simon Wiesenthal lived through it. He made us believe it. And we will never forget it. That will be his eternal legacy.

Mr. EMANUEL. Mr. Speaker, I rise today in strong support of H. Con. Res. 248, a resolution honoring the memory and legacy of Simon Wiesenthal, a man known as the ''conscience of the Holocaust.'' Wiesenthal was relentless in the pursuit of justice for victims of the Holocaust and the eradication of anti-Semitism around the globe.

Born on New Year's Eve in 1908, Simon Wiesenthal spent the bulk of his life fighting for those who, like him, had suffered unspeakable wrongs at the hands of the Nazis and their collaborators across Europe. He was interned at the Janwska concentration camp in 1941 and survived twelve different camps until his liberation from the Mauthausen camp in 1945. From that moment until his passing on September 20, 2005, Simon Wiesenthal dedicated his life to fighting for those who perished in the Holocaust.

He was a man of indomitable spirit and courage, and even greater was his resolve after the war. Almost immediately after leaving Mauthausen, Simon Wiesenthal set out to collect and prepare evidence for the War Crimes Section of the United States Army for use in the Nuremberg trials, thus beginning his lifelong work as a Nazi hunter.

Over the past 60 years, Wiesenthal's research and investigative work led to the capture and conviction of more than 1,000 Nazi war criminals, including the infamous Adolf Eichmann. Simon Wiesenthal was the recipient of countless awards, including honorary British Knighthood, the Dutch Freedom Medal, the French Legion of Honor, the World Tolerance Award, and the Congressional Gold Medal.

When some of Wiesenthal's fellow survivors asked him why he decided to become a Nazi hunter, he looked down at the flames of the Sabbath candles from that particular Friday evening and said, ''My dear friends, do you know what I see in the glow of the candles? I see the souls of our six million brothers and sisters. And one day when our lives are over, they will come to all of us and they will ask us, what have you done? You, my dear friend, will tell them that you went into construction to build homes. And you will say you went into the jewelry business. And you became a manufacturer of clothes. But I will have the privilege of saying to them, 'I have never forgotten you.' ''

Mr. Speaker, we will never forget Simon Wiesenthal and his many years in pursuit of justice for victims of the Holocaust. I thank the gentleman from California for introducing this resolution, and I urge my colleagues to support it.

Mr. HOLT. Mr. Speaker, today we honor the life of Simon Wiesenthal, a man who dedicated his life to the search of fugitive Nazi war criminals. The ideals of truth and justice guided his effort to fight anti-Semitism and as we mourn, we are reminded of our commitment to these ideals as part of our duty to humanity. I am proud to be a cosponsor of H. Con. Res. 248, which we are considering on the floor today.

Simon Wiesenthal was born on December 31, 1908 in Buczacz, Galicia, then part of the Austro-Hungarian Empire and now part of Ukraine. He received a degree in architectural engineering in 1932 from the Technical University of Prague, and in 1936 he began working at an architectural office in Lvov; he did not, however, continue his career in architecture. Three years later, with the partition of Poland and the flood of the Red Army in Lvov, Simon Wiesenthal began losing family members to German brutality. After escaping several near-death situations himself, in 1945 Simon Wiesenthal was liberated by American forces from the concentration camp of Mauthausen in Austria.

After almost giving up, Simon Wiesenthal regained his strength and redefined his life's task as a quest for justice. He did not vow to fight for vengeance. Instead, the goal of his noble cause was to create a historical memory that would prevent any repetition of the horrible atrocities committed during the Holocaust.

He was instrumental in tracking down fugitive Nazis, and a significant component of his mission was to pressure governments around the world to continue their pursuit and persecution of war criminals. The Simon Wiesenthal

Center, an international Jewish human rights organization dedicated to preserving the memory of the Holocaust carries on his legacy.

Simon Wiesenthal was committed to the remembrance of those who he feared would be forgotten, and today we become committed to remembering him. While in Vienna in 1993, Simon Wiesenthal said, "To young people here, I am the last. I'm the one who can still speak. After me, it's history." To continue his mission, we must not forget this history. We must continue to fight for the same principles that defined Simon Wiesenthal's objective. It is troubling that even today one of the most notorious sentiments of the Second World War—anti-Semitism—has yet to be eradicated. It is our duty to combat anti-Semitism and all religious bigotry whenever and wherever it arises.

When asked why he chose to search for Nazi war criminals instead of continuing a career in architecture, Simon Wiesenthal responded: "You're a religious man. You believe in God and life after death. I also believe. When we come to the other world and meet the millions of Jews who died in the camps and they ask us, 'What have you done?' there will be many answers. You will say, 'I became a jeweler.' Another will say, 'I smuggled coffee and American cigarettes.' Still another will say, 'I built houses,' but I will say, 'I didn't forget you.'"

And today, we must unite to say that we will not forget Simon Wiesenthal and we, as strong and responsible human beings, will carry forth his mission.

Mr. SHAYS. Mr. Speaker, I strongly support H. Con. Res. 248, which honors the life of Simon Wiesenthal, and appreciate the gentleman from California, Mr. WAXMAN, for bringing this resolution to the floor.

Mr. Wiesenthal lived through one of the darkest eras of world history. Yet out of the suffering he and millions of other Jews experienced, he found purpose by dedicating the last 60 years of his life to the pursuit of justice for the victims of the Holocaust.

Simon Wiesenthal was determined to ensure that those who exacted horrific crimes on their fellow man be held accountable. If a former Nazi war criminal was not caught and brought to justice, Mr. Wiesenthal's dogged work ensured they would live their life in fear of being caught. The bottom line is war criminals should not be allowed to live out their lives with impunity and Mr. Wiesenthal worked to see this would not happen.

Simon Wiesenthal's legacy sends a message that continues to be heard around the world—perpetrators of genocide cannot and will not be allowed to hide from their crimes. His memory is forever preserved in the work of The Simon Wiesenthal Center, which was founded in 1977 to promote awareness of anti-Semitism, monitor neo-Nazi and other extremist groups, and help bring surviving Nazi war criminals to justice. The Center has done tremendous work in his name, including opening the Museum of Tolerance in Los Angeles in 1993, which has received over two million visitors, and making major contributions to the June 2005 Organization for Security and Cooperation in Europe Conference on Anti-Semitism and on Other Forms of Intolerance.

I join with all of colleagues in recognizing Simon Wiesenthal's compassionate commitment to justice and urge passage of this resolution.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and agree to the resolution, H. Con. Res. 248, as amended.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 248.

The SPEAKER pro tempore (Mr. SIMMONS). Is there objection to the request of the gentleman from New Jersey?

There was no objection.

SOCIAL SERVICES EMERGENCY RELIEF AND RECOVERY ACT OF 2005

Mr. MCCRERY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3971) to provide assistance to individuals and States affected by Hurricane Katrina.

The Clerk read as follows:

H.R. 3971

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 "Social Services Emergency Relief and Recovery Act of 2005".

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—ASSISTANCE RELATING TO UNEMPLOYMENT

Sec. 101. Special transfer in fiscal year 2006.
Sec. 102. Flexibility in unemployment compensation administration to address Hurricane Katrina.
Sec. 103. Regulations.

TITLE II—HEALTH PROVISIONS

Sec. 201. Elimination of medicare coverage of drugs used for treatment of sexual or erectile dysfunction.
Sec. 202. Elimination of medicaid coverage of drugs used for treatment of sexual or erectile dysfunction.
Sec. 203. Extension of sunset for transitional medical assistance (TMA).
Sec. 204. Extension of abstinence education program.
Sec. 205. Extension of Qualified Individual (QI) program.

TITLE III—TANF

Sec. 301. Additional funding for certain States affected by Hurricane Katrina providing emergency short term benefits to assist families evacuated within the State.

TITLE I—ASSISTANCE RELATING TO UNEMPLOYMENT

SEC. 101. SPECIAL TRANSFER IN FISCAL YEAR 2006.

Section 903 of the Social Security Act (42 U.S.C. 1103) is amended by adding at the end the following:

"Special Transfer in Fiscal Year 2006

"(e) Not later than 10 days after the date of the enactment of this subsection, the Secretary of the Treasury shall transfer from the Federal unemployment account—

"(1) $15,000,000 to the account of Alabama in the Unemployment Trust Fund;

"(2) $400,000,000 to the account of Louisiana in the Unemployment Trust Fund; and

"(3) $85,000,000 to the account of Mississippi in the Unemployment Trust Fund.".

SEC. 102. FLEXIBILITY IN UNEMPLOYMENT COMPENSATION ADMINISTRATION TO ADDRESS HURRICANE KATRINA.

Notwithstanding any provision of section 302(a) or 303(a)(8) of the Social Security Act, any State may, on or after August 28, 2005, use any amounts received by such State pursuant to title III of the Social Security Act to assist in the administration of claims for compensation on behalf of any other State if a major disaster was declared with respect to such other State or any area within such other State under the Robert T. Stafford Disaster Relief and Emergency Assistance Act by reason of Hurricane Katrina.

SEC. 103. REGULATIONS.

The Secretary of Labor may prescribe any operating instructions or regulations necessary to carry out this title and any amendment made by this title.

TITLE II—HEALTH PROVISIONS

SEC. 201. ELIMINATION OF MEDICARE COVERAGE OF DRUGS USED FOR TREATMENT OF SEXUAL OR ERECTILE DYSFUNCTION.

(a) IN GENERAL.—Section 1860D–2(e)(2)(A) of the Social Security Act (42 U.S.C. 1395w-102(e)(2)(A)) is amended—

(1) by striking the period at the end and inserting ", as such sections were in effect on the date of the enactment of this part."; and

(2) by adding at the end the following: "Such term also does not include a drug when used for the treatment of sexual or erectile dysfunction, unless such drug were used to treat a condition, other than sexual or erectile dysfunction, for which the drug has been approved by the Food and Drug Administration.".

(b) CONSTRUCTION.—Nothing in this section shall be construed as preventing a prescription drug plan or an MA–PD plan from providing coverage of drugs for the treatment of sexual or erectile dysfunction as supplemental prescription drug coverage under section 1860D–2(a)(2)(A)(ii) of the Social Security Act (42 U.S.C. 1395w-102(a)(2)(A)(ii)).

(c) EFFECTIVE DATES.—The amendment made by subsection (a)(1) shall take effect as if included in the enactment of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173) and the amendment made by subsection (a)(2) shall apply to coverage for drugs dispensed on or after January 1, 2007.

SEC. 202. ELIMINATION OF MEDICAID COVERAGE OF DRUGS USED FOR TREATMENT OF SEXUAL OR ERECTILE DYSFUNCTION.

(a) IN GENERAL.—Section 1927(d)(2) of the Social Security Act (42 U.S.C. 1396r-8(d)(2)) is

amended by adding at the end the following new subparagraph:

''(K) Agents when used for the treatment of sexual or erectile dysfunction, unless such agents are used to treat a condition, other than sexual or erectile dysfunction, for which the agents have been approved by the Food and Drug Administration.''.

(b) ELIMINATION OF FEDERAL PAYMENT UNDER MEDICAID PROGRAM.—Section 1903(i) of such Act (42 U.S.C. 1396b(i)) is amended—

(1) by striking ''or'' at the end of paragraph (19);

(2) by striking the period at the end of paragraph (20) and inserting ''; or''; and

(3) by inserting after paragraph (20) the following new paragraph:

''(21) with respect to amounts expended for covered outpatient drugs described in section 1927(d)(2)(K) (relating to drugs when used for treatment of sexual or erectile dysfunction).''.

(c) CLARIFICATION OF NO EFFECT ON DETERMINATION OF BASE EXPENDITURES.—Section 1935(c)(3)(B)(ii)(II) of such Act (42 U.S.C. 1396v(c)(3)(B)(ii)(II)) is amended by inserting '', including drugs described in subparagraph (K) of section 1927(d)(2)'' after ''1860D–2(e)''.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to drugs dispensed on or after January 1, 2006.

SEC. 203. EXTENSION OF SUNSET FOR TRANSITIONAL MEDICAL ASSISTANCE (TMA).

(a) IN GENERAL.—Section 1925(f) of the Social Security Act (42 U.S.C. 1396r-6(f)) is amended by striking ''September 30, 2003'' and inserting ''December 31, 2005''.

(b) CONFORMING AMENDMENT.—Section 1902(e)(1)(B) of such Act (42 U.S.C. 1396a(e)(1)(B)) is amended by striking ''September 30, 2003'' and inserting ''the last date (if any) on which section 1925 applies under subsection (f) of that section''.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective as of September 30, 2005.

SEC. 204. EXTENSION OF ABSTINENCE EDUCATION PROGRAM.

Activities authorized by section 510 of the Social Security Act shall continue through December 31, 2005, in the manner authorized for fiscal year 2005, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the first quarter of fiscal year 2006 at the level provided for such activities through the first quarter of fiscal year 2005.

SEC. 205. EXTENSION OF QUALIFIED INDIVIDUAL (QI) PROGRAM.

(a) THROUGH END OF 2005.—Section 1902(a)(10)(E)(iv) of the Social Security Act (42 U.S.C. 1396a(a)(10)(E)(iv)) is amended by striking ''September 2005'' and inserting ''September 2006''.

(b) EXTENDING TOTAL AMOUNT AVAILABLE FOR ALLOCATION.— Section 1933(g) of such Act (42 U.S.C. 1396u-3(g)) is amended—

(1) in paragraph (2)—

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

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

(C) by adding at the end the following new subparagraphs:

''(D) for the period that begins on October 1, 2005, and ends on December 31, 2005, the total allocation amount is $100,000,000; and

''(E) for the period that begins on January 1, 2006, and ends on September 30, 2006, the total allocation amount is $300,000,000.''; and

(2) in paragraph (3), in the matter preceding subparagraph (A), by inserting ''or (D)'' after ''subparagraph (B)''.

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective as of September 30, 2005.

TITLE III—TANF

SEC. 301. ADDITIONAL FUNDING FOR CERTAIN STATES AFFECTED BY HURRICANE KATRINA PROVIDING EMERGENCY SHORT TERM BENEFITS TO ASSIST FAMILIES EVACUATED WITHIN THE STATE.

(a) ELIGIBILITY FOR PAYMENTS FROM THE CONTINGENCY FUND.—Beginning with the date of the enactment of this Act and ending with August 31, 2006, any of the States of Louisiana, Mississippi, or Alabama shall be considered a needy State for purposes of section 403(b) of the Social Security Act if—

(1) the State includes an area for which a major disaster has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of Hurricane Katrina;

(2) a family that resided in such an area of the State before the onset of the hurricane evacuated from their place of residence (not necessarily directly) to another part of the State as a result of the hurricane;

(3) while the family was in such other part of the State as a result of the hurricane, a cash benefit under the State program funded under part A of title IV of the Social Security Act was provided to the family on a short-term, nonrecurring basis; and

(4) while the cash benefit was so provided, the State determined that the family—

(A) was not receiving a cash benefit from any program funded under such part (other than the cash benefit described in paragraph (3)); and

(B) had not received a cash benefit of any kind from any such program in the 3-month period ending with the date the cash benefit was first so provided.

(b) LIMITATION ON FUNDING.—Subject to section 403(b)(3)(C)(i) of the Social Security Act, the total amount paid under section 403(b)(3)(A) of such Act to a State which is a needy State for purposes of section 403(b) of such Act by reason of subsection (a) of this section shall not exceed the total amount of cash benefits provided as described in subsection (a)(3) of this section, to the extent that the conditions described in subsection (a)(4) of this section have been met with respect to the families involved.

(c) NO STATE MATCH REQUIRED.—Sections 403(b)(6) and 409(a)(10) of the Social Security Act shall not apply with respect to a payment made to a State by reason of this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. MCCRERY) and the gentleman from Washington (Mr. MCDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. MCCRERY).

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

I rise today in support of the Social Services Emergency Relief and Recovery Act of 2005. In part, this bill will serve as an extension to several important health care programs that already exist to assist low-income families. You will hear more about these programs from later speakers. I want to take this opportunity, though, to talk to you about another part of the bill that will offer immediate assistance to the workers that have lost their jobs due to Hurricane Katrina.

Since Hurricane Katrina roared through my home State and Mississippi and Alabama, more than 150,000 people just in Louisiana alone have filed for unemployment assistance. The infrastructure in New Orleans and surrounding areas has been severely compromised. It is not known when these workers will be able to return to work or if they will have jobs to return to. The circumstances are a little different in Mississippi and Alabama, but assistance is greatly needed in those States as well.

The Social Services Emergency Relief and Recovery Act will help provide assistance by immediately disbursing $500 million from the Unemployment Trust Funds to help these States pay regular unemployment benefits. The funds will be divided among States according to their share of expected increased unemployment benefit payments attributable to Hurricane Katrina.

Additionally, Louisiana and Mississippi may soon trigger the extended benefits program which will give workers in those States an additional 13 weeks of unemployment assistance. The money in this bill may be used by the States to help pay their half of these additional UI benefits. H.R. 3971 also includes the provision to give States flexibility in using their existing Federal unemployment administrative dollars for the purpose of helping displaced workers apply for their unemployment benefits.

Finally, we have included a provision to clarify earlier legislation that gave States flexibility with their TANF dollars. This change will ensure that disaster States may be reimbursed from the current TANF contingency fund or emergency assistance they pay to intrastate evacuees from Hurricane Katrina, just like all States may be reimbursed under the prior legislation for emergency assistance provided to interstate evacuees.

Many of my colleagues will also appreciate that this bill is fully offset and reduces, actually reduces, the deficit by about $100 million over 5 years and $1 billion over 10 years.

Mr. Speaker, the circumstances in Louisiana and Mississippi and Alabama necessitate immediate action on H.R. 3971 by the House. We need to pass this bill this afternoon so that these States and, more importantly, these workers can get relief.

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

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

Mr. Speaker, our hearts go out to the people in the Southeast. The magnitude of the destruction and distress and the dislocation of the gulf coast cries out for a national response that only the Federal Government can meet.

Instead, we continue to see missteps, mismanagement, misinformation, sort of reminiscent of the continuation of the Brown Factor.

Hurricane Katrina left hundreds of thousands of people wet, homeless, and

destitute. And the Federal response is leaving thousands more high and dry.

□ 1700

We have not provided adequate housing for the homeless, health care coverage for the sick, protection for vulnerable children, and unemployment benefits for the jobless.

This bill, in my view, is like throwing a 100-pound sandbag on a ruptured New Orleans levee. There is some relief, but it is totally inadequate.

While suggesting otherwise, this legislation provides almost no real relief to jobless disaster victims, and I must say at this point I feel for the gentleman from Louisiana (Mr. MCCRERY). I think he would like to do better, but the portions on his side are such that this is what we have.

Those who survived the natural disaster in the gulf now face a man-made disaster in the House of Representatives. There are three major problems we are ignoring.

First, over 6,000 people have already exhausted unemployment benefits in Alabama, Louisiana, and Mississippi. Another 20,000 jobless workers in these States are projected to run out of benefits by Christmas. These workers need a federally funded extension of their benefits while they put their lives back together and search for unemployment.

Secondly, Mississippi, Alabama, and Louisiana have the three lowest levels of average weekly unemployment benefits in the entire country. In all three States, the average benefit is less than $200 a week. That is $800 a month. That is about half the poverty level for a family of four. Such small amounts are difficult to defend during any period of job loss, but these paltry sums we have to remember are unconscionable when a family has lost not only their job but their home, their car, their belongings, the very fabric of their lives; and we give them 40 percent poverty and stand out here as though we are doing something.

The third is that the disaster-affected States are seeing an enormous surge in unemployment claims and bankruptcy claims. In Louisiana alone, new claims for unemployment benefits have surged 10 times above their normal levels, and State officials expect Katrina-related unemployment benefits to exceed $800 million. Now, the money is supposed to come from a State economy that has been devastated by the loss or dislocation of 70,000 businesses, many of which, they estimate less than half of those, are going to go back into business.

Under Louisiana law, once their unemployment trust fund slips below a certain level, benefits are automatically cut for jobless workers and tax increases for employers are triggered into effect. That means that people who get the unemployment benefits in Louisiana can see their benefits being slashed by as much as $37 a week. Remember, they are getting $170 a week. That is the generosity we have already given them, and it started in January. It could easily be cut another $37. That is like Rita hitting after Katrina except that we can control that. We can make it different.

We owe the people of Mississippi, Louisiana, and Alabama a full measure of national compassion.

Instead, in response to these enormous problems, the bill before us simply sends a lump sum of money that forces these hard-hit States to bear another burden. The mayor of New Orleans yesterday laid off 3,000 people. Tell me how that economy is going to come out of it.

What we are sending covers less than half the cost of regular unemployment claims caused by a disaster. There is no money at all for extending expiring benefits or to supplement the meager benefits currently available. Does anybody on this floor really believe this is the best we can do? I know the chairman does not believe that.

Ask the people in the shelters, with no place to call home. Ask Americans on any street corner in any American city. They would be embarrassed all over again if this got on the television.

Perhaps part of the reason this legislation is limited in scope is the sudden demand by the Republican majority to cut spending regardless of the need or consequences.

Fiscal offsets did not concern Republicans when they gave every millionaire a $100,000 tax break or kept charging $215 billion for the Iraq war to future generations. Nobody's talking about offsets there, but we have got to have offsets here. We cannot spend too much on these unemployed people.

But now that it comes time to meet the needs of unemployed Americans, Republicans require that an American get hurt for another American to get help.

Mr. Speaker, President Bush promised that we would do whatever it takes. It takes more than what the President's party has offered today.

People in Louisiana, Alabama, and Mississippi are waiting for the President to make good on his promise. People across the country are watching and hoping the President will say something other than, ''Brownie, you're doing a heck of a job.''

It was not so then, and it is not so now in this legislation. We can and should do better.

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

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

First, I want to thank the gentleman from Washington (Mr. MCDERMOTT) for working with me and others on not only this bill on unemployment compensation but on others that affect the disaster-stricken States. He has been very constructive with the suggestions and his comments, and I want to tell him how much I appreciate his cooperation.

I do not disagree with him entirely that this package does not meet the full needs probably of the States with respect to unemployment compensation needs and other related needs; but it is a very, very positive first step.

We can always come back later, Mr. Speaker, if we find that the needs of the States are indeed much greater than anticipated by this legislation; but what this bill does today, and I would beg the gentleman from Washington (Mr. MCDERMOTT) and my colleagues in the House not to let the perfect be the enemy of the good, this is a good bill.

This gives the States of Louisiana and Mississippi, particularly, the certainty that there are going to be Federal dollars transferred to them to help them with what they would otherwise have to pay out of their own State funds. So, essentially, we are going to be saving the States $500 million that they would have to pay out of their own State funds. That is a big deal. That is a huge help to my State of Louisiana to know that they are going to have that money from the Federal Government, and therefore, they do not have to find it from their own coffers.

If the States that are involved wanted to use that infusion of Federal money to increase their benefits temporarily, they could do that. That is within their rights. They can pass a law to change those benefits on a temporary basis if they wanted to, or a permanent basis, and use this money that is going to be sent to them from the Federal Government for that purpose.

So, again, I appreciate the constructive comments from my colleague on the Committee on Ways and Means and want to encourage him to continue to work with me and others from these affected States to help folks who were disadvantaged tremendously by the effects of the storm.

Mr. Speaker, I yield the balance of my time to the gentleman from Georgia (Mr. DEAL), a member of the Committee on Energy and Commerce, which has jurisdiction over part of this legislation; and I ask unanimous consent that he control the remainder of my time.

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

There was no objection.

Mr. DEAL of Georgia. Mr. Speaker, I yield 5 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), a member of the Committee on Ways and Means.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I was an early and fervent supporter of providing health benefits to families on welfare as they made the difficult transition to work, often to entry-level jobs not providing basic care for their children.

So I appreciate the need for this bill for welfare recipients and for premium subsidies for our elderly and disabled citizens on very low incomes, but I do strongly object to the way these benefits are paid for in this bill. I regret

that offsets I suggested were not adopted instead of this flat ban on ED drugs.

Getting Congress involved in medical treatment decisions by limiting the availability of any category of prescription drugs sets a terrible precedent.

Congress has repeatedly recognized that we should not be in the business of developing or defining formularies. Congress tasked the United States Pharmacopoeia with developing the categories and classes of drugs to be covered by the new prescription drug plans, and we specifically tasked the P&T committees in every Medicare drug plan offered to our seniors and disabled citizens with the responsibility of assuring that the formularies were medically correct and not politically correct.

Furthermore, Medicare and Medicaid prescription drug plans have a number of tools at their disposal to ensure that ED drugs are not abused and could be covered only when prescribed for medically appropriate care.

Further, since they are not sold over the counter and must be prescribed by a physician, control is not difficult. Medicare covers many benefits in some situations and not others, and ED drugs would only be another such benefit. As for sex offenders, cross-checking with publicly available lists of these offenders is not difficult and could prohibit ED drugs from going to sex offenders at taxpayers' expense while preserving access to these drugs when medically necessary for all disabled and senior men who are not sex offenders.

Mr. Speaker, ED drugs are covered for Federal employees and Members of Congress. They are covered by the VA, and they are very useful in treating post-traumatic stress disorder. Why would we treat our seniors and people with disabilities worse than we treat all Federal employees and veterans? If my colleagues oppose full access, surely Medicare and Medicaid beneficiaries should at least have access to all medically necessary medications.

Medicare covers breast reconstructive surgery after a mastectomy or accidental injury. Medicare understands ''the importance of post-surgical psychological adjustment'' as women rehabilitate after a damaging cancer treatment or devastating injury.

Are men not entitled to such wholeness after prostate cancer treatment?

ED drugs help men who have lost sexual function as a result of medical conditions like prostate cancer, diabetes, multiple sclerosis, Parkinson's, or spinal cord injuries. Men need these medications not to enhance their lifestyle but to return them to normal, just like women need reconstructive surgery to return as close as possible to normal.

In fact, wholeness is so important that according to a University of Chicago study, 68 percent of men were willing to forego treatments that were more effective in eradicating prostate cancer in order to maintain sexual function. Why would we force men to choose between the most effective medical treatment and wholeness?

I could not agree more that we should ban ED drugs for sex offenders; but a flat ban on ED drugs for all seniors, low-income Americans, people with disabilities who have ED-related diseases or conditions is just plain discriminatory and wrong.

So, Mr. Speaker, while I respect the concerns of those who support a total ban on ED drugs, I hate to see Congress go down this path of political correctness. We must offer our seniors, our poor, and our people with disabilities medically correct health care plans.

The real answer to controlling the cost of Medicare and Medicaid is not micromanaging the programs, but driving forward the adoption of technology that will enable us to manage chronic illnesses proactively, reducing both the cost and suffering of hospitalizations and emergency department visits for our seniors and those disabled amongst us.

That much said, and with the hope that we will allow doctors to determine treatment protocols, I acknowledge our public responsibility to extend access to Medicaid benefits for welfare-dependent families and for premium subsidies for our very lowest-income seniors and people with disabilities and to provide unemployment compensation funding these States so desperately need.

Mr. McDERMOTT. Mr. Speaker, I yield 3½ minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Speaker, let me just, if I might, illustrate the problem that is faced by unemployed workers in these three States, so that everybody understands that while this bill helps the States, it is unlikely to help any of the unemployed; and that is too bad.

About 400,000 people became unemployed after Katrina, 6,000 already have exhausted their benefits in these three States since Katrina; and about 20,000 more are likely to exhaust their benefits.

Next, the amounts that are paid in these three States would leave a family of four way below the poverty level, way below the poverty level. So what we Democrats suggested was to provide moneys to the States so that they could cover all of the additional costs. This bill only will provide perhaps half. There should be an extension of unemployment compensation benefits for those people and also we should elevate the amount of money going to people. These are people without fault, who lose unemployment through no fault of their own, a hurricane.

□ 1715

It befuddles me why we have to settle on this floor for such an inadequate response to Katrina. And it is not the fault of the gentleman from Louisiana who spoke. I am sure of that because I think he wanted more. But as I understand it, talks broke down, and the hopes for a bipartisan bill that would indeed meet the needs of the unemployed, those hopes were essentially shelved.

Why? Partly because of this terrible budget crunch that the majority really has brought into operation. I would also guess because they have always opposed in recent times the extension of benefits, and they do not want to do anything to elevate the benefit structure even though it is way below the normal. I say, in a word, we are adding something tragic to tragedy, and we should not be doing that.

The gentleman from Louisiana said it is a first step. When would the second step be? I think there is no plan for a second step. So, essentially, in real terms, we are saying to the unemployed, it is a half a loaf, and it is hard to feed a family on a half a loaf.

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

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, I thank the gentleman for yielding me this time, and I rise to express concern about the legislation we are considering.

I heard the gentleman from Louisiana (Mr. McCRERY) talk about the fact that we would like to do better. But let me just point out that we have $25 billion in a Federal unemployment trust account today. Those funds should be used for emergency circumstances. If there was ever an emergency, what happened to the workers of those three States as a result of Katrina is clearly an emergency. This is the time that we should be releasing unemployment moneys so that we can extend benefits beyond the statutory period that is currently in law.

Through no fault of their own, the victims of Katrina are unable to find employment, and we should be able to provide extended benefits. And the funds are there in the Federal unemployment trust account. So quite frankly, I do not understand what the delay is. The people are hurting. We should be doing everything we can to help, and I would expect that we would have had a stronger bill come out that would protect the workers who cannot find employment.

So, Mr. Speaker, I am disappointed that we have a bill before us that obviously is an important bill to move forward because it provides relief by extension of several programs that are important to the people that are affected by this, but I really do believe that we should be looking at a comprehensive approach to deal with people who have been victimized. Unfortunately, this bill does not really do it for those people who are unemployed, have exhausted their benefits and are looking to the Federal Government for help.

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

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Cleveland, Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, the Qualified Individual, or QI, program pays the monthly Medicare part B premium for low-income beneficiaries. On September 30, 2005, the authorization for QI–1 expired. If it is not reauthorized within days, over 160,000 low-income seniors and those with disabilities will lose this crucial assistance on which they rely to cover their health care costs. That means that some people who make less than $1,092 a month will lose almost 10 percent of their income.

This is simply unnecessary, since QI's extension has strong and broad support. It is supported by 35 separate health advocacy organizations. In addition, the gentleman from Ohio (Mr. LATOURETTE) and I have a bill to extend the benefit that has bipartisan cosponsorship. In fact, a similar extension passed the House last year by a voice vote.

This bill before us today will make sure our seniors do not lose their income by extending the benefit for 1 year. In doing so, it builds on a consistent history of temporary extensions in recent years. If this bill becomes law, I urge Congress to turn its attention to a more permanent solution. Every year the benefit has strong support, and more often than not we find ourselves rushing at the last minute to keep it alive. My hope is that before it expires again next year, Congress will pass a permanent reauthorization.

Mr. McDERMOTT. Mr. Speaker, I yield the balance of my time to the gentleman from Ohio (Mr. BROWN), and I ask unanimous consent that he be allowed to distribute the time.

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

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 2 minutes, and I thank the gentleman from Washington for yielding the balance of his time.

I rise in support of this legislation, which reauthorizes the QI program. This program helps low-income Medicare beneficiaries cover the cost of the Medicare premium. Without this, many elderly Americans would sink below poverty as they attempt to pay for doctor visits out of pocket. That not only places individuals at risk, it is inefficient from a fiscal perspective.

For low-income beneficiaries who cannot afford the Medicare premium, Medicaid becomes the insurer of last resort. Absent the QI program, more elderly Americans and individuals with disabilities would need Federal and State assistance through Medicaid in addition to their Medicare coverage. Investing in premium assistance now saves both Federal and State dollars in the future.

And there is untapped potential in the program. Uncertainty surrounding funding for this program has had a dampening effect on enrollment. States are hesitant to reach out to eligible individuals, resulting in artificially low enrollment figures. It is in the public interest to address this problem in the future, but extending QI–1 is a necessary first step, and I am pleased the bill takes that step.

This legislation also extends the transitional Medicaid program, or TMA, and provides health insurance to families as they move from welfare to the workforce. It is a public health initiative and a jobs initiative which I strongly support.

It is my strong preference to make these two programs permanent rather than having Congress repeatedly reauthorize them sometimes multiple times in a year. I hope we can work with the gentleman from Georgia (Mr. DEAL) and others on a bipartisan basis to secure a permanent authorization. In the meantime, I am pleased the House is taking up this legislation, and I urge my colleagues to support it.

Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE), a member of the Committee on Commerce and very knowledgeable about health care issues.

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

Mr. INSLEE. Mr. Speaker, I want to address the offset of this legislation. I obviously applaud the extension of transitional medical assistance, which provides health insurance for people leaving welfare and going back to work. This is obviously a great thing to do. I believe, however, it is dangerous to allow 435 Members of Congress, most of whom lack medical training, to pick and choose among which illnesses and which treatments should be deemed acceptable under those provisions.

There are thousands of physicians across this country that have recognized, for instance, the need for ED medicine, not as a recreational activity but as part of living a normal adult life. We also set up a potentially dangerous precedent by allowing Members to pick and choose individual treatments that they feel do not serve sufficient medicinal purposes.

Today, it is a medicine for ED, but should we choose to go down this road, next year we could be having the same debate about mental health treatments or biologics deemed too expensive. This is not the place for these decisions. This is a conversation for doctors to be having with their patients.

I find it worrisome we are on the verge of using the doctor's office as a setting for interjecting our preferred social policies where they do not belong. Doctors today prescribe ED medicine because it treats a serious medical disease that can lead to divorce and depression. ED is a common side effect of prostate cancer surgery and diabetes, and it affects millions of men nationwide which, in turn, can affect their families. There is not just an issue of men; it is a family issue.

This is an attempt to interject a political viewpoint into a personal decision that should be made by a doctor and a patient, and I hope we respect that personal decision more in the future.

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

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

Let me go back and sort of summarize what this bill does and does not do. It has been a little confusing, because it is a bill that does basically two things: One is it cuts Federal spending, and then it uses part of the savings from that cut in four different areas and then applies the balance left over from those four areas to reduce the Federal deficit by about $150 million over the next 5 years.

First of all, where does the cut come from? What it does, in order to achieve the savings of some $690 million over 5 years, is to eliminate from Medicare and Medicaid payments for erectile dysfunction drugs. We have heard a couple of speakers who have addressed their dislike of the elimination from Federal taxpayer spending the payment for these drugs.

Well, my people back in North Georgia tell me, and without any hesitation whatsoever, that they do not think their tax dollars ought to be paying for erectile dysfunction drugs for either individuals under Medicare or Medicaid, and they believe that these are not drugs that should be available to convicted sex offenders.

Now, some would say, oh, you mean it is possible a convicted sex offender could get an erectile dysfunction drug that is paid for by taxpayers? Very definitely that is the case. There is no way for a pharmacist who is presented with a Medicare or Medicaid card to have access to the NCIC records to determine if that individual is a pedophile or some other kind of sex offender. That would be the height of embarrassment to this Congress, to discover we are allowing for those kinds of situations to exist.

Now, it is not just a personal opinion of mine. This House has already expressed its opinion on this issue earlier this year. In the consideration of the Labor-HHS appropriation bill, the gentleman from Iowa (Mr. KING) had an amendment to that bill that would have eliminated the payment for ED drugs. That amendment received overwhelming support, some 285 to 121 who voted for it. There were many others, like me, who supported the concept but, because we did not think we should cede jurisdiction on legislating on the issue to the Committee on Appropriations, voted against the amendment. In principle, we supported the concept. This is the forum in which we have legislatively addressed it by an

authorizing committee to address this question.

Now, that does not mean that individuals who are under Medicare part D cannot obtain these drugs if they choose to do so. The plans are free to offer them. They simply cannot use Federal taxpayer subsidies to pay for them.

All right, that is where the savings come from, is the elimination of ED drugs from Medicare and Medicaid, some $690 million over 5 years. Now, what are we spending the savings on? Part of it is spent, as we have heard from some speakers, to extend the Medicare Qualified Individual 1, the QI–1 program, for another year. That applies to 150,000 low-income Medicare beneficiaries, to give them assistance in paying their Medicare part B premiums.

□ 1730

A second part goes to transitional medical assistance, TMA. Most Members recall that was an essential ingredient in welfare reform. It provides individuals who are transitioning from welfare to work additional coverage and medical assistance to them during that transitional period.

A third category is it applies and uses money for abstinence education to fund those block grant programs for 3 months. These are programs that States have launched to try to sustain the abstinence approach and it has been a successful program and would fund it for and additional 3 months.

The fourth category, the one we heard a lot of talk about at the beginning of this debate, was that it does provide $500 million to the three States most severely affected by Hurricane Katrina, that is, Louisiana, Alabama and Mississippi, for assistance in paying unemployment compensation. It provides $400 million to Louisiana, $85 million to Mississippi, and $15 million to Alabama. I think that is an appropriate way to spend part of the resources, and we then apply the remaining $150 million to reducing the Federal deficit.

Now, I would remind my colleagues that if they did not like the provisions or did not think the provisions for the unemployment compensation were adequate, our counterpart across the way passed by unanimous consent a bill that addressed these other areas, but had no provisions for unemployment compensation at all in their legislation. We are hopeful they will accept our version of it.

In conclusion, I remind Members who forget, we have appropriated over $60 billion in emergency assistance for hurricane victims, the largest single appropriation for emergency disaster relief that this Congress has ever voted for. Some of the speakers seem to forget we have done that. What we are doing here for unemployment compensation is only a small part of a very, very large package; but it is an essential part of it. We hope that this body, the House as a whole, would do as we have seen the Senate do: they approved their version by unanimous consent. I would urge my colleagues to overwhelmingly support this bill.

Mr. DINGELL. Mr. Speaker, I rise in support of this legislation to reauthorize the Qualified Individual program, or QI. This program helps low-income Medicare beneficiaries who are almost, but not quite, eligible for Medicaid assistance, and are still struggling with living and healthcare costs. It pays the cost of the Medicare Part B premium for seniors with incomes of approximately $11,484 to $12,920 a year. This is a good program that helps thousands of low-income seniors each year.

The initial program was a block grant enacted in 1997 and set to expire in 2002. Congress has re-authorized this program a number of times since then. The uncertainty surrounding funding for this program, however, has had a dampening effect on enrollment. States are hesitant to reach out to eligible individuals, resulting in artificially low enrollment figures. I hope my colleagues across the aisle will join me in fixing this problem in the future—but for now, I am pleased that we are passing this stopgap measure.

In addition, I support the extension of the transitional Medicaid program, or TMA. This program is critical for families moving from welfare to the workforce and provides health insurance during this time. TMA provides peace of mind for millions of working Americans so that they can maintain health insurance coverage as they begin working again.

I would note that it is my strong preference to make these two programs permanent, rather than having Congress continually reauthorize them, sometimes multiple times in a year. I thank Senators GRASSLEY and BAUCUS for their work in the Senate, and Chairman BARTON for his work with me, and am pleased that the House is taking up this legislation to extend funding for these programs for the immediate future.

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

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the motion offered by the gentleman from Louisiana (Mr. MCCRERY) that the House suspend the rules and pass the bill, H.R. 3971.

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.

EXPRESSING SENSE OF HOUSE OF REPRESENTATIVES THAT CENTERS FOR MEDICARE & MEDICAID SERVICES BE COMMENDED FOR IMPLEMENTING MEDICARE DEMONSTRATION PROJECT

Mr. DEAL of Georgia. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 261) expressing the sense of the House of Representatives that the Centers for Medicare & Medicaid Services should be commended for implementing the Medicare demonstration project to assess the quality of care of cancer patients undergoing chemotherapy, and should extend the project, at least through 2006, subject to any appropriate modifications, as amended.

The Clerk read as follows:

H. RES. 261

Whereas chemotherapy for cancer patients is primarily furnished in physician offices and is therefore subject to the revised method for determining payment amounts;

Whereas in 2005 the Medicare program instituted a demonstration project to assess the quality of care for patients undergoing chemotherapy by collecting data on the impact of chemotherapy on cancer patients' quality of life;

Whereas the demonstration project is a strong effort to improve the quality of cancer treatment by assessing pain, nausea and vomiting, and fatigue;

Whereas the demonstration project reflects a foundation to evaluate important patient services moving forward;

Whereas payment amounts under the demonstration project have mitigated the significant reductions in Medicare support for chemotherapy services that would otherwise have gone into effect;

Whereas reports by the Department of Health and Human Services and the Medicare Payment Advisory Commission regarding any adverse effects from the changes in the reimbursement method for chemotherapy services are not due until late 2005 and January 1, 2006;

Whereas the demonstration project achieves the concurrent objectives of collecting data to improve the quality of cancer care and maintaining financial support for cancer chemotherapy pending the completion and review of studies on the recent reimbursement changes;

Whereas it may be possible to modify the demonstration project to collect additional or different data elements that would make it even more useful in enhancing the quality of cancer care; and

Whereas it is essential that the access of Medicare cancer patients to chemotherapy treatment be maintained and in the strong interest of patients that the quality of their care be assessed and improved: Now, therefore, be it

Resolved, That it is the sense of the House of Representatives that—

(1) the Centers for Medicare & Medicaid Services should extend through 2006 the Medicare demonstration project to assess the quality of care for patients undergoing chemotherapy, and then thoroughly review the merits of the demonstration project;

(2) the Centers for Medicare & Medicaid Services should use the results of this demonstration project to develop a system to pay for chemotherapy services under Medicare based on the quality of care delivered and the resources used to deliver that care, including physician performance;

(3) the demonstration project should be modified to accumulate even more useful data relating to the quality of care furnished to Medicare patients with cancer, such as the clinical context in which chemotherapy is administered, and patient outcomes; and

(4) payments to physicians for participation in the demonstration project should facilitate continued access of Medicare patients with cancer to chemotherapy treatments of the highest quality.

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

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

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Res. 261, a resolution sponsored by the gentleman from Texas (Mr. HALL). This resolution commends the Centers for Medicare and Medicaid Services for implementing the Medicare oncology demonstration project, and requests that it extend this successful program. I am pleased to report that due to this important demonstration project, the Centers for Medicare and Medicaid Services has received valuable data that will serve to better treat patients suffering from cancer.

Cancer is one of the leading causes of death to Americans, and almost every American has had their life touched in some way by this horrible disease. Simply put, cancer kills. Cancer does not discriminate. It takes many forms and effects young and old alike.

I commend the CMS for their leadership in addressing this effective treatment for cancer patients. Specifically, I commend CMS for approaching cancer care from a totally different perspective. Providing quality cancer care is not just about administering drugs to patients, albeit performing this task safely and efficiently is important. Providing cancer care includes managing pain, minimizing nausea, and limiting fatigue. It means arming clinicians with information and evidence-based practice guidelines to obtain the best possible clinical outcomes.

That is what the chemotherapy demonstration has begun to provide towards the advancement of cancer care in this country. The demonstration initiated last fall by CMS reflects our commitment to quality and the use of clinical data to pave the way for enhanced quality care, including good clinical outcomes and reduced cost to Medicare and Medicaid beneficiaries.

These are principles which I stand behind, and I commend CMS for their work to ensure that cancer patients receive the best possible care. This resolution was approved by voice vote by the Committee on Energy and Commerce, and I encourage my colleagues in the House to do the same this afternoon.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, there may not be a Member of this body who cannot share a personal story about cancer. Cancer is a health risk for all of us. It has taken friends, family, and others from each of us.

With the help of a very real Federal commitment to research, through coverage and access, through development of new standards and innovative treatment, American medicine is fighting cancer on every front.

I am a proud supporter of the National Cancer Institute's 2015 goal to eliminate suffering and death due to cancer within the decade. While we work to eliminate the cancer threat, the Federal Government is also working to make sure that treatment for cancer, specifically chemotherapy, is administered in the best possible manner for patients.

Earlier this year, Medicare implemented a demonstration project to collect data and study the quality of care being provided to patients undergoing chemotherapy. This project is a vital tool for policymakers to use as we work to determine the most appropriate reimbursement strategies for this complicated treatment regimen. It is important that the administration extend this demonstration through 2006 so we can ensure that Medicare beneficiaries and every American has access to high-quality treatment.

Mr. Speaker, I thank the gentleman from Texas (Mr. HALL), the gentleman from Texas (Mr. GENE GREEN), the gentleman from New York (Mr. TOWNS) and others for their work on this resolution. Extending this demonstration will maintain an important tool in our country's fight against cancer.

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

Mr. DEAL of Georgia. Mr. Speaker, I yield 5 minutes to the gentleman from Texas (Mr. HALL), the author of the legislation.

Mr. HALL. Mr. Speaker, I rise today in support of H. Res. 261. This bipartisan resolution commends the Center for Medicare and Medicaid Services for implementing the Medicare demonstration project to assess the quality of care of cancer patients undergoing chemotherapy; and it calls on CMS, as the chairman has said, to extend this project through the year 2006. I am pleased that Members from both sides of the aisle join me as cosponsors of this very important resolution.

Delivering cancer treatment involves more than simply providing chemotherapy drugs. Oncologists need to plan drug regimens, educate caregivers, and monitor patient symptoms; and they are responsible for managing pain, minimizing nausea, and limiting fatigue.

The demonstration project was critically important to improving quality cancer care in 2005. It provided resources to assess a patient experiencing chemotherapy side effects, including pain, nausea and fatigue.

The project has achieved three important objectives: collecting data to improve the quality of cancer care, maintaining stability in the cancer care delivery system, and focusing limited resources in the aspect of cancer treatment most difficult for patients.

Oncologists in America are the lifeline to so many individuals facing the greatest challenge of their lives. Hearing the diagnosis of cancer is a frightening and lonely experience, and the men and women who devote their careers to fighting this disease are the healers these patients look to for help. As a Nation, we need to do all we can to support these oncologists.

I would like to thank the American Society of Clinical Oncology for working so closely with me and all of us on this resolution. I would certainly like to commend the gentleman from Georgia (Mr. DEAL), the gentleman from Texas (Mr. BARTON) and the staff of the Committee on Energy and Commerce for working with my office to bring this resolution to the floor today.

Mr. DEAL of Georgia. Mr. Speaker, I yield 3 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON).

Mrs. JOHNSON of Connecticut. Mr. Speaker, I congratulate the gentleman from Georgia (Mr. DEAL) and his subcommittee for bringing forward this resolution, and the gentleman from Texas (Mr. HALL) for introducing it, because it is extremely important to recognize the very thoughtful work of this administration in making the most complex and difficult change in payment systems that we have frankly ever legislated in any sector of Medicare payment policy.

They had to change both the way the government paid for the drugs and the way they paid for the physicians, and changing each system required the development of whole new information systems; and then they had to coordinate these in such a way that they actually came to the oncologists in the right amount at the right time. To ensure that, they developed the demonstration project that both will improve quality and also ensure that these payments together would maintain the access to oncology care that American seniors enjoy and Americans across the country enjoy.

We enjoy greater access to cancer treatment than the people of any other country. In making this much-needed, but complex, change in how we pay for that cancer care, this administration showed great medical understanding, great patient sensitivity, and great dedication to ensuring that access to cancer care would in no way be compromised while we reformed the way we paid for that care.

Mr. Speaker, I thank the gentleman from Georgia (Mr. DEAL) for a solid resolution and congratulate Members on a very difficult job. Very well done. I thank publicly Dr. McClellan and all his staff for their energy and dedication to this and for the staff of both committees who worked very hard to ensure that in different aspects of our jurisdiction we brought all of the knowledge we had developed in the course of developing these payment changes to the table to work with the administration. I thank the committee staff, as well as my own staff.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today in support of H. Res. 261. This resolution expresses the sense of the House of Representatives that the Centers for Medicare & Medicaid Services should be commended for implementing the Medicare demonstration project to assess the quality of care of cancer patients undergoing chemotherapy, and should extend the project, at least through 2006, subject to any appropriate modifications. Further, it commends CMS for implementing the Medicare demonstration project to assess the quality of care of cancer patients undergoing chemotherapy, and calls on CMS to extend the project, subject to any appropriate modifications, at least through 2006.

In brief, this resolution is important because it:

Encourages CMS to extend the oncology demonstration project, which helped preserve patient access to cancer therapies in 2005 by maintaining critical resources in the cancer care delivery system.

The demonstration, currently set to expire at the end of 2005, asks about quality of care information such as pain, nausea/vomiting and fatigue. This was an important step in measuring outcomes for quality cancer care.

The demonstration helped focus limited resources on symptom management and treatment, an aspect of cancer treatment most difficult for patients. The Resolution encourages CMS to make refinements, as appropriate, to make the data collection even more meaningful for patient care.

As you know, the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) significantly reformed the way Medicare pays for chemotherapy administered in doctors' offices. These reforms resulted in considerable reductions in Medicare payments to cancer care.

The Centers for Medicare & Medicaid Services (CMS) following efforts by many Members of Congress, the American Society of Clinical Oncology (ASCO), patient advocacy groups, and others in the cancer community, implemented a one-year demonstration project that provided resources to assess the patient experience with chemotherapy side effects. These include pain, nausea and vomiting, and fatigue. This demonstration project has achieved three important objectives: (1) collecting data to improve the quality of cancer care, (2) maintaining stability in the cancer care delivery system, and (3) focusing limited resources in an aspect of cancer treatment most difficult for patients.

The demonstration project was critically important to protecting quality cancer care in 2005. I encourage Members to support this resolution.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of the resolution offered by my friend and fellow Texan, Mr. HALL.

I am proud to be a co-sponsor of this resolution, which would encourage CMS to extend a Medicare demonstration project that has maintained cancer patients' access to chemotherapy.

Approximately 9.6 million men, women, and children in the United States are currently living with a diagnosis of cancer.

Despite the tremendous strides made in cancer research and cancer care, the disease unfortunately still ranks as the number two killer in the United States, exceeded only by heart disease.

According to the American Cancer Society, more than 1.3 million new cancer cases will be diagnosed this year alone.

These individuals face a tough road ahead and difficult decisions about the path they will take in fighting this disease.

This year, the Medicare program implemented a demonstration project to look at chemotherapy patients and the quality of care they receive.

A good deal of cancer patients receive lifesaving chemotherapy in physicians' offices.

However, the Medicare bill Congress passed in 2003 reduced payments to physicians who administer chemotherapy in their offices.

This demonstration project has temporarily alleviated some of the financial strains oncologists were to receive under the Medicare bill—

And the result is continued patient access to chemotherapy administered in the familiar and more-convenient office setting.

Ultimately, the goal of the demonstration is to improve cancer treatment through a better understanding of the patient experience under chemotherapy.

But we don't want to cut off patients' access to chemotherapy before we determine how their cancer care could be improved.

While chemotherapy has literally been a lifesaver for countless cancer patients, it is not an easy process to endure.

Patients often experience pain, nausea, vomiting and fatigue while undergoing chemotherapy.

We know a great deal about chemotherapy and its effect on patients, but our knowledge base is not complete.

Unfortunately, the cancer care demonstration project is scheduled to end on December 31, 2005.

This resolution would encourage the Centers for Medicare and Medicaid Services to extend the cancer care demonstration project at least through next year.

By extending this project, CMS would continue to support chemotherapy services offered in physician offices.

At the same time, CMS would continue to build on the information already gleaned from the project to improve the quality of care for Americans suffering from cancer.

Mr. Speaker, I thank Mr. HALL for his leadership on this issue and encourage my colleagues to join me in supporting this important resolution.

Mr. FERGUSON. Mr. Speaker, I rise today in support of H. Res. 261, expressing the sense of the House of Representatives that the Centers for Medicare & Medicaid Services should be commended for implementing the Medicare demonstration project to assess the quality of care of cancer patients undergoing chemotherapy, and should extend the project, at least through next year.

In 2005, CMS implemented a Quality of Life demonstration project to assess quality care for cancer patients receiving chemotherapy services in an office-based practice. The demonstration project was designed to gather data on the effects of chemotherapy on Medicare patients. Practitioners participating in the project must provide data and document services related to pain control management, minimization of nausea and vomiting, and the reduction of fatigue. This program is now underway and I strongly support its continuation.

I would note, however, as the program is currently designed, it only applies to patients receiving IV infusion and push chemotherapy, not to patients receiving oral chemotherapy. As was originally intended when Congress created this demonstration program, it is critical that all patients, regardless of the method of chemotherapy treatment, are included in the assessment of these key quality of life factors impacting their treatment for cancer. As it stands today, the data collected under the QOL is incomplete—patients receiving oral therapies are not assessed in the same way, and their side effects cannot be compared to the side effects of infused chemotherapy. As I stated, I strongly support the continuation of this demonstration program but I believe CMS should act to ensure that data is collected from patients receiving oral drugs as well as injectable drugs.

Oral chemotherapy treatment can improve the quality of life for cancer patients by allowing patients to have chemotherapy at home or work without daily visits to the doctor's office or to a cancer infusion center. These treatments can also be cost effective as they require fewer physician visits and fewer invasive procedures. While these treatments are relatively new, more are being developed each year and they can provide unprecedented freedom for Americans battling cancer. If we are going to collect data and learn how to improve the quality of life for those fighting cancer it is my belief that we should focus on collecting data on all treatment options—including the very promising use of oral drugs.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. DEAL) that the House suspend the rules and agree to the resolution, H. Res. 261, as amended.

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

The title of the resolution was amended so as to read: ''Resolution expressing the sense of the House of Representatives that the Centers for Medicare & Medicaid Services should be commended for implementing the Medicare demonstration project to assess the quality of care of cancer patients undergoing chemotherapy, and should extend the project through 2006, subject to any appropriate modifications.''.

A motion to reconsider was laid on the table.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2360, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 474 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 474

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2360) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

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

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

Mr. Speaker, the rule before us today is the standard rule for the consideration of a conference report. It waives all points of order against the conference report and against its consideration and provides that the conference report shall be considered as read.

Mr. Speaker, I rise in support of this rule and the underlying legislation. This rule, brought to the floor today by the gentleman from Kentucky (Mr. ROGERS), the chairman of the Appropriations Subcommittee on Homeland Security, funds our most important Federal programs aimed at securing this Nation against terrorist attacks.

It provides $30.8 billion for the operations and activities of the Department of Homeland Security in fiscal year 2006, an increase of $1.4 billion above fiscal year 2005 and $1.3 billion above the President's request. The conference report agreement reflects the DHS organizational structure recommended by the Secretary on July 13, 2005, and does not create any new aviation security fees.

This legislation secures our homeland first and foremost by protecting our borders and revitalizing immigration enforcement. It provides nearly two-thirds of the overall budget for the Department, $19.1 billion for border protection, immigration enforcement and related activities.

□ 1745

This represents an increase of $1.2 billion over funding in 2005 and $490 million over the President's request. These funds are used to support cutting-edge technologies for high-risk cargo screening, to expand cargo inspection at foreign ports, and to support a robust revitalization of immigration enforcement along our borders and around our Nation.

Among other security enhancing measures, this funding includes $1.8 billion for border security and control, funding an additional 1,000 Border Patrol agents. When combined with this year's supplemental appropriations, 1,500 new agents will be hired in 2006. It provides for $3.4 billion for Immigration and Customs Enforcement, funding an additional 250 criminal investigators and 100 Immigration Enforcement agents. When combined with this year's supplemental, 568 new ICE agents and officers will be hired for year 2006.

It provides $41 million for border security technology, including surveillance and unmanned aerial vehicles; $562 million for Air and Marine Operations to maintain the integrity of our borders and aerospace security, as well as drug interdiction; $94 million for the Institutional Removal Program, including an additional 100 agents; $40 million for implementation of the READ ID Act; $5 million to train State and local officials and officers to enforce immigration laws; $1 billion for immigration detention custody operations; and $135 million for transportation and removal of illegal immigrants.

This conference report also recognizes the active role that the Department of Homeland Security must play in disaster mitigation and relief efforts. It prioritizes spending on Federal response capacities as well as increased planning and coordination with the States.

To accomplish this, it includes $1.77 billion for the Disaster Relief Fund; $20 million for Urban Search and Rescue Teams; $20 million for FEMA catastrophic planning; $22 million for the National Incident Management System; $200 million for the Flood Map Modernization Program; a requirement that DHS develop guidelines for mass evacuation plans; and a requirement that DHS reports on the status of catastrophic planning in each of our 50 States.

This conference report also provides $3.3 billion for first responders, in the form of performance grants to high-threat areas, firefighters and emergency management. Since September 11, 2001, $32.1 billion has been provided to first responders, including funds for terrorism prevention and preparedness, general law enforcement, firefighter assistance, airport security, seaport security and public health preparation.

This conference report includes funding of over $1 billion for high-density urban areas, including $765 million for urban area grants, $150 million for rail security, $175 million for port security and $65 million for other infrastructure protection, $655 million for firefighter grants, $400 million for State and local enforcement terrorism prevention grants and $185 million for Emergency Management Performance Grants.

Finally, this conference report provides $1.5 billion for the research and development of leading-edge technologies and $625 million to protect our critical infrastructure and key assets. These funds will be used to test and transition these technologies for use by Federal, State and local officials. It will also support ongoing efforts to develop secure communication systems with Federal, State and local entities and continue efforts with the private sector to implement protective measures around this important infrastructure.

To accomplish this, the bill includes $538 million to develop radiological, nuclear, chemical, biological and high explosives countermeasures; $110 million for the research and development and testing of antimissile devices for commercial aircraft; $318 million to start up the new Domestic Nuclear Detection Office to help coordinate global nuclear detection and tracking; $14 million to identify and characterize potential biological terrorist attacks; and $93.3 million for cyber-security technology.

Mr. Speaker, I could spend a lot of time listing the many strengths of this bill and the thoughtful and threat-based way that it funds the programs that keep American families safe. Instead, I want to take time to strongly support this legislation with an open rule.

I commend my colleagues on the Committee on Appropriations for their hard work.

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

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

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

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman from Texas (Mr. SESSIONS) for yielding me the customary 30 minutes.

Mr. Speaker, this Homeland Security conference report will be the third and one of the most important appropriations conference reports considered by Congress this session. In the wake of a wholly inadequate Federal response to Hurricane Katrina, it is this Congress's responsibility to provide the Department of Homeland Security with appropriate funding and resources. That funding must also come with proper direction and full oversight.

Unfortunately, this conference report falls far short of that standard. Hurricane Katrina revealed several institutional problems with the Department of Homeland Security, in particular with the structure of the Federal Emergency Management Agency. Over the past decade, FEMA has been stripped of its duties; folded into a disorganized department; and, most disturbingly, staffed by inexperienced people.

With this bill, Congress had a golden opportunity to address the institutional disarray that has tarnished FEMA. Instead of doing the right thing, this conference report provides absolutely no guidance on how to spend billions of taxpayer dollars or how to properly restructure the agency. Furthermore, Secretary Chertoff has insisted on restructuring the Department again, for the sixth time, without any congressional oversight and hearings. He has proposed to place FEMA in the Preparedness Directorate, further splintering the agency's ability to respond quickly to disasters.

Disaster preparedness and response are intrinsically linked. FEMA must be responsible for both. Separating these duties will only hinder the Federal Government's responsiveness potential. This systematic dismantling of FEMA's authority was the primary cause of the botched Federal response to Hurricane Katrina.

Secretary Chertoff's proposal to restructure FEMA will not solve the institutional deficiencies of the agency. While FEMA was not perfect before it merged into the Department of Homeland Security, at least there existed a level of expertise and skill and FEMA's director had immediate and direct access to the President of the United States.

Experience and professionalism have been missing from FEMA under the Bush administration. Michael Brown, a product of political cronyism, is the perfect example of what happens to government without thorough oversight. Instead of having somebody with disaster experience, President Bush ended up with an Arabian horse specialist.

A year ago, when the State of Florida was ravaged by multiple hurricanes, State and Federal officials complained about the lack of preparedness and inadequate response from FEMA. Counties that were hit the hardest were overlooked while other counties that storms avoided received millions of dollars in funding. Florida lawmakers this past March urged two House committees with FEMA jurisdiction to hold hearings on what went wrong.

Even after Hurricanes Katrina and Rita hit 6 months later, the Republican leadership has continued to block the Florida delegation's oversight request. And now we are all paying the price for neglecting oversight of FEMA, most notably the thousands who paid with their lives and their livelihoods.

The House Republican leadership has consistently ignored proper oversight of this administration. It is clear that they do not want to ask tough questions or demand straight answers. This Congress has become a rubber stamp, and the results have been disastrous.

Mr. Speaker, Brownie did not do a ''heckuva'' job and neither has this Congress. Unfortunately, when given the opportunity to do the right thing, the Republican leadership has once again acted against the best interests of the American people. Their response to these disasters and to these deficiencies at FEMA is to install a partisan committee that will simply gloss over the most important issues surrounding the failures of FEMA. Mr. Speaker, that is not oversight. That is a whitewash.

A more effective FEMA can only be created when independent, experienced disaster specialists analyze the problems that Katrina exposed and then identify solutions. Restructuring FEMA without independent input and oversight is premature and will further plague its prevention and response capabilities.

And not only is the oversight missing, Mr. Speaker, but so is the money. While my Republican friends will highlight the $1.3 billion increase over fiscal year 2005, let us be clear that this increase is only barely above the current rate of inflation. In reality, there are several funding cuts in this conference report that significantly and adversely affect the Department of Homeland Security and FEMA programs.

This conference report cuts State and local preparedness funding by $585 million, a 19 percent cut from last year. Fire grants are funded at $60 million below the fiscal year 2005 level. Disaster relief funding is cut by $370 million, and pre-disaster mitigation funding is cut in half. Let me repeat that: Cut in half.

How can we justify cutting disaster relief and mitigation funding by $420 million? Did Katrina not demonstrate how severely unprepared and ill-equipped FEMA really is? What kind of rationale is this?

Thankfully, there are some programs in this conference report where funding levels are justifiable. For instance, the Coast Guard's ''Deepwater'' program is fully funded at $933 million, due mostly in part to the Guard's extraordinary rescue efforts after Katrina.

Mr. Speaker, I do not understand what the majority is thinking. Every single disaster, pre-disaster, preparedness and response program should be fully funded. Hurricanes Katrina and Rita should have taught us that. And along with full funding, there needs to be proper oversight. Neither the two enacted relief packages totaling over $60 billion nor this conference report provide any meaningful oversight. None. No check on the flow of the money. No way to ensure the proper awarding of contracts through competitive bidding. No accountability.

Thankfully, the gentleman from Wisconsin (Mr. OBEY), ranking member of the Committee on Appropriations, offered an amendment in conference requiring the Department of Homeland Security to provide detailed information on how Katrina disaster relief funding is being spent. The specific requirements laid out in this provision force the Department of Homeland Security to send Congress weekly reports that detail any and every kind of disaster relief spending, and I applaud the gentleman from Wisconsin (Mr. OBEY) for offering this important amendment. It is an important step in the right direction, a step toward accountability.

I am also grateful to the efforts of the gentleman from Minnesota (Mr. SABO), the ranking member of the Homeland Security Subcommittee of the Committee on Appropriations, who fought hard last week to instruct the conferees not to accept Secretary Chertoff's reorganization program.

Mr. Speaker, I suspect that this conference report will pass by a comfortable margin, but it will not have my vote. We can do so much better than this. We need to do so much better than this, and I hope in the coming weeks and months, both the majority and the Democratic side will work together to achieve a product that we all can be proud of and that will truly ensure the homeland security of the people of our country.

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

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

The gentleman from Massachusetts was very kind to enunciate and talk about the contributions that have been made on both sides of the aisle, Republicans and Democrats working together in an effort to make sure that Katrina is taken care of. I also take him at face value that he will not vote for this because there is not enough spending in the bill. There is not enough money that is being spent, and he outlined that money that he wants to spend.

The majority party does need to make sure that the bill that comes forth is balanced and one that maintains the priorities of this country. So we on this side are standing up in strong support of this not only well-balanced bill but really will allow equal distribution as we see the needs of this country and the spending and to control that which we do.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. DREIER), the chairman of the Committee on Rules.

□ 1800

Mr. DREIER. Mr. Speaker, I thank my friend for yielding, and I appreciate his hard work on this and his very strong commitment to our Nation's homeland security. In the last Congress he served very ably as a member of the authorizing committee on homeland security.

I also want to join in expressing my appreciation, Mr. Speaker, to the gentleman from California (Mr. LEWIS) and the gentleman from Kentucky (Mr. ROGERS) who worked very hard on this, and for the bipartisan spirit of consideration of this measure. As the gentleman from Massachusetts correctly said, this is going to enjoy strong bipartisan support.

Why? Because we all know that there must be a focus on our Nation's homeland security. It is part of our national security; and, frankly, Mr. Speaker, a very important part of our national security happens to be border security. One of the things included in this measure, of which I am particularly proud, is a measure that in the last Congress, I worked with our former colleague, Mr. Ose of Sacramento on, and my colleagues from California, Mr. HUNTER, Mr. CUNNINGHAM and others have spent a great deal of time working on this, that is, we provide $35 million for completion of the 3½-mile gap in the border fence.

Earlier this week, I had the opportunity to be right on the border near that gap. It is an area known as Smugglers' Gulch. It is an area where people

have illegally entered this country, and they have pummeled the environment. The notion of completing that 3½-mile gap is going to go a long way towards dealing with our border security concern, number one, and, number two, our environmental concerns in the area.

I also have to say, having spent a great deal of time with our border patrol agents on the border just a few days ago, I am particularly proud of the hard work they put in their job. They want to have the ability to do their job. Right now they spend most of their time and energy coming to this country simply seeking an opportunity to feed their families. We need to ensure that they have the ability to focus on criminals and potential terrorists. That is exactly what we want to do.

That is one of the other reasons that we, in this bill, have increased by 1,000, adding to the 500 already provided in the earlier supplemental appropriations bill, 1,000 additional border patrol agents. I hope that will help us turn the corner. I am convinced that it will.

The overall commitment to homeland security is one which has, I believe, been very adequately addressed in this important measure. I urge my colleagues to provide strong bipartisan support for this effort.

Mr. MCGOVERN. Mr. Speaker, let me just respond to the gentleman from Texas. One of my problems is the fact that this bill cuts some very important programs that I think do not deserve to be cut. It cuts first responder grants, which I think is a mistake. It underfunds communications equipment for first responders.

Just like the 9/11 terrorist attacks, Hurricane Katrina highlighted the problem of first responders having incompatible communications equipment. When Hurricane Katrina hit, emergency personnel were on at least five different channels and were hampered in communicating with one another. Yet this conference report continues to underfund interoperable communications systems. It cuts the disaster relief account. It cuts predisaster mitigation. It underfunds port security. It underfunds rail and transit security. It fails to include dedicated funding for chemical plant security. I could go on and on and on.

Homeland security is not for free. If we are not funding these agencies, and we are not funding the necessary personnel to be able to protect our country, then we are not doing a very good job at homeland security. One other thing I will say to the gentleman from Texas. I believe that we have an obligation when we spend the taxpayers' money that there is thoughtful and effective oversight. We have allocated billions and billions of dollars already in response to this hurricane with no oversight. I do not want taxpayers' money wasted, and I am uncomfortable with the fact the bill provides no oversight. The gentleman may not be, but I am.

Mr. Speaker, I yield 3½ minutes to the gentleman from Mississippi (Mr. THOMPSON), ranking Democrat on the Homeland Security Committee.

Mr. THOMPSON of Mississippi. Mr. Speaker, later today the House will consider a measure that provides $30.8 billion in funding for the Department of Homeland Security. It also makes significant structural and policy changes to the Department. I am pleased that the conferees adopted many of the policy changes for which the Democrats on the Homeland Security Committee advocated during the Department's authorization process.

For example, I am pleased that the Department is directed to undertake a quadrennial review, examine and justify multiyear procurement projects and develop a long-term strategy to ensure optimal development of explosive detection systems. I have to say, it is a sad state of affairs, Mr. Speaker, when Congress has to tell the Department to do planning.

In the short history of the Department, it has earned a reputation for lacking focus and being crisis-driven. It took the London bombing to remind the Department that it is the lead Federal agency for protecting rail and transit. It took Hurricane Katrina to remind the Department that it is the lead Federal agency for all disasters, not just terrorism. We do not have the luxury of time to wait until the Department gets another wake-up call. In July, the Secretary of Homeland Security proposed a number of structural changes. Since that time, Katrina revealed dysfunction at the highest levels of the Department.

I cannot understand why the conference report adopts many of the Secretary's proposed changes wholesale as if Katrina never happened. The establishment of a preparedness directorate would not make us any more prepared if FEMA is not fixed. The Department's changes are outdated. If we grant them to Mr. Chertoff, we will find ourselves revisiting this issue again after the next catastrophe. We need to fix the Department properly, not with duct tape and wires, what this conference report does by giving Secretary Chertoff carte blanche on the agency's structure.

In response to this error, 13 members of the Homeland Security Committee have introduced the Department of Homeland Security Reform Act of 2005. This bill recognizes Katrina happened, and among other things, creates a statutory requirement that the head of FEMA have disaster and emergency preparedness experience. Current law requires the head of the National Park Service to have substantial experience in land management. The least we can do is require the director of FEMA to have prior experience in disasters. We do not need any more Brownies.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. KELLER).

Mr. KELLER. Mr. Speaker, I thank the gentleman from Texas for yielding.

Mr. Speaker, I rise today in support of the rule and the homeland security appropriations bill. This legislation improves our homeland security in three key ways.

First, it helps us crack down on illegal immigration and protects our borders by providing funding to hire 1,000 additional border patrol agents.

Second, the bill provides $3.3 billion for first responders, including grants that go directly to high-risk urban areas and firefighters. Significantly, for the first time, the majority of the funding for first responders is appropriately allocated based on the actual risk of terrorism to these areas.

Third, this legislation provides key funding for critical explosive detection devices, which are used to screen high-risk cargo coming into the United States through our seaports and airports.

I am proud that one of the top manufacturers in the world of these explosive detection devices is CyTerra, a company headquartered in my district of Orlando, Florida. On August 15 of this year, Senator MEL MARTINEZ and I toured CyTerra's facilities and met with their employees. These hard-working folks are proud of their role in making our country safer, and they should be. Their bomb detection devices have already saved many lives in Afghanistan and Iraq.

I urge my colleagues to vote ''yes'' on the rule and ''yes'' on the underlying homeland security appropriations bill.

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentleman from New Jersey (Mr. PASCRELL), a leader on a number of homeland security issues.

Mr. PASCRELL. Mr. Speaker, we all know that the current system for distributing grants is fundamentally broken. I applaud the fact that this bipartisan conference report gives the Secretary of Homeland Security the flexibility to distribute more money based on risk rather than population.

While I would like to see a much greater percentage of funds allotted exclusively on risk, at least this conference report finally addresses an issue on which many of us have spent years on both sides of the aisle working to remedy. I find it inexplicable that just as we improve the methods of monetary distribution, just as we improve the way first responders can get what they need, we limit the availability, the pool of needed resources. In fact, if it were not for both folks on each side of the aisle, we would have accepted the administration's plan, which would have been 4 percent less than what we have and no increase whatsoever.

Mr. Speaker, I think you should know today that the New York subway system is under high alert. We need to understand what the ramifications of that are. The FBI is working in concert with the New York City Police. This is the first time they have had very specific place, very specific time ramifications. Yet the coordinated and timed

bombings in London and Madrid, the latest example of the fact between 1998 and 2003, there were approximately 181 terrorist attacks on rail and transit targets.

Since 9/11, despite the fact that passenger rail systems in the United States carry five times as many passengers each day as do the airlines, only $250 million of the estimated $6 billion needed has been invested in improving rail and transit security.

Congress continues to provide woefully inadequate appropriations. Only $150 million was appropriated for rail and transit authority.

Mr. Speaker, I think we should all be aware of this. It took a bipartisan effort to get us this far. We need to understand what is going on in New York City today, and I know this is not going to change the dollar figure, the dollar amount of this legislation.

I would simply ask my brothers and sisters on both sides of the aisle to take note that this is serious business. We need to continue this hard work. The FIRE Act, for instance, was cut $60 million, which has been extremely, extremely crucial to the 32,000 fire departments throughout the United States of America. We cannot do everything. We realize that, Mr. Speaker, but there are things that we can do and we should do.

Mr. SESSIONS. Mr. Speaker, serving as a member of the conference, when you go and you look at an appropriations and tear apart where all the money goes and what the priorities are and what the needs are and work with the Senate, one of the most important attributes of getting a good bill is listening to both sides, Republicans and Democrats, and to understand those priorities as they relate not only to, in this case, homeland security, but really the needs of the entire country.

The next gentleman, who is a leader in this Congress, did exactly that. He took time with HAL ROGERS and JOHN CARTER to understand the needs as expressed by this administration, as expressed by the Senate, and by the House.

Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Mr. Speaker, I thank the gentleman from Texas for his outstanding work and the work of the Rules Committee in bringing this rule to the floor. I rise in support of the rule and the conference report. We worked for months across the aisle to come to this point.

I want to reemphasize, though, how much this rule does strengthen our work at the borders. One of the best employees I have ever had, Trish Mullins, the best caseworker, probably, in any congressional office in Tennessee, her son Scott Mullins is a border patrol agent on the Mexican border. We hear weekly of the trials and tribulations they face. They need the cavalry. With these 1,000 new border patrol agents, it brings the total in this fiscal year to 1,500, and hundreds of new investigators, criminal investigators through Immigrations and Customs Enforcement. This really does strengthen our borders. We have got to continue to take further steps.

I also want to say that one of the things that Chairman ROGERS and I have worked on for months now is to try to get the science and tech directorate to invest in new technologies. This bill creates the domestic nuclear detection office, which will really leverage all the laboratories and all the scientific assets in the country for better protection detection and get the equipment out there so that we continue to further protect our country.

I also want to slow down and thank the staff, the professional staff, 22 agencies, nearly 200,000 employees. This has been very complicated for 2½ years: Michelle Mrdeza, our staff director; Stephanie Gupta; Jeff Ashford; Tad Gallion; Tom McLemore; Ben Nicholson; Kelly Wade on the majority side; Beverly Pheto and the entire minority staff. They have worked countless hours to bring us to this point. They are excellent and professional.

I believe we will meet not only to do what is right and pass this bill, but I think we are going to meet to actually continue this homeland security challenge that we face. There is a lot of money in the pipeline. I want to say to any of our people who have raised concerns about the firefighter and first responder grants, there is a lot of money in the pipeline.

We had a hearing earlier in the day about how much money is yet to be allocated that is in the system. This Congress has funded these needs. This is the bread and butter. This is not the response to Katrina. This was under way prior to Katrina. The select committee, the supplementals will address Katrina. We are doing that daily. Clearly, we have got to do better.

We will meet to make sure the Federal Government's response continues to improve. I encourage adoption of the rule and support for this most important homeland security conference report.

□ 1815

Mr. MCGOVERN. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. DEFAZIO).

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

Mr. Speaker, how quickly we forget. We are essentially flying blind with this bill. We were supposed to have a comprehensive report from the Department of Homeland Security which was long overdue, and then, when finally produced, which was supposed to be comprehensive on all the transportation sectors, was a regurgitation of open-source material and news articles. They had an early, more specific version, but it was pulled by the administration because it was measurable. It had goals, objectives and technology. It would have shown how short the funding is in this bill and how little progress we have made: $150 million for all of the ports in the United States of America over the next year. Whew.

Mr. Speaker, we could be buying radiation detection equipment for those ports, but that money is not available. It is not in the budget.

Aviation security, arbitrary cap on screeners. Okay, you can cut back on labor if you give them adequate technology. But guess what? There is not enough money in this bill to buy the new technology, the new explosives detection equipment that should be at every passenger checkpoint, that should be under every airport, that should be used for cargo security, but they do not want to put up measurable goals, because they are not getting there, and the American people would be pretty darn mad about it if they knew.

Then, first responder money, come on. Interoperable communications. First lesson: 9/11. We could not communicate with the fire and police and other first responders in the buildings, and many of them died, because they were out of touch as the buildings were collapsing, and they had no notice.

Katrina, first lesson: no interoperable communications. Well, the President provided for zero dollars, and this is up to $76 million nationwide. Wow, that is enough to do three counties in my State out of 36, and that is the money for the entire Nation of the United States of America for interoperable communications, the most basic tool that our first responders need to protect American lives and to rescue people and to better and more effectively deal with emergencies, whether they are terrorist-generated or natural disaster-generated, and we can come up with $76 million nationwide, not even a real tax break for some of the rich people around here.

So to say somehow that this is adequate is absurd. If you set goals and the goals are, every first responder in America has interoperable communications, we are falling way short. If you say we are going to begin to protect ourselves against radiological attack, against bombs coming in in shipping containers, we are doing virtually nothing. If you are going to improve aviation security, nothing.

Then, finally, they want to push us back to the good old days of private aviation security, but it is not happening, because people know what we have now is better. But in order to facilitate that push, they cap the liability of the private companies who are so good and, now, they have to extend complete liability exemption to the airports to try and induce them to bring in private security, because everybody knows it failed us on 9/11, and it will fail us again, but it will make money for a few special interests.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CARTER), who is a speaker who

also had an opportunity to serve on this appropriations conference in a detailed fashion and made sure that he looked at those priorities which were necessary for spending for this very important bill.

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

Mr. Speaker, the State of Texas has demonstrated to the world that they opened their arms to the evacuees of the 2 hurricanes that struck our Nation and brought disaster to a great area of the Gulf Coast. Texas has always opened their arms to their neighbors and said, come to Texas, you are welcome.

But, Mr. Speaker, we have a problem on the Texas border. I was down in Laredo, Mexico, and Del Rio, Texas, recently where 42 American citizens have been kidnapped. I have a photograph of a woman who was burned alive, an American citizen, by these criminals who cross freely across our borders of Texas. We say, welcome, in Texas, but when you come here, do not break the law to get here. It is time for border security in this bill.

I rise in support of this rule and this homeland security appropriation bill because we start down the road to providing safe borders for the entire southern border and northern border of the United States. We add 1,000 Border Patrol men, which will be of great assistance in shutting down this criminal activity and all of this illegal behavior of people coming illegally into our Nation.

Mr. Speaker, 68,000 OTMs, Other Than Mexicans, have crossed within the last 8 months. That is a crisis. We have to do something about the borders, and this bill does that.

We have new agents for the Border Patrol. We have new criminal investigators, we have new investigators for immigration and for ICE. We have provided a great start on a secure border. We will continue to work hard to secure the borders of this country so that this illegal behavior will be caught and punished and these people will be turned back, because, Mr. Speaker, our Nation's security depends upon it.

So I am very supportive of this bill, and I ask for a ''yes'' vote on the rule and a ''yes'' vote on this bill, because it is a vote for a secure border for America.

Mr. MCGOVERN. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. Speaker, today I rise in support of H.R. 2360 which will equip our Nation to better prepare and respond to future natural disasters and terrorist attacks. This bill includes needed funding for priorities such as 1,000 additional Border Patrol agents, port and transit security improvements, the Coast Guard's Deepwater program and a pilot program to improve air cargo screening.

However, H.R. 2360 is not perfect. Mr. Speaker, I am deeply concerned that this legislation implements structural changes proposed by Secretary Chertoff's second-stage review without full congressional scrutiny. While some changes may be warranted, today we will be voting to shift the TSA, eliminate the Under Secretary for Border and Transportation Security and weaken FEMA at a time when we need the agency to be strengthened, all without the benefit of significant oversight.

That is why several members of the Committee on Homeland Security, myself included, have introduced the DHS Reform Act, which would improve the proposed reorganization plan by strengthening FEMA, detailing duties of the new chief intelligence officer and chief medical officer and establishing assistant secretaries for physical infrastructure security and for cyber security and telecommunications.

Finally, it would require a quadrennial Homeland Security review, unlike H.R. 2360, which simply encourages such a review.

Mr. Speaker, I hope we will have an opportunity to consider the DHS Reform Act before it is too late to alter some of the significant changes proposed by the second-stage review and included in this appropriations bill. Nonetheless, while the conference report is not perfect, it is indeed an important and significant step towards strengthening our Nation's preparedness, and I will support H.R. 2360.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. KOLBE) who, once again, is a gentleman who served on the conference report, who is a person, who is a veteran of the Committee on Appropriations, a person who sits directly on the border of the United States and Mexico; he is a person who has been involved for many years in making sure that tough questions were asked and that we made sure that a balance for delivery of money was given to agencies with an expectation of performance.

Mr. KOLBE. Mr. Speaker, I thank the gentleman for his comments and for yielding me this time, and I rise today to urge my colleagues to support both the rule and the underlying conference report on H.R. 2360, the appropriations for the Department of Homeland Security.

As a member of the Subcommittee on Homeland Security of the Committee on Appropriations, I am especially pleased that this bill provides the resources needed to help secure our border. There are a lot of proposals in Congress that deal with the problem of illegal immigration, and they vary tremendously, but they all have one common theme to them, one common thread, and that is, they all recognize the need to secure our border, and this bill helps to provide the resources that are necessary to accomplish that goal.

The bill ensures that Customs and Border Patrol will have ample funds to protect our borders and enforce our immigration laws. We have to secure the border, and this appropriation bill provides the Department of Homeland Security with the resources it needs to get the job done.

From additional agents, detention space, airplanes, helicopters, unmanned aerial vehicles, to better technology for securing and facilitating travel into the United States by land, air and sea, this bill has nearly everything that is needed to protect our homeland.

The district I represent includes a large portion of the Border Patrol's Tucson sector, through which almost half, that is right, half of all of the Nation's illegal immigrants enter into this country. The negative impact that this has on communities in my area is staggering. The impact of environmental degradation, the cost to hospitals, police and sheriff's departments and other public agencies, not to mention the tragic loss of life in Arizona in the desert, as many people who seek to come to the United States for better opportunities perish in the heat of the summer.

I am pleased that this conference report provides necessary resources to protect our border, not only an additional $56 million for the Tucson sector for expanding Border Patrol stations, fencing, vehicles, lighting, border roads and sensors, but across our entire border. I urge my colleagues to vote in favor of this rule and the underlying bill.

Mr. MCGOVERN. Mr. Speaker, I yield 3½ minutes to the gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, I rise today to discuss the Department of Homeland Security and the Transportation Security Administration's Registered Traveler program.

Like many of my colleagues, I was shocked to learn last month that the TSA has discontinued the Registered Traveler pilot program operating at five commercial airports. While TSA claims they need time to evaluate the pilot program before expanding, I contend they have been slow to act and, as a result, are depriving the traveling public, particularly frequent travelers, a more efficient, effective and safer manner of proceeding through airport security.

TSA has been running the pilot programs since the summer of 2004. Each one was advertised to be 90 days in duration, at which point decisions about further deployment would be made. However, we find ourselves now over a year since these pilot programs began with TSA still saying they need additional time to evaluate it. I do not buy it.

This is a classic example of the Federal Government being slow in making critical decisions about a program which we know to be a success and a program that we know also makes us safer.

Now, the TSA is continuing to operate a sixth pilot program at Orlando International Airport that they launched this past June. The Orlando pilot is different from the five pilots that have been shut down in that it is a public-private partnership that is run in conjunction with the airport, its vendor and TSA. I believe this public-private partnership is the way to go, as it will allow the private sector to add additional strengths to the programs, such as offering greater flexibility in meeting the needs and customer expectations, making rapid decisions on capital investment, and customizing programs based on intimate knowledge of the local market.

The Registered Traveler program has promise, and I believe in it. However, due to the manner in which the pilot programs were structured and the lack of decision-making at TSA, this program is in jeopardy of not getting off the ground at the national level. First and foremost, there are too few measurable benefits at the security checkpoint for individuals enrolled in the Registered Traveler program. Why does TSA collect a list of personal data on an individual and then subject him or her to a security threat assessment and provide so few measurable benefits?

I contend that if the Federal Government knows who you are by running your information against terrorist watch lists and other government databases, then they should provide more meaningful benefits at the security checkpoint such as not having you take off your shoes or not having you take off your coat or perhaps allowing nonticketed individuals back to the gates, as we did prior to 9/11, where they have our fingerprints and our eye retinas to make sure that we are safe going through. These are common sense benefits that can and should have been granted to individuals who sign up for this program. With not providing real benefits such as these, TSA is running the risk of killing this program before it is even started.

□ 1830

I am also extremely concerned with this language contained in the DHS conference report that provides a monopoly in my view to one organization to be the central collector and aggregator for biometric data necessary for the background vetting of the Registered Traveler program like other programs. This is not the approach we should be headed in in the United States Congress. We should be promoting competition, growth and an even playing field. And with a public-private partnership like the public-private partnership taking place in Orlando, the American people will win, and the options and competitive environment will be what we need to make us safer.

Mr. SESSIONS. Mr. Speaker, the gentleman from New York is exactly correct. We do need more competition engaged in not only homeland security but all across our government. The last session of Congress, I had an opportunity to serve on the Select Committee on Homeland Security and had an opportunity to work very closely with the gentleman from New York (Mr. SWEENEY). As part of this appropriations conference, he very clearly and carefully brought forward thoughts and ideas, just exactly what our colleague from New York (Mr. MEEKS) stated about the ability to create better competition but also to expect results. Several years ago the gentleman from New York (Mr. SWEENEY) was the first Member of Congress to bring forward a threat-based funding analysis plan. That was that we would aim our funding at the most likely threats that our Nation would be facing. And it is this kind of leadership that has allowed us, and I know we all do not agree on this. I know that there are a lot of people that think you ought to divide up the pie and every State or every city get so much money and every first responder gets so much money. But that is not what this administration and not what this Congress believes is the right way to do that.

I am pleased right now to have as our next speaker the gentleman from New York (Mr. SWEENEY) and I would yield him 3 minutes.

Mr. SWEENEY. Mr. Speaker, I thank the gentleman from Texas for the kind introduction and thank him for his great work at getting this rule out and onto the floor and for his friendship and his hard work on behalf of this Nation.

Mr. Speaker, I have been on this committee for a number of years since its inception. And every one of these bills comes to the floor, and we have common interests in the bill that we can agree on and common things that we can disagree on. But it is an accumulation of work representative of the process here, a bipartisan, bicameral bill that is not perfect by any means, but gets us significantly closer to the places we all want to be. And I think this is probably the one conference report that does that more than any other that I have been fortunate enough to work on, and it is because, as the gentleman from Texas pointed out, it does do something that is important and that has been voted on by this body a number of times, and that is to distribute first responder grants appropriately, threat-based, risk-based, first before we go to minimum standards.

Now, we had negotiated, and we had a compromise with our friends in the other body who still have not gotten to the place where they understand that the most efficient way we are going to fund and protect this Nation is to make sure that the funds and the resources are directed to where threats most exist. And they insisted on still a minimum level of funding for every State in this Nation that I think exceeds common sense. But nevertheless, this is the first time we have been able to codify in legislation and will enact in legislation the idea that homeland security is going to be done threat-based, and that is critically important. And it is why this is an important bill. It is the most significant of the homeland security approps bills because it enacts into law what this body has said now for 2 straight years that we ought to be doing.

It does a number of other really important things, too. And despite the critics, who we have heard from today, saying that it does not do enough, it does more to improve border security than any other single piece of legislation we have had before us since September the 11th. It does important things on restructuring our capabilities in science and technology, and every year, we have this debate that we are not spending enough money, whether it is for screening devices in airports or ports or other kinds of places or interoperability of communications. The fact of the matter is structurally this bill does more to get us to the place where we actually can have the technology put to use in the field that will ensure that we are able to provide that kind of support for our citizens and our first responders.

Finally, Mr. Speaker, I would point out that, after a very arduous negotiation, the Coast Guard Deepwater program, which is critically important to maintaining our security throughout, is really strengthened here in this bill. Now, we have got a lot of work left to do. There were billions, literally billions of dollars in the pipeline for first-responder grants. And the most important thing that we can do in this body, I think, is provide the proper oversight to make sure that those billions of dollars get to where they need to go and they are spent in a reasonable and responsible manner. This bill does that.

I want to salute Chairman ROGERS for taking the prudent steps that he has taken here and for really leading us. I support this bill and urge my colleagues to do so as well.

Mr. MCGOVERN. Mr. Speaker, I think one of the things that is missing in this bill is the lack of oversight. That is why some of us have great concerns about it.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, this bill fails us on chemical plant security. According to data from the Environmental Protection Agency, there are 23 States, including my home State of New Jersey, which has seven such plants where a worst-case release of chemicals could threaten more than a million people per incident. And a part of my district, in northern New Jersey, is home to the area commonly referred to as the most dangerous 2 miles in America, an area between Newark Liberty Airport and Port Elizabeth that is home to a number of chemical plants.

The New York Times recently reported that one plant in this area that

possesses chlorine gas ''poses a potentially lethal threat to 12 million people who live within a 14-mile radius.''

Now, the attacks of September 11th made each of us realize that terrorism had entered a whole new realm, one in which our Nation's assets, infrastructure and people could be used against us. That is why the Menendez amendment to the House homeland security appropriations bill, which passed with the support of 224 of my colleagues, sought to improve the security of that area of chemical plants across the country by providing $50 million to State and local governments to enhance the security of those plants and the communities that surround them. This money could have been used to equip and train first responders, provide assistance and guidance to chemical plant officials to implement best management practices to improve security or to increase law enforcement presence and patrols around chemical plants.

As a matter of fact, just this past week, there was a chlorine incident in a pool plant that strangulated traffic in the New York-New Jersey metro area. Unfortunately, the Republican controlled conference committee chose to delete the amendment from the entire conference report.

Hurricane Katrina should have taught us the importance of addressing the problems we know we face before disaster strikes. The chemical plants that dot northern New Jersey are the Lake Ponchartrain of our region, and this Congress just decided to cut funding for the equivalent of levees that would protect our people.

And not only did the conference committee on homeland security delete that amendment increasing funding for chemical security, it also cut State and local preparedness grants by $585 million, a full 19 percent lower than the level in the last fiscal year.

This Congress had a chance to address a looming problem before it was too late. The decision to cut funding for chemical security is an astonishing abdication of Congress's responsibility to keep our families safe.

And just while New York City at this very moment has heightened transit security because of a critical threat of bombing on the subway system, this bill woefully underfunds transit security.

While my colleagues focus on undocumented immigration in this homeland security bill, they allow the Nation to be unprotected from attacks on our chemical plants, transit systems, ports and the ability of our first responders to respond. That is a Federal Government that is failing to secure its people.

Mr. MCGOVERN. Mr. Speaker, I yield 2½ minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate that this bill finally fully funds the mitigation programs authorized last year by the Flood Insurance Reform Act, which I was pleased to coauthor with our former colleague, Doug Bereuter, which reauthorized and reformed the National Flood Insurance program assisting property owners who live in repetitively flooded areas. The programs in this bill are not funded by taxpayer dollars but by a transfer from the National Flood Insurance paid by premium dollars which authorized mitigation assistance to communities to elevate properties or move people out of harm's way.

Hurricane Katrina highlighted the importance of preparing for and mitigating against these natural disasters. While I am pleased that we have partial funding, I am disappointed that the administration has not requested funding for these programs earlier, an approach that could have, if fully funded and aggressively implemented, saved lives and property.

Unfortunately, the conference committee report cuts critical funding for other important mitigation programs. It provides only $50 million for pre-disaster mitigation, which is 67 percent below the House passed level and the President's request and 50 percent below the level for last year. This is what helps keep people out of harm's way.

But my deepest concern in the report, I must say, is a local concern, dealing with what it does to Portland's airport screeners with a reduction of over 2,000 from last year and the President's request. These have led directly to cuts in screener levels at over 200 airports across the country.

The airport that serves the Portland metropolitan area is hit the hardest in the country, losing over a third of our screeners despite an increase in our air traffic. These cuts will impact not just my community but those across the country and undermine our air transportation system.

The cuts will lead to longer lines and lost luggage. These proposed cuts will leave Portland less protected than it was before 9/11. We have introduced a resolution of inquiry to find out why in the world TSA wants to do that.

Unless we in Congress understand how TSA is doing the job of cutting funding for these screeners, they will come back to haunt our local communities and our already ailing airlines. I think our constituents deserve better.

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

First of all, let me begin by saying something nice to the majority. I would like to point out for the record that this is the first conference report in this Congress that has lain over for 3 days as required under the rules of the House, so I want to thank the Speaker and the majority leader and the members of the Rules Committee for following the rules of the House for a change. I hope we can do this more often.

Now, Mr. Speaker, let me address the substance of this conference report. This conference report cuts first-responder grants. We have heard that over and over and over again. And let me just say to my colleagues on the other side who say that somehow there is money in the pipeline, well, there shouldn't be any money in the pipeline. The need is that great.

The first responders in this country, our fire fighters and our police officers, they do not want resolutions of support. They do not want your eloquent speeches. They do not want your meaningless proclamations. What they want, what they need are the resources to be able to do their job, to protect their communities.

And yet, under this conference report, three of the four major grants programs for first responders in the Department of Homeland Security are cut below fiscal year 2005 levels. It underfunds communications equipment for first responders. We have been talking about that over and over throughout this debate.

But what is particularly astonishing to me is that, despite what we saw in Katrina, where people could not communicate with each other, similar to what happened during 9/11, the conference report actually provides $15 million or 36 percent less than the amount the House provided for this equipment in the original bill back in May before Katrina ever struck.

Now we have heard a lot on the other side about budget priorities and limited moneys and funding shortfalls. But we have to get this right. This is about protecting our homeland security. This is government's first responsibility, to protect the people of this country.

You never talk about budget priorities. You never talk about money shortfalls when it comes to tax cuts that benefit mostly the richest people in this country. But yet when it comes to protecting people, providing the equipment that our first responders need, providing the equipment our communities need to protect themselves against a terrorist attack or a natural disaster, somehow we do not have the money.

I would urge my colleagues to vote ''no'' on the conference report.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

□ 1845

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

I am pleased and proud today to have the gentleman from Kentucky (Mr. ROGERS) to lead us today as we have an opportunity to debate, discuss, and vote on this important appropriations bill for homeland security.

Mr. Speaker, I will admit to my colleagues we worked hard on this bill. It is a bipartisan effort. It was one that employed a lot of people with a lot of thoughts and ideas. We worked with the Senate, we worked with the administration, a lot of work, but what we have done is produce a package that is threat-based. It is based on those experts who see the threat that is aimed against the United States, and they are numerous. They are numerous. They are not in our largest cities, but along our border, but, Mr. Speaker, we have worked together to make sure that in a bipartisan fashion this was addressed, and I am pleased and proud today to say that this is a threat-based bill, based upon what the experts tell us is facing the United States today.

Mr. Speaker, I would also like to highlight the retirement of a very important person in the administration. He is a former commissioner of U.S. Customs; and under Homeland Security, he has been commissioner of U.S. Customs and Border Protection, Judge Robert Bonner from Los Angeles, California, who has served this great Nation for a number of years as a Federal judge and once again in the U.S. Customs and Border Protection. Judge Bonner will be leaving in just about a month from his service to the administration; and Judge Bonner has been a man of not only substance and vision but a person who has offered Members of Congress his best advice on how best to deal with the threats against this Nation.

So I would like to highlight not only the service to this country that the Members of Congress have done in this appropriations bill but also working with the administration, with such fine people as Judge Bonner.

Mr. Speaker, I will confess to my colleagues that this bill that we have here today is aimed at averting and stopping the next terrorist attack that comes aimed at this country. I hope that we have put the best minds to this and that we are prepared.

I am prepared to tell my colleagues right now I support this rule and the underlying legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I will ultimately support the underlying legislation under the Conference Report, but I recognize that it has many shortfalls that will affect this nation's ability to respond to a new and substantial set of circumstances—namely the aftermath of Katrina and Rita. I speak not only from the standpoint of a Representative of an area that experienced compound effects of both Katrina and Rita, but I speak as mother, wife, and a person who understands the pains of economic hardship.

A restrictive rule in a situation such as this will only limit the effectiveness of this legislation. Hurricane Katrina has been a natural disaster of unprecedented proportions. The effects of Katrina, now compounded with the effects of hurricane Rita, have been difficult to predict and even more difficult to prevent. Thousands of people are displaced, hungry, and without hope. Authorities at every level of government are virtually writing the book on how to respond to a disaster of this proportion and scope. In my district alone, there are 15,000 displaced children who need homes, schooling, food, jobs, and subsistence items. New information is coming in by the hour on damage that was done to our infrastructure, the numbers of displaced people, and the paltry resources available.

I applaud the Conferees for giving agencies such as ICE an appropriation of $3.175 billion—which was a $216 million increase over the FY05 level of $2.95 billion. Furthermore, of the $4.6 billion allocated to TSA, $2.54 billion is allocated to cover passenger and baggage screener workforce. The number of TSA screeners is capped at 45,000—which will constrain our efforts to compensate for the effects of the two hurricanes. Within this account, privatized screening operations are funded at $140 million. The conferees also extended liability protection to airports with private and TSA screeners for "any act of negligence, gross negligence, or intentional wrongdoing" committed by a Federal or private screener—which will be a good element.

Unfortunately, the underlying bill is not exactly on-point or up-to-date vis-a-vis Hurricane Rita. Many of the problems that we face are new, late breaking, and developing in front of our eyes. We need as unrestrictive a rule as possible in order to best address the issues contained with this legislation. In fact we have still not given full attention to the value of growing and promoting citizen Corps—established neighborhood groups that were established in the original homeland security legislation that would help train neighborhoods in securing their communities.

This measure is of critical importance for the constituents of my district. We can do better.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WALDEN of Oregon). 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:

S. 1786, by the yeas and nays;

H. Res. 276, by the yeas and nays;

H.R. 3894, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The remaining votes in this series will be 5-minute votes.

AUTHORIZING SECRETARY OF TRANSPORTATION TO MAKE EMERGENCY AIRPORT IMPROVEMENT PROJECT GRANTS-IN-AID FOR REPAIRS AND COSTS RELATED TO DAMAGE FROM HURRICANES KATRINA AND RITA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the Senate bill, S. 1786.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MICA) that the House suspend the rules and pass the Senate bill, S. 1786, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 420, nays 0, not voting 13, as follows:

[Roll No. 509]

YEAS—420

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
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
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
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
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
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—13

Boswell
Crowley
Delahunt
Hastings (FL)
Linder
Olver
Payne
Poe
Rothman
Royce
Schwarz (MI)
Watson
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WALDEN of Oregon) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1909

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

SUPPORTING THE GOALS AND IDEALS OF PANCREATIC CANCER AWARENESS MONTH

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 276.

The Clerk read the title of the resolution.

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 agree to the resolution, H. Res. 276, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 510]

YEAS—415

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
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
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
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
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
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
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
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—18

Boswell
Crowley
Delahunt
Hastings (FL)
Johnson, Sam
Lewis (CA)
Linder
LoBiondo
Nunes
Olver
Payne
Poe
Rothman
Royce
Schwarz (MI)
Sullivan
Watson
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1917

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. LOBIONDO. Mr. Speaker, my vote on rollcall No. 510 was not recorded. I would like the RECORD to reflect that I would have voted "yea" on rollcall No. 510.

HURRICANE KATRINA EMERGENCY HOUSING ACT OF 2005

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The pending business is the question of suspending the

rules and passing the bill, H.R. 3894, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BAKER) that the House suspend the rules and pass the bill, H.R. 3894, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 418, nays 0, not voting 15, as follows:

[Roll No. 511]

YEAS—418

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
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
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
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
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 (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—15

Boswell
Crowley
Delahunt
Gillmor
Hastings (FL)
Kirk
Linder
Olver
Payne
Poe
Rothman
Royce
Schwarz (MI)
Watson
Whitfield

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1926

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to provide for waivers under certain housing assistance programs of the Department of Housing and Urban Development to assist victims of Hurricane Katrina and Hurricane Rita in obtaining housing''.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 2360, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to House Resolution 474, I call up the conference report to accompany the bill (H.R. 2360) making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 474, the conference report is considered read.

(For conference report and statement, see proceedings of the House of September 29, 2005, at page H8585.)

The SPEAKER pro tempore. The gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) each will control 30 minutes.

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

GENERAL LEAVE

Mr. ROGERS of Kentucky. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the conference report to accompany the bill, H.R. 2360, and that I may include tabular material on the same.

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

There was no objection.

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

Mr. Speaker, we are pleased today to present for consideration the conference agreement on the funding for the Department of Homeland Security. Five weeks ago this Nation experienced perhaps the worst natural disaster in our history.

□ 1930

Ninety thousand square miles were declared a disaster area. Ninety thousand square miles, an area twice the size of my home State of Kentucky. I believe Hurricane Katrina was a wake-up call. It showed us we are not indestructible. Vulnerabilities clearly exist. We were reminded that there are many threats to the homeland security beyond terrorism.

There are obviously many lingering and important questions about Hurricane Katrina, all of which need to be and will be addressed in the upcoming months. We witnessed firsthand in Katrina the immediate response was inadequate. We also saw how responses varied across State lines and at different levels of government.

But while the response to Katrina was plagued by problems, the preparation response to Hurricane Rita was not. We observed a substantially more organized preparation and response, demonstrating how the Department of Homeland Security can and does work

as an effective organization. The fact is for many within the Department, the response to these disasters has been nothing short of remarkable.

For instance, in the week immediately following Katrina, the Coast Guard saved more than 33,000 lives, more than the Coast Guard saved over the past 5 years. Over 4,000 Coast Guard, 12,000 FEMA, 2,500 Federal law enforcement personnel have been sent to support Hurricane Katrina and Rita relief operations, and their work continues even as we speak.

The bill before us supports these efforts and more. It provides the funds the Department needs to prevent, prepare and respond to disasters, both natural and man-made. It provides a balance among Homeland Security programs and ensures the Department has the resources it needs to carry out its missions. This bill maintains a steady course towards keeping our communities safe and making our Nation more secure.

In total, the 2006 conference agreement provides $30.8 billion, $1.4 billion above the current year and $1.3 billion above what the President asked of us. This includes more than $19.1 billion for border protection and immigration enforcement; $3.3 billion for our Nation's first responders; $6.33 billion for transportation security; $1.5 billion for research, development and deployment of innovative technologies; and $625 million for protecting our national critical infrastructure and key assets.

In the interest of time, Mr. Speaker, I would like to highlight just a few of these items that I know are of interest to all the Members.

There is $3.3 billion for our first responders. This agreement strikes a balance between funding high-risk communities and providing support for States and localities to achieve and maintain minimum levels of preparedness. The bill includes $950 million for basic formula and law enforcement terrorism prevention grants and $1.2 billion for security in our urban and most populated areas, including $390 million for transportation and infrastructure security grants. Some people say the amount of money for first responders is below the current level, and it is true. It is. The reason for that is they have got $6.6 billion in the pipeline, not yet allocated; so why add to the reservoir when the river is running full?

The bill provides $19.1 billion for border protection, immigration enforcement and related activities, which is $1.2 billion over the current year and almost a half billion over what the President asked of us. That includes $1.8 billion for border security and control; $3.4 billion for Immigration and Customs Enforcement; $340 million for the US-VISIT program; $2.9 billion for Coast Guard operations; fully funding Deepwater at $933.1 million; and $40 million for the implementation of the REAL ID Act.

So I think the agreement, Mr. Speaker, will go a long way towards improving the integrity of our borders. When we combine what we have in this bill with the 2005 supplemental, we will have 1,500 new Border Patrol agents and 568 Immigration and Customs Enforcement agents across the land to be hired in fiscal year 2006. The bill also supports a total of 20,300 detention beds for housing people who are locked up, having come across the border.

The conference agreement supports security for all modes of transportation, including $6.3 billion for the Transportation Security Administration and the Federal Air Marshals and $150 million in rail security grants.

There is $85 million for air cargo security, which will support the hiring of 100 new air cargo inspectors, the development of new cargo screening technology and the expansion of canine enforcement teams. The bill also continues to provide strong oversight of TSA's progress towards inspecting all cargo that is transported on passenger aircraft.

There is $1.5 billion for science and technology, including $318 million for the Domestic Nuclear Detection Office that will coordinate our Nation's efforts against the smuggling of nuclear materials into our country. This is a brand new agency, and this is brand new funding. We also continue to fully fund research and development for antimissile devices that might be used against commercial aircraft.

Mr. Speaker, the important work of the Department of Homeland Security cannot be emphasized enough. As we continue to watch the recovery efforts in the Gulf States and our hearts go out with our money to those regions, it is clear that the assets we have given the Department over the past 3 years are being put to good use. I believe this conference agreement builds on the Department's progress and substantially furthers the protection of our homeland, and I urge all of my colleagues to support this bill.

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

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

When the House passed the 2006 Homeland Security appropriations bill, I said that the bill represented a substantial improvement over the President's budget request. The conference report does as well. I said that the bill included better funding for border enforcement, separate programs for transit and port security. This conference report does those same things.

I said that the House bill toughened up air cargo screening, privacy safeguards and the designation of security-sensitive information. This conference report includes these initiatives.

However, I also said that I had reservations about some parts of the House bill, and I continue to have those concerns. I have more reservations because of changes made to the bill in conference.

I am a strong minority who has strong reservations about the shift in distributing State and local grant funds from being based on population to being based on the Department of Homeland Security's assessment of risk and threat. These are funds that flow to State governments to be reallocated, at least 80 percent to local government. Last year, less than 40 percent of these grant funds went out by threat. This year 78 percent of the funding will go out by this threat measurement. I wonder how the DHS risk model and threat model will assess and treat Michigan, a border State, as compared to North Carolina, a hurricane-prone State.

Only two of the Department's 15 threat scenarios are based on natural disasters. As a result, I worry that our Nation may be less prepared for the disasters that we know will occur. My observation of the Department over the last several years leave me with little confidence that they are going to make fair judgments or correct judgments in making their allocation.

I am disappointed that this agreement does not do more to strengthen chemical plant security. In the conference, I offered an amendment, a simple amendment, to give the Homeland Security Secretary the authority he needs to issue requirements for security standards and plans for facilities he determines to present the greatest security risk. We should demand the Department get serious about hardening these chemical facilities. However, my amendment failed on a party-line vote.

I also have reservations about Secretary Chertoff's reorganization proposal, which is rubber stamped by this conference report. This reorganization plan was submitted to Congress barely 3 months ago, and we have not taken the time to evaluate it carefully. This reorganization was developed before the Department's poor Hurricane Katrina performance. It further weakens FEMA by severing its relationship to preparedness programs. I strongly believe that this is a mistake.

So, Mr. Speaker, as in so many bills, there are good things and bad things in this conference report. Members must make their own judgment. On balance, I will vote ''yes.''

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

Mr. ROGERS of Kentucky. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. LEWIS), chairman of the Committee on Appropriations, who has been enormously helpful in this bill all the way through.

Mr. LEWIS of California. Mr. Speaker, I want to express my deep appreciation to both my chairman from Kentucky and the gentleman from Minnesota for the work they have done on this conference report.

At the beginning, as we brought Homeland Security together, we brought some 22 different agencies together under one maze. A very difficult process. Much of the original bureaucracies remaining in place and yet

struggling to figure out how and where and why they effectively work within the Federal Government. The chairman and ranking member have worked very hard to provide the kind of oversight that is necessary to lead them down this pathway, dealing with very tough issues that relate to America's national security.

Having said that, I want to congratulate the gentlemen for their work and at the same time suggest rather directly that none of us can do anything with that which an act of nature brings upon us. Katrina and Rita were natural disasters. We have not experienced such in my lifetime in public affairs. But, indeed, Americans are attempting as best they can to help the region of this country that is so important not only in terms of our natural resources but to our economy as well.

I very much appreciate the work particularly that was done by the gentlemen in overseeing that work which is the responsibility of the Coast Guard, for, indeed, they have gotten their attention. It is very apparent they are not just responding to the committee but in this very horrid crises did a great bit of response on behalf of America.

So I congratulate both of them for their work. I appreciate very much the job they have done.

□ 1945

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

Mr. OBEY. Mr. Speaker, first let me say that there are a number of useful things in this conference report. For 3 years, many of us have been trying to strengthen support for border enforcement and control, and this bill is $675 million above the President's request. That is good. It also provides some additional funding to beef up transit security and port security, and that is good. It provides $655 million for fire grants, 30 percent more than the Bush request, and that is good. It provides $30 million for three pilot projects to increase the screening of cargo, which is a major terrorism vulnerability that remains unaddressed by the Bush administration recommendations. This bill, therefore, helps to take care of a rather important problem.

But, in my view, there are three big problems that remain which will require me to vote ''no.'' First of all, because of the need to add $675 million more for border programs, the conferees cut funding for other programs substantially below the President's own request. Example: Pre-disaster mitigation programs, $100 million below the Bush request, $50 million below last year. Grants to States and localities to help them prepare for terrorism and other events are cut by over $800 million, or 20 percent from last year; and this occurs on the very day when we have been briefed by the administration warning us about the total incapacity of State and local governments to respond to local problems, such as a pandemic. Aviation security screening is cut by $83 million from the Bush request under this bill.

My second problem with the bill is that it approves a thoughtless reorganization proposal made by Secretary Chertoff. Just 2 weeks ago, members of the majority party told us it was premature to return FEMA to its previously independent status; and yet this legislation embraces a reorganization plan proposed by Secretary Chertoff, the sixth reorganization this agency has had, and that reorganization goes in the wrong direction.

My third objection is that FEMA is not reformed, but it is in fact further deformed by this proposal. We all understand that the response of the Homeland Security agency to the disaster of Katrina was, well, for want of a better word, disastrous; and yet nothing is done in this legislation to provide for a return to independent status for FEMA. It remains buried in the bowels of a dysfunctional bureaucratically layered agency; and, in fact, this bill moves us further in the wrong direction. The fire academy and other training programs are specifically taken away from FEMA.

So there are two ways, I suppose, that Members can deal with this bill. We can squawk about it, if we do not like parts of it, and hold our noses and vote for it because it does have some substantial improvements, and I congratulate the gentleman from Minnesota and the gentleman from Kentucky for those.

But the fact is that there is another choice if we believe that this bill still is not sufficient to meet the national interests, and that is to vote against the bill as a protest; and that is what I feel compelled to do tonight.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. LATHAM), one of the hard-working members of our subcommittee whose work helped make this bill happen.

Mr. LATHAM. Mr. Speaker, I thank the chairman for yielding me time.

Mr. Speaker, I rise in support of this conference agreement and urge my colleagues to all do the same. I want to commend the gentleman from Kentucky (Mr. ROGERS), the gentleman from Minnesota (Mr. SABO), and the great subcommittee staff for their hard work in putting this bill together.

The process of structuring an appropriations bill addressing the operational needs of 22 agencies under the Homeland Security Department has, once again, been very difficult, difficult in part because we are funding a mission that has many dimensions and for which there are few absolutes.

As I participated in this process, I have come to the conclusion that our approach to funding homeland security has been measured and judicious. We have had to make difficult choices. Most importantly, we continue to benefit from the ideas and knowledge of State and local officials from our districts all around the country. That collective wisdom serves us well.

Because of this cooperation, we are beginning to see some of the improvement in the funding processes for first responders. In Iowa, we are working to protect the agriculture community through planning and training, and in fact thousands of people have been trained in our community colleges through federally funded assistance. Iowa and other Midwestern States are doing what is necessary to protect our communities from man-made and natural disasters.

Of course, obstacles remain for our security systems. We have demanded much from our States, and the Federal Government must remain a working partner by providing appropriate funding. We must continue to work closely with local and State officials because they are the people we will look to when disaster occurs.

I am especially pleased in this bill that we have increased the number of border patrol agents by 2,000 and provide more beds to house the people who are coming across the border illegally until we can send them back to their country.

Again, I commend the chairman and the ranking member and urge all Members to support this bill.

Mr. SABO. Mr. Chairman, I yield 2 minutes to the gentleman from Minnesota (Mr. OBERSTAR), the ranking member of the Committee on Transportation and Infrastructure.

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

Mr. OBERSTAR. Mr. Speaker, I thank the ranking member, my good friend and leader from Minnesota for many years.

Mr. Speaker, I am disappointed that the conferees included a provision that would protect from liability airports that choose to opt out of the Federal screening program, as well as protection from negligent acts committed by private security screeners.

The Aviation and Transportation Security Act, which was the fundamental law, allows airports to opt out of the Federal program and replace Federal employee screeners with screeners employed by a private company under contract with TSA; but the language of that provision was written very carefully to ensure that we would have one level of security for all airports.

A small number of airport operators believe that they will have greater control over security if they opt out of the Federal program, but the Aviation Security Law requires that private screening companies contract directly with TSA and be supervised by TSA to ensure that our Nation's security remains one level and a Federal Government function. The liability provisions of this conference report should not be interpreted to change the reality that

the Federal Government has direct responsibility for airport security.

Furthermore, in my reading of the language, this provision does not relieve an airport operator of liability in a case involving a breach of security for any act or failure to act by the airport operator or its employees which constitutes negligence, gross negligence, or intentional wrongdoing. In a situation where the airport or airport employees knew that a screening company was not doing an adequate job, but failed to take action to notify TSA, or if an airport employee were part of a scheme to commit a terrorist act, then my interpretation of the language in this conference report is that the airport, nonetheless, would be liable.

Since the terrorist attacks on September 11, 2001, the Federal Government has spent billions on aviation security, and little on transit and rail security, even though five times as many people take trains as planes every day.

Over 9.6 billion transit trips are taken annually on all modes of transit service, with people using public transportation vehicles over 32 million times each weekday.

Since September 11th, the transit industry has invested more than $2 billion of its own funds for enhanced security measures. Railroads have also strengthened security. Amtrak has added police and dog units and removed large fixtures from their platforms, but the railroads and the transit industry can't do it alone.

Even with the investments made by transit agencies, the documented transit security needs total more than $6 billion, far more than the $150 million provided in the conference report for rail and transit security grants (the same amount provided in FY2005).

Amtrak alone has requested $100 million in security upgrades and nearly $600 million for fire and life-safety improvements to tunnels on the Northeast Corridor in New York, Maryland, and Washington, D.C.

Transit agencies have requested $2 billion from Congress, yet the conference report provides only $10 million for intercity bus security grants.

Securing our Nation's transit and rail facilities is a formidable task, but Congress must get it done.

The London bombings and the terrorist train bombing in Madrid, Spain in 2004, which killed 191 people and wounded more than 1,800 others, show that there is a clear need—more than ever before—to strengthen transit and rail security.

The London and Madrid bombings were just the latest in a series of attacks on trains worldwide. Between 1998 and 2003, there were 181 attacks worldwide on trains and rail-related targets such as depots, ticket stations, and rail bridges, resulting in an estimated 431 deaths and several thousand injuries.

It is clear that Federal leadership and Federal resources are required to address the needs of a reliable, safe, secure, mass transit network, just as has been used in establishing a secure Federal aviation network. But despite recent attacks, Congress is again short-changing our transit and rail industries.

One hundred and fifty million dollars for such a vast network isn't enough. It's not enough to protect passengers. It's not enough to secure our most vulnerable infrastructure. The American people deserve better.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. CARTER), another hard-working member of our subcommittee whom I rely upon very much.

Mr. CARTER. Mr. Speaker, I thank the gentleman from Kentucky (Mr. ROGERS) and the gentleman from Minnesota (Mr. SABO) for their hard work on this conference report.

Mr. Speaker, I rise in support of this, because I view the world from the State of Texas. I look at the largest single foreign border in the United States in Texas. I look at a port that the Coast Guard told me carries the largest amount of dangerous cargo in the United States, and possibly the largest amount of dangerous cargo on Earth, the port of Houston.

I look at the big spaces we have to cover as we try to secure just the State of Texas. I look at the 68,000 other-than-Mexican immigrants that we have actually caught in the last 8 months crossing the Texas border. These are people from places other than Mexico: Central and South America, Eastern Europe, Russia, the Middle East, Syrians, Iranians, Iraqis, Chinese and Far Easterners, crossing our border across the Rio Grande River.

I view that world, and it is a world that requires a secure homeland.

Mr. Speaker, there has been a lot of hard work done on this bill, and I think this bill goes a long way to start securing the Texas border and the rest of the border between the United States and Mexico and the United States and Canada. We are adding 1,000 border patrol agents by this bill; we are putting on investigators; we are beefing up ICE. We are doing everything we can to say to the world, We are not anti-immigrant; we are anti-people who break the law to enter our country or who are coming in illegally.

Mr. Speaker, this bill will help, so I stand in support of this bill, because it does the right thing for America.

Mr. SABO. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Mississippi (Mr. THOMPSON), the ranking member of the Committee on Homeland Security.

Mr. THOMPSON of Mississippi. Mr. Speaker, I thank the ranking member for yielding me time and for allowing me the opportunity to speak.

Mr. Speaker, I rise in reluctant support for the conference report on H.R. 2360. It has some good provisions. For example, I am pleased that the conference report funds transit and rail security grants at $150 million. However, I am concerned that less than 1 percent of the TSA's budget is dedicated to addressing the vulnerabilities in surface transportation. At this rate, maybe we should stop calling it the Transportation Security Administration and call it an ''aviation security administration.''

I am also troubled that the conference report gives blanket airport liability protection to airports that opt out of the Federal screeners program. One of the first things that Congress did after the 9/11 attacks to signal to the American people that it was safe to fly again was to federalize security.

I am pleased that the conferees adopted many of the changes which the Democrats on the Committee on Homeland Security advocated during the Department's authorization process. I commend the conferees for creating the Chief Medical Officer and the Chief Intelligence Officer. We have been calling for such changes to give the Department focus on bio-preparedness and intelligence.

We have also been advocating a quadrennial Department of Homeland Security review and long-term policy planning at the highest levels of the Department. I am pleased that this legislation would also require the Department to do so.

At the same time, I am concerned that the conferees adopted many of the organizational changes that Secretary Chertoff proposed in July, as if Hurricane Katrina never happened. The establishment of a preparedness directorate will not make us any more prepared if we do not have competent people in place.

In response, Mr. Speaker, 13 members of the Committee on Homeland Security introduced legislation today to create a coherent organizational picture for the Department. The Department of Homeland Security Reform Act of 2005 would authorize many of the new offices the administration plans to create and this conference report funds. The logical step for Congress is to consider this bill as it provides direction for some of the new positions the administration planned to create on its own.

Much more needs to be done to make DHS the Federal agency that America deserves. I strongly urge my colleagues in the House to support the Homeland Security Reform Act, legislation that builds upon the conference report.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, I thank the chairman for yielding me this time and for his hard work in this Herculean task of trying to make this agency better.

Thankfully, homeland security has worked. Our Nation is safer. My gripe, though, is FEMA. Four storms hit Florida, and FEMA was ill equipped. In my opinion, it is ill equipped because it resides in an agency that should be focused solely on terrorism and homeland security.

□ 2000

FEMA should be able to respond to the needs of a natural disaster that we have experienced.

Immigration has been mentioned repeatedly. Immigration is out of control. We recently read in the paper that employees of the U.S. Citizenship and Immigration Service are facing misconduct charges ranging from bribery

to exchanging green cards for immigration in return for sexual favors. It is not enough that we have illegal immigrants running around unfettered, we also have them committing serious crimes.

Daniel Rodriguez Mendoza, a 21-year-old illegal alien from Mexico, was recently responsible for killing the mother of two children in a traffic accident in West Palm Beach, Florida. He did not have a driver's license. He had no papers, and four times he had been previously ticketed for driving without a license. Each time, he was let back into the community, even after immigration officials were notified of him, but failed to do anything.

Then there is the 20-year-old young man in my district who was hit by a truck while riding his motorcycle in a small town on Father's Day. He is now hospitalized, paralyzed from the chest down. The illegal alien who paralyzed him was caught, charged with the accident and then, regrettably, released, and now he has disappeared and has not shown up for his trial.

Mr. Speaker, we are debating today money for the Federal department now responsible not only for protecting us from terrorism but also from illegal immigration and for helping in disasters. We need to make sure this money works.

We should not have to be dealing with inept disaster programs and dysfunctional immigration enforcement. And I think most of my colleagues here would agree.

Mr. SABO. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to engage the gentleman from Minnesota in a colloquy and seek support to include language in a future supplemental bill to provide individual assistance to residents in Broward and Miami-Dade Counties, Florida, who suffered damage because of Hurricane Katrina.

Hurricane Katrina struck Broward and Miami-Dade counties as a Category One storm on August 25. The Federal Emergency Management Agency's initial assessment revealed that over 170 homes were destroyed or severely damaged in Broward and Miami-Dade counties because of Katrina's fury. Following the initial assessment, local and State authorities documented that there were at least 219 homes in Broward and 189 homes in Miami-Dade severely damaged or destroyed.

FEMA denied assistance to individuals in Broward and Miami-Dade Counties on August 31, 2005. On September 6, 2005, Florida appealed FEMA's decision and provided specific information to support its original request, including the disproportionate number of low-income residents impacted and the fact that the State does not have disaster relief funds. This appeal was also denied, leaving hundreds of south Floridians with little hope of Federal individual assistance.

Mr. SABO. Mr. Speaker, will the gentlewoman yield?

Ms. WASSERMAN SCHULTZ. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Speaker, the Stafford Disaster Relief and Emergency Assistance Act suggests that a number of factors are considered to measure the severity, magnitude and impact of a disaster and authorizes FEMA to provide individual assistance. I would be happy to work with the gentlewoman from Florida to get this corrected within current FEMA statutory authorities and provide equitable assistance to all victims of Hurricane Katrina.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman for his leadership, commitment, and support.

Mr. FOLEY. Mr. Speaker, will the gentlewoman yield?

Ms. WASSERMAN SCHULTZ. I yield to the gentleman from Florida.

Mr. FOLEY. Mr. Speaker, I want to support the gentlewoman's efforts and those of the gentleman from Florida (Mr. MARIO DIAZ-BALART). We all in south Florida are working. I thank the gentlewoman for highlighting this. Katrina did start in Florida. People have been impacted. They have been hurt, and they deserve the same consideration as our colleagues and neighbors in Louisiana, Alabama and Mississippi.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I thank the gentleman from Florida and the gentleman from Minnesota, and I look forward to working with them to correct this inequity.

Mr. SABO. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Speaker, I thank the gentleman very much for yielding me this time.

It is not so much what is in this bill; it is what is not in this bill. What we have here is a bill which does not, in fact, deal with all of the threats which are posed by al Qaeda.

Right now, across our country, it is harder to get into some night clubs in New York City than it is to get into chemical facilities across our country. There are 23 States that have over 100 facilities that could cause injuries or deaths to 1 million people. This bill still does not mandate armed guards at chemical facilities.

The nuclear power industry still does not have a permanent upgrade of the protections which are needed against an al Qaeda attack, even though we know that al Qaeda has nuclear power plants at the top of their terrorist target list.

Public transit. While $18 billion has been spent on airlines, only a small fraction of that has been spent on mass transit to protect against al Qaeda attacks, even though we have been warned in Madrid, warned in London, and even today, New York is in fear that there could be an attack on that city.

LNG: What the Republicans have done this year is they have told mayors they have no say over where LNG facilities would go. Governors have no say. And the Coast Guard has no say. Only the Federal Energy Regulatory Commission, dealing with the wish lists of the oil and gas industry, can decide where they go, but in the City of Boston and in dozens of cities across our country, they are going to have a homeland security nightmare trying to protect if al Qaeda attacked an LNG facility.

When it comes to hazardous material shipments, this majority Republican Party still refuses to have a mandate that there is a rerouting of those dangerous chemicals, the chlorines and the others that, if they were attacked, would cause catastrophic injuries in our country.

And in aviation, still only a small fraction of all of the cargo that goes on passenger planes in our country is inspected. So the people in our country must take off their shoes, put their computer through, their bags go through, all of it is screened, and they are sitting in the passenger section of the plane, and then underneath their feet will come all of this cargo that has not been screened.

This bill has only a very slight increase in its budget, but the budget itself does not determine whether or not we have good homeland security. This Republican majority still refuses to tell the chemical, the nuclear, the LNG, the hazardous material industry, the aviation industry that there is a regulatory black hole through which al Qaeda can come to attack the very list of targets that they put at the top of their terrorist target list. Not enough money and no mandates on the industry.

Mr. Speaker, catastrophe is bred by complacency, and that is what this bill is.

Mr. Speaker, the conference report we are considering today on the House Floor fails to close dangerous homeland security loopholes that continue to put Americans at risk more than 4 years after the 9/11 attacks.

Despite the urgent need to increase protections against terrorists determined to strike our country, serious vulnerabilities persist in a range of major areas:

Chemical plant security: More than 100 facilities in 23 States could threaten 1 million or more people if terrorists attacked the facility. There are no federal security requirements for chemical plants—the industry secures itself if it decides, on its own, to do so. "60 Minutes" did a segment where they literally walked right through an open front gate into a chemical plant outside downtown Pittsburgh. At one facility, the reporter climbed up onto a tank containing toxic material and shouted "hello, I'm on your tank." There were no guards and no one tried to stop him. There are nightclubs in New York City that are harder to get into than some of our chemical plants.

Leaks of toxic chemicals can be devastating. In India in 1984, a leak at a chemical plant in Bhopal killed at least 4,000 people and injured hundreds of thousands more.

Transportation of extremely hazardous materials: Shipments of extremely hazardous materials such as chlorine routinely travel through

densely populated areas of our country. These shipments are mobile chemical weapons that often share the same track as urban passenger rail systems and could kill or injure 100,000 people within half an hour.

In a report released by the Teamsters Rail Conference last week that surveyed rail employees, 63 percent of those surveyed indicated that their train or equipment was delayed or left unattended for an extended period of time that day, and of those, 55 percent indicated that there were hazardous materials aboard that train.

LNG Security: One of Millennium Bomb plotters planning to attack Los Angeles International Airport was smuggled into the country on an LNG tanker docking in Everett, MA in my Congressional District. Terrorists may target LNG tankers and terminals, resulting in catastrophic consequences for surrounding communities. In 1979, my bill to require such remote siting was signed into law. But the Bush Administration is trying to undermine it, opening up the possibility an LNG plant would be placed, like a sitting duck, in the middle of an urban area, where an attack or accident would cause incredible devastation. Energy Bill signed into law in August 2005 froze out local officials from site decision-making process, so now convenience for energy companies, rather than security safeguards for surrounding community, will determine where facilities are built. Last month, I offered an amendment to the Coast Guard reauthorization bill to require the involvement of the Coast Guard, which is part of the Homeland Security Department, in siting decisions. My amendment was defeated on the House Floor.

Republicans claim to support local control and the right of states to fend off federal encroachments. But when it comes to LNG siting, Republicans cut out mayors and governors and state homeland security officials from carrying out one of their most important responsibilities—protecting the public.

Aviation: Approximately 22 percent of all cargo transported by air in the United States is carried on passenger planes. This cargo consumes about half of the space in the cargo bay on a typical flight, and almost none of it is ever inspected! In the past, this cargo loophole has been exploited with deadly results, such as when Pan Am Flight 103 was blown up over Lockerbie, Scotland by a bomb hidden in unscreened baggage. I asked Secretary Chertoff if he would support a requirement that 100 percent of the cargo carried on passenger planes be inspected, just as all checked bags, carry-on bags and passengers are currently inspected before boarding? He said ''No.''

Why should the booties of babies be scrutinized for bombs, but no one checks the cargo bound for the belly of a Boeing? The Bush administration says we should trust the shipper. But we must apply the Reagan Doctrine to cargo security—Trust, but verify.

Public transit: The attacks in London and Madrid clearly demonstrated our vulnerability to similar strikes against our transit systems here in the United States. Despite these wake-up calls, this conference report provides only slightly more funding than what is being provided today. Ranking Members OBEY and SABO offered amendments during the conference to increase funding for public transit security, but these amendments were defeated by the unanimous opposition from Republicans on the conference committee.

The American Public Transportation Association has identified $6 billion in transit security needs for U.S. public transportation systems, approximately the same amount of money we're spending each month in Iraq. Since September 11, the Federal Government has spent $18 billion on passenger air security, but only $250 million on transit security. Yet, Americans take public transportation 32 million times a day—16 times more than they fly.

Biological Weapons: Four years after the unsolved anthrax attacks on the Capitol that killed innocent workers, DHS has only completed material threat assessments on four of the biological, chemical and radiological agents that it is required to assess under Project Bioshield. I asked Secretary Chertoff if he would commit to completing the rest of these threat assessments within 60 days. He said ''no.''

Today's conference report does not adequately address these issues. This bill does not:

Require chemical plants to be protected by armed guards trained to prevent attacks by sophisticated, suicidal terrorists or require chemical companies to substitute safer technologies and chemicals in their processes whenever possible, so if terrorists penetrate a plant, damage they could cause would be dramatically reduced.

Require re-routing of extremely hazardous materials whenever possible to reduce the threat of an attack on a chemical shipment in a densely populated area.

Mandate that LNG facilities should be built in remote locations far away from population centers or ensure that security officials, including State and local government representatives are involved in siting process.

Require that all the commercial cargo carried on passenger planes be inspected for bombs, just as all passengers and their luggage are.

Direct the Department of Homeland Security to complete all of the 60 material threat assessments and purchase all of the vaccine doses required under Project Bioshield.

Republicans continue to nickel and dime homeland security while writing a blank check for the war in Iraq. Specifically, the discretionary funding provided in this bill is $1.3 billion, only 4.5 percent more than last year, which is just slightly more than the rate of inflation. When Ranking Members OBEY and SABO attempted to add $1.7 billion for FEMA disaster mitigation programs, emergency management grants, chemical, transit and port security, and other critical security programs such as aviation security and Coast Guard operations, they were defeated by Republicans on a party-line vote.

Hurricane Katrina and Hurricane Rita washed away the illusion that the Federal Government is better prepared to respond to a natural disaster or terrorist attack than it was on 9/11. Not only are we not prepared for a natural or man-made disaster, we are not taking the preventive measures to reduce the risk of these devastating events. This conference report does not provide for qualified, experienced leadership at FEMA, nor does it return FEMA to the staffing levels of the 1990s.

Mr. Speaker, I cannot support this conference report, which fails to address pressing, well-known homeland security weaknesses. I urge a ''no'' vote.

Mr. SABO. Mr. Speaker, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, let me first of all acknowledge the very hard work of the Chairman and the Ranking Member of the Subcommittee on Homeland Security, and I recognize that this is a difficult challenge.

As a member of the Select Committee on Homeland Security and now the authorizing committee for two terms, I believe that those of us who have studied the details of the structure of homeland security can speak with a degree of information, if you will, of both the assets of this appropriation but also some elements that are obviously missing.

Spending a lot of time walking through the cots and amongst those who were survivors of Hurricane Katrina, having now in our community almost 125,000, I know the fear and the devastation of the lack of preparedness of this government. So it is to my dismay that the acceptance of Secretary Chertoff's reorganization plan was not put on hold so that we could truly find out what were the funding needs.

I join my colleagues in wanting more dollars for rail security. I have joined my colleagues in offering new legislation today that was articulated by the gentleman from Mississippi (Mr. THOMPSON). I join my colleagues in the concerns of the limited regulation of chemical plants. But, most of all, I speak to issues that I think would save additional lives.

There are 1,100 persons dead and still counting in the Hurricane Katrina backdrop of Mississippi, Alabama and in New Orleans. We have yet to mourn those who have lost their lives. But certainly the director for preparedness and response is not the answer. FEMA needs to be independent, self-sufficient, well-funded and a separate component to Homeland Security, even to the extent of being its own cabinet.

I realize that Michael Brown has been singled out, and I am delighted that Director Paulson is the Acting Director, but I can assure my colleagues, having been to Beaumont and Port Arthur after Hurricane Katrina, we did not have our act together then. We did not have our time and our organization together, even then. FEMA was not there timely. Generators that were needed were not there. Ice and water was not there. The National Guard did not have orders, and no one knew who was in charge. So, frankly, I believe there is much work to be done.

In the backdrop of the potential epidemic of bird flu, I believe there needs to be more resources and efforts than a chief medical officer. We need to boost up under Homeland Security the public health system. The sense of Congress that Immigration and Customs and border protection should be merged, I

do not know if that is a well-thought-out plan. In fact, we need to investigate some of the failings of these entities before we begin to merge one entity into another.

I am grateful that we have provided dollars for transportation security, but it is not enough. Whistleblower protection is good, but there is not enough funding, if you will, to establish an independent, strong FEMA. That is what we need to be focusing on, and the reorganization plan should not be accepted in the backdrop and the failures of Hurricane Katrina.

Mr. SABO. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from New York (Mrs. MALONEY).

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

Mrs. MALONEY. Mr. Speaker, I thank the gentleman for yielding me this time and for his critical leadership on this issue.

As one who represents New York City, the site of the 9/11 attack, nothing is more important to New York and, I would say, our country than homeland security. Just this evening the mayor has been working with the FBI and the appropriate agencies with another serious terrorist threat against New York City's mass transit system. This is critical. I am deeply concerned about funding formulas, the lack of attention for the cargo, for the mass transit and many other areas.

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

Mr. ROGERS of Kentucky. Mr. Speaker, before I yield back, I think it is important that the gentleman from Minnesota and I express our thanks to staff. They make us look good, because they are the ones who produce these products, the staff that is seated here with me and the staff on the minority side. These people have done yeoman's work day and night for the last year on this bill. I want to thank them for all of the great work that they have done.

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

Mr. ROGERS of Kentucky. I yield to the gentleman from Minnesota.

Mr. SABO. Mr. Speaker, I rise in total agreement.

Mrs. MALONEY. Mr. Speaker, it is unbelievable to me that we can slash funding for first responders, do nothing about making sure funding is distributed based on risk and sit here slapping each other on the back.

What are we commending ourselves about?

Is it the $550 million dollar cut to State Homeland Security Grants?

Is it the $120 million dollar cut to the high threat cities?

Is it the fact that we did nothing to require funding to be distributed based on risk?

Is it the overall cut for first responders of $645 million?

Is it the further weakening of FEMA or the cutting of their budget?

Is it the $50 million cut to pre-disaster mitigation loans that could save communities from future disasters?

Is it that we are paving the way to return private screeners at airports and picking up the tab for their liability insurance?

Or is it the fact that we are funding 1,000 fewer border patrol agents, 450 fewer immigration investigators and 6,200 fewer detention beds than we called for when we passed the Intelligence Reform Bill last year?

This bill does not reflect our homeland security needs.

It is good that we, once again, give the Department of Homeland Security complete control over how more than 60 percent state homeland funding will be distributed.

Will this actually be the year they use their authority to distribute it based on risk?

Why do we refuse to listen to the 9/11 Commission and mandate it is distributed based on risk?

What ever happened to the Cox Bill that passed this house 409–10 and would distribute funding based on risk?

Where is the threat reduction that go with these cuts?

We are told to remain vigilant.

The President went on national TV this morning reminding us just how long it will be to defeat terrorism and protect our Nation.

Back home in New York City we are still in a code orange. This is not code orange funding. This is code green funding.

We need to get our priorities straight.

We need to make sure we give our first responders the funding they need. We need to make sure homeland funding is distributed based on risk.

We need to do better than this.

Mr. HOLT. Mr. Speaker, today the House is considering the conference agreement on H.R. 2360, the Homeland Security Appropriations Bill for FY 2006. I am pleased by some of the provisions in this conference report, but I am also troubled by a number of other provisions.

We had several days to prepare before Hurricane Katrina ravaged the gulf coast—much longer than we will have before a potential terrorist attack. But the administration's incompetence meant that extra time was almost wasted and lives were lost. In April, we had a successful terrorism response exercise in New Jersey called TOPOFF 3, bringing together Federal, State and local authorities to respond to simulated terrorist attacks. What we need are more exercises like these, not fewer; more and better planning, not less. But this conference report cuts pre-disaster mitigation by $50 million over last year and by $100 million from even the administration's request. If we had spent money ahead of time—if we had pre-positioned assets in the gulf coast region before Katrina struck—we could have saved lives and billions of dollars. As our Nation faces a variety of threats, both manmade and natural, we need to think seriously about these cuts.

After watching the Federal Emergency Management Agency seriously mishandle their response to Hurricane Katrina there is a clear need to restructure the Agency. However, we will not be doing that today. This legislation does nothing to reform FEMA—it doesn't improve the leadership, it doesn't return staffing levels to the highs of the 1990s, it doesn't even require that FEMA report directly to the president. FEMA is the Federal Government's first line of defense and response to disasters, and it needs to be reformed. And this bill doesn't provide the money either. This conference report even cuts funding for FEMA by 12 percent from last year's funding level.

It also slashes funding for state and local preparedness grants by $585 million below FY 2005 levels. We know that New Jersey is a target for terrorists. In a bioterrorism attack just after September 11, 2001, postal workers in Hamilton were sickened with anthrax. Last year, the Prudential Plaza building in Newark was named as a target after an Al Qaeda laptop computer containing information on the building was found in Pakistan. And, of course, four of the 9/11 hijackers passed through Newark Liberty International Airport and 700 residents of the State were killed on that terrible day. Funds for State and local preparedness are crucial to keep New Jersey and our Nation safe. The police officers who notice something suspicious, the community leaders who develop evacuation plans, the first responders on the scene immediately after an attack—these people are local authorities, and we need to give them the tools they need to do their jobs.

There have been two major terrorist attacks in the West since September 11, and both have been aimed at mass transit—the March 11, 2004 Madrid bombings, and the July 2005 London bombings. But the President did not request any specific funds for mass transit. Fortunately, the conference agreement adds $150 million dollars for transit security. New Jersey Transit, the Nation's third largest transit authority, with 220 million riders a year, 40 percent inbound to New York City, runs several trains and buses through my district. Princeton Junction, located in my district, is the fourth busiest station in New Jersey Transit's system. We need more funding for mass transit, and this is a start.

This conference report also begins to address one of our greatest vulnerabilities to terrorism, one that the Bush administration continues to ignore. It allocates $30 million for initial programs for better screening of passenger stowed luggage on commercial flights. The conference report also provides for adequate independent oversight of Secure Flight, the next generation of the air passenger prescreening program. This will allow us to balance security and privacy.

It also provides $655 million for fire grants, $155 million more than President Bush requested. As we all know, our local fire departments are the backbone of our first responder network. Fire fighters are some of the first to arrive at disasters, be they natural or manmade. I am glad that the conference report provides much needed funds for fire grants.

New Jersey is home to what terrorism experts call the "most dangerous two miles" in America—the chemical plants, highways, and railroads that lie between Newark Liberty International Airport and the Port of Elizabeth. And in a 14-mile radius around the site, there are 12 million people living and working. The House earlier this year voted to increase funding to help secure these sites. But the conference report does not include this desperately needed funding increase. Rather, it contains only $95 million for the necessary chemical countermeasures that would help secure industrial materials, and provide safety and peace of mind to millions of New Jerseyans.

Mr. Speaker, this bill leaves too much undone. Cutting funding for local preparedness and first responders is more than enough justification for New Jerseyans to oppose this bill.

We can do better in planning for disasters, reforming FEMA, and assisting state and local governments. And though the conference report does more for transit and air cargo screening, these efforts are just down-payments on what will be a long-term project.

Mr. SMITH of Texas. Mr. Speaker, today we are considering appropriations for The Department of Homeland Security, which was created with one mission in mind—to help protect the country. Unfortunately, it seems that not all of the agencies within the Department take that mission as seriously as they should.

The Bureau of Citizenship and Immigration Services, CIS, is responsible for processing petitions for immigration benefits. This includes petitions for green cards, visa issuance, asylum status, and marriage benefits. The adjudication process must be thorough and secure to ensure that those who want to harm America are not allowed to enter the country.

Monday's Washington Times included a disturbing article about a Congressional briefing by an internal CIS investigator that highlighted alleged corruption and dysfunctional practices at the Agency. If true, these practices would comprise a threat to national security.

According to the article, the allegations include CIS employees exchanging immigration benefits for sex, being influenced by foreign governments to provide benefits, and not having access to the appropriate systems to do background checks on those applying for benefits.

When an agency receives Federal funding it is obligated to do everything in its power to complete its job. The Department of Homeland Security needs to better protect our country from those who would do us harm.

Mr. MORAN of Virginia. Mr. Speaker, I rise in reluctant support of this appropriations bill.

As State and local governments await critical homeland security funding, I do not want to stand in the way of the bill's passage, particularly as we proceed further into the fiscal year with so few spending bills already law.

I do, however, feel the need to register my concerns with a number of this bill's shortcomings and identify pressing needs that are not being adequately addressed by today's actions.

First, let me start with the obvious; the amount spent to protect our homeland is too little in too many areas.

There are few Americans that would suggest the threats of terrorism or natural disasters have diminished over the past year, yet this agreement cuts funding for several of our most vulnerable weaknesses. Reductions include:

State and local domestic preparedness grants are cut by $585 million (19 percent) below FY 2005;

Firefighter Assistance Grants cut by $60 million (8 percent) below FY 2005;

Pre-disaster mitigation, perhaps our best weapon of preemption, is cut by $50 million below last year; and

Aviation security is reduced by $83 million below the President's request, resulting in 2,000 fewer screeners.

These cuts irresponsibly penetrate the core of our Nation's ability to prepare and respond to national emergencies.

Second, I am concerned about what Congress isn't focused on.

On an average weekday, 32 million people make trips on public transportation, but funding for transit security makes up less than one-half of one percent of the DHS's budget.

The conference agreement includes $4.6 billion for private aviation security, but only $150 million for State grants to improve mass transit security. Transit industry experts estimate we need more than forty times this amount. Put another way we spend $30 on planes for every $1 on transit which carries tens of millions more people.

Furthermore, only $8 million will be available for rail security and $4 million to track hazardous truck traffic even though tons of hazardous material capable of becoming weapons of mass destruction travel our highway and rail lines every day.

While we have made obvious adjustments in our airline security, I ask that we be as proactive in preventing other commercial carriers from being used as weapons against us.

If the concern is that there isn't a sound transit plan or that regional coordination is proving inadequate, we should impel DHS to find solutions that make transit more secure.

It would be a national travesty of tragic proportions if we had to wait until another attack similar to Madrid to occur in the United States in order to commit the resources necessary to properly secure our rail and transit systems.

Third, we haven't exercised sufficient oversight to determine whether the money we've appropriated has been spent appropriately or accomplished its intended objectives.

I am aware of the large unexpended balance the Metropolitan Washington Region may be sitting on.

Admittedly, this unaccounted-for balance is troubling. But what is more disturbing is that we have no consistent explanations: It's red tape and unnecessary Federal bureaucratic procedures, or it's the delay in reaching regional consensus on how it should be spent, or it's a snafu in procurement.

I suspect that this region's experience is not unique. Remaining silent or stubbornly oblivious of these problems abdicates our responsibility to use tax dollars wisely, and we should demand accountability of our spending commitments.

Mr. Speaker, I worry that we may be living on borrowed time.

If there's one thing Katrina showed us it's that emergency response plans that are not rigorously tested and retested won't work in a crisis.

Even worse, public skepticism is growing over whether the Federal Government is now capable of responding effectively to another catastrophic event.

A natural disaster is one thing, but terrorists can strike anytime, anywhere and use our own resources against us.

I urge my colleagues to consider fully funding the needs of securing our homeland, and I challenge us as a body to meet the vital challenge of protecting our Nation.

Mr. UDALL of Colorado. Mr. Speaker, I rise in support of the FY 2006 Homeland Security Appropriations conference report. This bill does not fully address our homeland security needs. Still, it provides vital funds to make our country safer, and so I will support it today.

Total funding in the bill is increased from this year's levels. Specifically, the bill increases funding over the requested levels for immigration and for customs and border protection. The agreement also provides $1.5 billion, 35 percent more than current funding, for science and technology programs.

I am pleased that the conferees adopted an important amendment offered by Representative DAVID OBEY that requires the Department of Homeland Security, DHS, to provide details on how money appropriated for responding to Hurricanes Katrina and Rita is spent. I am a cosponsor of H.R. 3737, a bill that would create a Special Inspector General for Hurricane Katrina Recovery who would have oversight over all Federal Hurricane Katrina emergency funding. While the Obey amendment doesn't go as far this legislation, it is a significant step forward.

I am also pleased that the conference report includes funding to help States comply with the REAL ID Act. Estimates are that complying with the Act will cost the States between $100 million and $500 million over the next 4 years. Since the majority saw fit to push the REAL ID provisions through Congress, it is important that Congress also provides funding to do the job.

Still, I'm concerned about shortfalls in the bill. It cuts fire grants by $60 million (8 percent) below FY 2005, even as a recent survey found that fire departments all over the country aren't prepared to respond to a haz-mat incident and lack equipment. The bill also cuts State and local domestic preparedness grants by $585 million, 19 percent, and Urban Area Security Initiative grants by $270 million, 26 percent, below FY 2005 levels. Funding for communications equipment for first responders is cut from the levels in the bill the House passed in May, before Katrina struck—from $27 million to $15 million. The bill does provide additional funding for border patrol, but the number of agents still falls 1,000 short of the 2,000 called for in the Intelligence Reform bill. Since September 11th, just 965 additional border patrol agents have been hired—less than a 10 percent increase in 4 years.

The conference report fails to provide much more than basic funding for the security of rail and public transportation systems because DHS has not yet spent funds it was allocated last year. Despite the fact that passenger rail in the U.S. carries about five times as many passengers each day as do airlines, this bill only includes $36 million for ground transportation security and $150 million for State grants to protect mass transit systems, as compared to $4.6 billion for aviation security. I'm very concerned that crucial security upgrades to our rail and public transportation systems—especially in light of the bombings in Madrid and London—can't move forward more quickly. The bill also underfunds port security and does not include $50 million for chemical plant security that was included in the House-passed bill.

I'm also concerned that this bill includes DHS Secretary Chertoff's proposal to create a new Preparedness Directory and take that responsibility away from FEMA, making FEMA a stand-alone office focused on response and recovery only. Secretary Chertoff's proposal was made in July—before Hurricane Katrina hit—and this bill would move it forward. This administration crippled FEMA by making it just one of many organizational boxes under the Homeland Security Department. Splitting preparedness and response and recovery tasks now would weaken FEMA even further, at a time when we should be focusing on how to learn from the lessons of Katrina.

Instead of making these changes in FEMA, we should remove it from DHS and make it an

independent agency under qualified leadership, as would happen under the bill (H.R. 3816) I introduced last month.

Mr. Speaker, much remains to be done to improve our defenses against terrorism. I do not believe this bill sets the right priorities or provides sufficient resources, but it does fund programs that are critical to our homeland security. The conference report is an important step, and I will vote for it.

Mr. HOYER. Mr. Speaker, there are many good provisions in this conference report, and I intend to support it.

I am pleased, for example, with the $110 million appropriated for the SAFER Program—and was proud to have worked with Congressmen WELDON and SABO on an amendment to provide additional SAFER funding.

The President's budget zeroed out this program of hiring grants, which help achieve adequate staffing levels and improve the safety of our firefighters and communities.

I also am pleased that the conference agreement contains $545 million for the Fire Grant Program—representing an increase of $45 million over the President's request.

Nonetheless, even this funding level is $100 million below last year's level.

The Fire Grant Program is authorized at $1 billion, and we must work to increase—not decrease—funding that ensures that firefighters have modern equipment and advanced training.

However, none of us should delude ourselves.

This Republican Congress is simply not doing enough to address our unmet homeland security needs.

The inept Federal response to Hurricane Katrina—almost 4 years to the day after the terrorist attacks of 9/11—has only heightened concern about this Nation's ability to respond to another catastrophe.

Democrats would meet our first responder needs. Yet, this conference report cuts three of the four first responder grant programs.

Democrats would meet our needs for port security. Yet, with this conference report, we have funded only 12 percent of the amount needed for ports to comply with the Maritime Transportation Security Act.

Democrats would meet our needs for rail and transit security. Yet, while an estimated $6 billion is needed to improve rail and transit security, this conference report provides only $150 million for fiscal 2006.

Mr. Speaker, this Republican Congress—despite its proclamations otherwise—simply is not addressing our Homeland Security priorities.

I intend to support this conference report. But its flaws ought to give all of us pause.

Mr. ETHERIDGE. Mr. Speaker, I rise to comment on the fiscal year 2006 Department of Homeland Security appropriations bill. I supported this bill when it passed the House in May, and I will vote in favor of the conference report, but I want to state for the record the serious deficiencies in this legislation.

My home State of North Carolina has been the victim of a number of devastating natural disasters including Hurricanes Floyd and Fran, as well as floods, tornadoes and ice storms. In many cases these natural disasters overwhelmed local and state resources, and the Governor asked for help from the Federal Government which, in most cases, responded appropriately.

The U.S. Congress established the Department of Homeland Security to address all hazards faced by our Nation—both natural and man-made. However, since the creation of the Department, we have seen the focus and funds shift from preparing for and responding to all hazards to a narrow, short-sighted focus on terrorism.

Again and again the administration and Republican leadership have pushed through cuts in pre-disaster mitigation efforts, emergency management performance grants, and even annual funding for the Federal Emergency Management Agency.

Unfortunately, Hurricane Katrina exposed the erosion of our Nation's response capabilities and its horrendous results.

And now, Congress has the responsibility and opportunity to address some of these weaknesses through the appropriations process, but the Republican leadership has produced a piece of legislation that is almost in complete disregard of the Department's weaknesses.

This bill cuts pre-disaster mitigation funds by 67 percent; it cuts state and local domestic preparedness funds by more than a half billion dollars, and it cuts disaster relief funding by $370 million.

Furthermore, this legislation strips the preparedness function from FEMA, further weakening this beleaguered agency. Experienced emergency managers on every level will tell you, as they have told the members of the Homeland Security Committee, that their duties include prevention, protection, response and recovery. You cannot take away one of these four roles and expect the agency to function. Preparation, whether it be to prepare updated flood maps or train personnel to respond to a dirty bomb attack, are all vital to the creation of an effective, sustainable, and practical approach to domestic security.

Mr. Speaker, I will vote for this bill with great reluctance and strong reservations, but it is my fervent hope that my colleagues in the U.S. House will join me in restoring FEMA to its former effectiveness and preparing our nation for all eventualities.

Mr. SERRANO. Mr. Speaker, I rise in support of the conference agreement on H.R. 2360, the Department of Homeland Security Appropriations Act for fiscal year 2006. This is not a perfect bill; I believe that we are acquiescing too readily to yet another restructuring plan, allowing the Department to yet again reshuffle boxes on its organizational chart without adequately establishing in hearings that the proposals will actually make this country safer. No amount of structural reform, which inherently muddles missions and produces chaos among employees, can substitute for professionalism, expertise, and strong leadership.

I am also concerned that, given our woefully inadequate 302(b) allocation, we have had to shore up funding for the Department's essential activities at the expense of our support for state and local law enforcement agencies and first responders. State and local governments continue to be on the front lines of any effort to respond to natural disasters and acts of terrorism, and yet we have funded them significantly below both last year's level and the Administration's request. At a time when the Administration is trying to shift blame to state and local governments for the chaotic overall response to Hurricane Katrina, we have not provided them with adequate resources to get the job done.

That said, I believe that this bill does a reasonably good job of addressing our most pressing homeland security needs. I especially want to highlight a provision that directs the Department to allocate the bulk of first responder grants on the basis of threat and risk. While I do not believe that our task in this Congress will be finished until 100 percent of the Department's grant funds are allocated on the basis of risk, this conference report is a noteworthy step in the right direction.

In addition, I am pleased that the conference report includes measures to ensure accountability in the way that the Department spends these appropriations, especially with respect to emergency supplemental funding for Hurricane Katrina. The Department's initial reports to Congress, required by law, have lacked detailed specifics on how the Department has been spending the $60 billion that this Congress has provided since the hurricane first hit. While the American people fully support our commitment to providing relief to the victims of Katrina and Rita, they also expect this Congress to make sure that the Department spends their tax dollars effectively and responsibly.

In closing, I would like to thank subcommittee Chairman ROGERS and Ranking Member SABO for their hard work on this critical bill. We all knew that the creation of the department would create a considerable management challenge, and today, as we pass the third appropriations bill funding the department, I would like to applaud their leadership on this subcommittee for making sure that many of these concerns have been addressed.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in reluctant support of the conference report on H.R. 2360, the Homeland Security Appropriations Act for Fiscal Year 2006.

My support is based on the fact that it is the only vehicle available at this time to fund critical homeland security efforts.

While this bill makes some progress over last year's funding levels, we are far from where we need to be to adequately respond to a terrorist attack or natural disaster. I am disappointed and concerned that the bill before us falls short of addressing the weakness and lessons learned from September 11, Hurricane Katrina and the terrorist attacks in Madrid and London.

H.R. 2360 unfortunately is a status quo homeland security appropriations bill with only modest improvements over the previous year's bill.

My first concern is that the Republican leadership would not accept a Democratic motion to delay Homeland Security Secretary Michael Chertoffs proposal to reorganize the Homeland Security Department until a thorough investigation of the Federal Emergency Management Agency, FEMA, could be undertaken.

Such an investigation would provide us with the necessary information to determine how best to organize FEMA including the advisability of consolidating FEMA's existing preparedness functions under a new Preparedness Directorate and limiting FEMA's functions solely to recovery and response.

Second, I was disappointed that Republican conferees did not accept the Obey-Sabo-Byrd amendment that would have provided an additional $1.7 billion in investments in emergency

disaster planning, grants to first responders, transit, port and chemical security, and additional border security. These are critical programs that help communities prepare for a disaster and help bring relief following a catastrophe.

Third, I am concerned that the conference report actually cuts funding for several programs that are of particular concern to urban areas such as my Los Angeles district. For example two programs that provide essential funding for first responders, the State Homeland Security Grant Program and the State and Local Grant Program are cut below their current year funding by 50 percent and 20 percent respectively. I am also alarmed that grants for high-threat, highly-populated urban areas will suffer a 15 percent cut and that grants for firefighters to buy needed safety equipment are cut by 8 percent. Lastly, I am troubled that funding for FEMA to perform its limited functions has been reduced by 11.5 percent.

In closing, Mr. Speaker, I will support this bill to provide critical resources to help make our country safer. However, fully addressing our critical national security concerns in light of recent events requires resources that the Administration simply did not support and which the Republican majority did not provide in this bill. While this bill is an improvement over the Administration's request, unfortunately critical homeland security needs will still go unmet despite the probability of disasters lurking in the not so distant future.

Mr. MARKEY. Mr. Speaker, the conference report we are considering today on the House Floor fails to close dangerous homeland security loopholes that continue to put Americans at risk more than four years after the 9/11 attacks.

Despite the urgent need to increase protections against terrorists determined to strike our country, serious vulnerabilities persist in a range of major areas:

Nuclear terrorism: Non-proliferation expert Graham Allison has said that ''more likely than not'' there will be an act of nuclear terrorist attack in our country. Al Qaeda views obtaining nuclear weapons as a religious duty. There are tens of thousands of nuclear weapons-worth of highly enriched uranium in the former Soviet Union, but we do not have the technology that can reliably detect it at our ports of entry.

Chemical plant security: More than 100 facilities in 23 States could threaten 1 million or more people if terrorists attacked the facility. There are no federal security requirements for chemical plants—the industry secures itself if it decides, on its own, to do so. ''60 Minutes'' did a segment where they literally walked right through an open front gate into a chemical plant outside downtown Pittsburgh. At one facility, the reporter climbed up onto a tank containing toxic material and shouted ''hello, I'm on your tank.'' There were no guards and no one tried to stop him. There are nightclubs in New York City that are harder to get into than some of our chemical plants.

Leaks of toxic chemicals can be devastating. In India in 1984, a leak at a chemical plant in Bhopal killed at least 4,000 people and injured hundreds of thousands more.

Transportation of extremely hazardous materials: Shipments of extremely hazardous materials such as chlorine routinely travel through densely populated areas of our country. These shipments are mobile chemical weapons that often share the same track as urban passenger rail systems and could kill or injure 100,000 people within half an hour. In a report released by the Teamsters Rail Conference last week that surveyed rail employees, 63 percent of those surveyed indicated that their train or equipment was delayed or left unattended for an extended period of time that day, and of those, 55 percent indicated that there were hazardous materials aboard the train.

LNG Security: One of Millenium Bomb plotters planning to attack Los Angeles International Airport was smuggled into the country on an LNG tanker docking in Everett, MA in my Congressional District. Terrorists may target LNG tankers and terminals, resulting in catastrophic consequences for surrounding communities. In 1979, my bill to require such remote sitting was signed into law. But the Bush Administration is trying to undermine it, opening up the possibility an LNG plant would be placed, like a sitting duck, in the middle of an urban area, where an attack or accident would cause incredible devastation. Energy Bill signed into law in August 2005 froze out local officials from site decision-making process, so now convenience for energy companies, rather than security safeguards for surrounding community, will determine where facilities are built. Last month, I offered an amendment to the Coast Guard reauthorization bill to require the involvement of the Coast Guard, which is part of the Homeland Security Department, in siting decisions. My amendment was defeated on the House Floor.

Republicans claim to support local control and the right of states to fend off federal encroachments. But when it comes to LNG siting, Republicans cut out mayors and governors and state homeland security officials from carrying out one of their most important responsibilities—protecting the public.

Aviation: Approximately 22 percent of all cargo transported by air in the United States is carried on passenger planes. This cargo consumes about half of the space in the cargo bay on a typical flight, and almost none of it is ever inspected! In the past, this cargo loophole has been exploited with deadly results, such as when Pam Am Flight 103 was blown up over Lockerbie, Scotland by a bomb hidden in unscreened baggage. I asked Secretary Chertoff if he would support a requirement that 100 percent of the cargo carried on passenger planes be inspected, just as all checked bags, carry-on bags and passengers are currently inspected before boarding? He said ''No.''

Why should the booties of babies be scrutinized for bombs, but no one checks the cargo bound for the belly of a Boeing? The Bush Administration says we should trust the shipper. But we must apply the Reagan Doctrine to cargo security—Trust, but verify.

Public transit: The attacks in London and Madrid clearly demonstrated our vulnerability to similar strikes against our transit systems here in the United States. Despite these wake-up calls, this conference report provides only slightly more funding than what is being provided today. Ranking Members OBEY and SABO offered amendments during the conference to increase funding for public transit security, but these amendments were defeated by the unanimous opposition from Republicans on the conference committee.

The American Public Transportation Association has identified $6 billion in transit security needs for U.S. public transportation systems, approximately the same amount of money we're spending each month in Iraq. Since September 11, the federal government has spent $18 billion on passenger air security, but only $250 million on transit security. Yet, Americans take public transportation 32 million times a day—16 times more than they fly.

Biological Weapons: Four years after the unsolved anthrax attacks on the Capitol that killed innocent workers, DHS has only completed material threat assessments on FOUR of the biological, chemical and radiological agents that it is required to assess under Project Bioshield. I asked Secretary Chertoff if he would commit to completing the rest of these threat assessments within 60 days. He said ''No.''

Today's conference report does not adequately address these issues. This bill does not:

Require chemical plants to be protected by armed guards trained to prevent attacks by sophisticated, suicidal terrorists or require chemical companies to substitute safer technologies and chemicals in their processes whenever possible, so if terrorists penetrate a plant, damage they could cause would be dramatically reduced.

Requiring re-routing of extremely hazardous materials whenever possible to reduce the threat of an attack on a chemical shipment in a densely populated area.

Mandate that LNG facilities should be built in remote locations far away from population centers or ensure that security officials, including state and local government representatives are involved in siting process.

Require that all the commercial cargo carried on passenger planes be inspected for bombs, just as all passengers and their luggage are.

Direct the Department of Homeland Security to complete all of the 60 material threat assessments and purchase all of the vaccine doses required under Project Bioshield.

Republicans continue to nickel and dime homeland security while writing a blank check for the war in Iraq. Specifically, the discretionary funding provided in this bill is $1.3 billion, only 4.5 percent more than last year, which is just slightly more than the rate of inflation. When Ranking Members OBEY and SABO attempted to add $1.7 billion for FEMA disaster mitigation programs, emergency management grants, chemical, transit and port security, and other critical security programs such as aviation security and Coast Guard operations, they were defeated by Republicans on a party-line vote.

Hurricane Katrina and Hurricane Rita washed away the illusion that the Federal government is better prepared to respond to a natural disaster or terrorist attack than it was on 9/11. Not only are we not prepared for a natural or man-made disaster such as a dirty bomb, we are not taking the preventive measures to reduce the risk of these devastating events. This conference report does not provide for qualified, experienced leadership at FEMA, nor does it return FEMA to the staffing levels of the 1990s.

Mr. Speaker, I cannot support this conference report, which fails to address pressing, well-known homeland security weaknesses. I urge a ''no'' vote.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in opposition to the Conference report on H.R.

2360, the Department of Homeland Security Appropriations Act for fiscal year 2006 because I am concerned about some of the areas where it falls short, but moreso because I believe it is the wrong vehicle to make the structural changes to the Department of Homeland Security that Secretary Chertoff laid out in his Second Stage Review without the appropriate congressional scrutiny.

As a member of the Homeland Security Committee, I am very disappointed that the Conference Report, even though it provides more funding that the President's original request, makes a number of significant cuts in very important First Responder and Disaster Preparation programs at a time when we can ill afford to. I also see no sign that the deficient public health system on which every and any response will depend received the funding it needs to be brought up to a basic standard in every community in this country.

This Conference Report fails to make Homeland Security the priority it ought to be.

The rob from Peter to pay Paul that we are seeing in the Congress' Katrina/Ophelia/Rita response, continues, and badly needed increases for border security come at the expense of money for such items as first responders, disaster relief and port security. The result is that America will be far less safe than it needs to be.

Mr. Speaker, as someone who represents an area which as seen more than its share of devastating hurricanes, and is home to some sites of critical national infrastructure, I am particular concerned about some of the proposals set forth in Secretary Chertoff's reorganization which would split FEMA's preparedness and response functions and leave FEMA solely as a disaster response agency reporting to the Secretary. It is because of this concern and others why I joined Homeland Security Committee Ranking Member BENNIE THOMPSON and other members of the Committee in introducing the Department of Homeland security Reform Act of 2005 to offer solutions where the administration's reorganization plan creates more problems. I also have grave concerns that what this reorganization does is continue to concentrate power in the White House. We see that in every Department, even at the NIH, and it is a dangerous trend that we as a co-equal branch of government should not let happen.

Our bill would strengthen FEMA creating a strong Directorate of Preparedness and Response that includes an intact, strengthened FEMA with a Director and Deputy Director who must have an extensive background in emergency or disaster-related management.

It will also include a new Assistant Secretary for Preparedness who will head a consolidated version of the Office of State and Local Government Coordination and Preparedness, which is presently an isolated entity located in the Secretary's office. We also establish a military liaison within the Directorate who will assist with the coordination of DOD and DHS preparedness and response efforts.

Mr. Speaker we have seen what can happen to a community which has been impacted by a disaster, as we did with Alabama. Mississippi and Louisiana in the wake of Hurricane Katrina, when there is weakened and ineffective FEMA, and where the Department does not provide leadership or clear lines of authority. This Conference Report does nothing to fix the deficiencies of FEMA that came to light as a result of the Gulf Coast disasters which is the last thing we should be doing.

We could accept this report because it is late in the year, and there are some good parts to it, but the security of each and everyone in this country is at stake, and this is not good enough. I urge my colleagues to oppose this conference report and send it back.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of this appropriations measure because this Nation desperately needs all the resources it can get. According to the Department of Defense, over 15,000 of our troops have been injured in Iraq and Afghanistan. We have about 18,000 American troops deployed in Afghanistan and about 149,000 in Iraq for the current war effort. During the August recess, 85 American troops were killed in Iraq, and nearly 2,000 have been killed since September. To further exacerbate matters, the price tag for the war has already exceeded $196 billion, broken down to about $5 billion per month. These monies and bodies have been and are being expended on an effort that is not bringing the relief that is currently needed right here on American soil.

With these motions in mind, Mr. Speaker, I will ultimately support the underlying legislation under the Conference Report, but I recognize that it has many shortfalls that will affect this Nation's ability to respond to a new and substantial set of circumstances—namely the aftermath of Katrina and Rita. I speak not only from the standpoint of a Representative of an area that experienced compound effects of both Katrina and Rita, but I speak as a mother, wife, and a person who understands the pains of economic hardship.

I applaud the Conferees for giving agencies such as ICE an appropriation of $3.175 billion—which was a $216 million increase over the FY05 level of $2.95 billion. Furthermore, of the $4.6 billion allocated to TSA, $2.54 billion is allocated to cover the passenger and baggage screener workforce. The number of TSA screeners is capped at 45,000—which will constrain our efforts to compensate for the effects of the two hurricanes. Within this account, privatized screening operations are funded at $140 million. The conferees also extended liability protection to airports with private and TSA screeners for "any act of negligence, gross negligence, or intentional wrongdoing" committed by a Federal or private screener—which will be a good element.

While I support many of the allocations set forth in this measure, it is my feeling that, overall, the initiative to implement the departmental facelift called for in the Secretary's Second Stage Review is the wrong focus at this time. Katrina and Rita have created more pressing issues that could be addressed with this bill.

To compound the severe need for resources and administrative services caused by the hurricanes, there are major departmental changes that have been made that could weaken our ability to address those needs. The proposed transfer of all state and local grants and associated activities to the new Preparedness Directorate must be given oversight analysis before it is implemented. After having seen firsthand the cries for ice, potable water, food, and other subsistence items in Baton Rouge, LA and in my own backyard of Port Arthur, I know that this bill does not do all that it can to make us more prepared for incidents similar to Katrina and Rita.

Unfortunately, the underlying bill is not exactly on-point or up-to-date vis-a-vis Hurricane Rita. Many of the problems that we face are new, late breaking, and developing in front of our eyes.

In emergency situations such as occurred in the Gulf States, communications capabilities are essential. Emergency responders must have the equipment that will allow essential communications efforts to continue in case of the major damage to infrastructure we have seen in New Orleans.

Clearly, the Federal Emergency Management Agency needs to change—from the bottom to the top. We need to look at whether the tasks charged to FEMA are too large to be included with 21 other agencies under the Department. Before some of the very substantial changes set forth in H.R. 2360 are passed into law, we need to seriously consider separating FEMA so that from top to bottom—especially given the recent resignation of former Director, Michael Brown, whose credentials as an emergency manager had been widely questioned.

Funds that we appropriate to FEMA must be prioritized for disaster preparedness, and we need substantial oversight in order to prevent catastrophic aftermaths.

Mr. ROGERS of Kentucky. Mr. Speaker, I urge adoption of the conference report, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. WALDEN of Oregon). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on adoption of the conference report will be followed by 5-minute votes on the motion to suspend the rules on H.R. 3895 and on the motion to suspend the rules on H.R. 3896.

Proceedings will resume on H. Con. Res. 248 tomorrow.

The vote was taken by electronic device, and there were—yeas 347, nays 70, not voting 16, as follows:

[Roll No. 512]

YEAS—347

Ackerman	Boozman	Chandler
Aderholt	Boren	Chocola
Akin	Boucher	Cleaver
Alexander	Boustany	Clyburn
Bachus	Boyd	Coble
Baird	Bradley (NH)	Cole (OK)
Baker	Brady (TX)	Conaway
Barrett (SC)	Brown (OH)	Costa
Barrow	Brown (SC)	Cramer
Bartlett (MD)	Brown-Waite, Ginny	Crenshaw
Barton (TX)	Burgess	Cubin
Bass	Burton (IN)	Cuellar
Bean	Butterfield	Culberson
Beauprez	Buyer	Cummings
Berkley	Calvert	Cunningham
Berman	Camp	Davis (AL)
Biggert	Cannon	Davis (CA)
Bilirakis	Cantor	Davis (FL)
Bishop (GA)	Capito	Davis (KY)
Bishop (NY)	Cardin	Davis (TN)
Bishop (UT)	Cardoza	Davis, Jo Ann
Blackburn	Carnahan	Davis, Tom
Blunt	Carson	Deal (GA)
Boehlert	Carter	DeFazio
Boehner	Case	DeLay
Bonilla	Castle	Dent
Bonner	Chabot	Diaz-Balart, L.
Bono		Diaz-Balart, M.

Dicks
Dingell
Doggett
Doolittle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meek (FL)
Meeks (NY)
Melancon
Mica
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pascrell
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wynn
Young (FL)

NAYS—70

Abercrombie
Allen
Andrews
Baca
Baldwin
Becerra
Berry
Blumenauer
Brady (PA)
Brown, Corrine
Capps
Capuano
Clay
Conyers
Cooper
Costello
Davis (IL)
DeGette
DeLauro
Doyle
Fattah
Filner
Flake
Ford
Frank (MA)
Grijalva
Gutierrez
Hinchey
Holt
Honda
Jackson (IL)
Jones (OH)
Kind
Kucinich
Larson (CT)
Lee
Lewis (GA)
Lynch
Maloney
Markey
McCollum (MN)
McDermott
McGovern
McKinney
Meehan
Menendez
Michaud
Miller, George
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Owens
Pallone
Pastor
Paul
Rush
Sanders
Schakowsky
Slaughter
Tierney
Velázquez
Wasserman Schultz
Waters
Watt
Waxman
Wexler
Woolsey
Wu

NOT VOTING—16

Boswell
Crowley
Delahunt
Evans
Hastings (FL)
Inglis (SC)
Olver
Payne
Poe
Rothman
Royce
Schwarz (MI)
Stark
Strickland
Watson
Young (AK)

□ 2043

Mr. OWENS, Mr. BERRY, Ms. DEGETTE and Mr. WATT changed their vote from ''yea'' to ''nay.''

Mr. PETERSON of Pennsylvania changed his vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RURAL HOUSING HURRICANE RELIEF ACT OF 2005

The SPEAKER pro tempore (Mr. WALDEN of Oregon). The pending business is the question of suspending the rules and passing the bill, H.R. 3895, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BAKER) that the House suspend the rules and pass the bill, H.R. 3895, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 335, nays 81, not voting 17, as follows:

[Roll No. 513]

YEAS—335

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Blunt
Boehlert
Boehner
Bonner
Bono
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown, Corrine
Burgess
Burton (IN)
Butterfield
Buyer
Camp
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Chandler
Chocola
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Duncan
Edwards
Emanuel
Engel
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Gordon
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hyde
Inslee
Israel
Issa
Istook
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)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Murphy
Musgrave
Nadler
Napolitano
Ney
Norwood
Nunes
Nussle
Oberstar
Ortiz
Osborne
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wasserman Schultz
Waters
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn

NAYS—81

Bartlett (MD)
Bilirakis
Blackburn
Bonilla
Boozman
Brown (SC)
Brown-Waite, Ginny
Calvert
Cannon
Cantor
Carter
Chabot
Coble
Crenshaw
Cubin
Davis, Jo Ann
Doolittle
Ehlers
Emerson
English (PA)
Forbes
Franks (AZ)
Frelinghuysen
Gohmert
Goode
Goodlatte
Granger
Grijalva
Gutknecht

Herger
Hobson
Hoekstra
Hunter
Jenkins
Johnson, Sam
Jones (NC)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
Lewis (CA)
Lewis (KY)
Marchant
McHenry
McHugh
Miller (MI)
Miller, Gary
Moran (KS)
Moran (VA)
Murtha
Myrick
Neugebauer
Northup
Obey
Otter
Peterson (MN)
Peterson (PA)
Petri
Putnam
Regula
Rehberg
Rogers (KY)
Rohrabacher
Ryan (WI)
Saxton
Schmidt
Sensenbrenner
Sherwood
Stearns
Sweeney
Taylor (NC)
Thornberry
Tiahrt
Upton
Wamp
Whitfield
Young (FL)

NOT VOTING—17

Boswell
Crowley
Delahunt
Evans
Hastings (FL)
Inglis (SC)
Neal (MA)
Olver
Payne
Poe
Rothman
Royce
Schwarz (MI)
Stark
Strickland
Watson
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2053

Mr. FORBES, Ms. GRANGER, Mr. MCHENRY, Mr. REGULA, Mrs. NORTHUP, Mrs. CUBIN, and Mrs. JO ANN DAVIS of Virginia changed their vote from ''yea'' to ''nay.''

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

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to amend title V of the Housing Act of 1949 to provide rural housing assistance to families affected by Hurricane Katrina or Hurricane Rita.''.

A motion to reconsider was laid on the table.

HURRICANE KATRINA EMERGENCY RELIEF CDBG FLEXIBILITY ACT OF 2005

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3896, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BAKER) that the House suspend the rules and pass the bill, H.R. 3896, as amended, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 415, nays 0, not voting 18, as follows:

[Roll No. 514]

YEAS—415

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
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
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
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (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
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
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
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
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
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—18

Boswell
Crowley
Delahunt
Evans
Hastings (FL)
Inglis (SC)
Neal (MA)
Olver
Payne
Poe
Rothman
Royce
Schwarz (MI)
Stark
Strickland
Watson
Wilson (SC)
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 2101

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

The result of the vote was announced as above recorded.

The title of the bill was amended so as to read: ''A bill to temporarily suspend, for communities affected by Hurricane Katrina or Hurricane Rita, certain requirements under the community development block grant program''.

A motion to reconsider was laid on the table.

REMEMBERING THE HONORABLE HENRY HOWARD

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

Mr. BARROW. Mr. Speaker, I rise today to honor one of Augusta, Georgia's finest community leaders. Georgia State Representative Henry Howard passed away Monday morning. A dedicated public servant and a believer in the power of gospel music, Henry Howard always served his hometown with dignity, compassion, and an endless supply of love and goodwill.

Mr. Howard was a beloved son of Georgia's Garden City. An entrepreneur with a sound business sense, he helped build up many small businesses across the city. Later he would enter public service, serving on the Richmond County Commission. Soon after

that he was elected to the State legislature, where he established himself as one of Augusta's most accomplished and hard-working State representatives. He was reelected seven times in a row.

Just before his last reelection, the local paper praised Representative Howard, saying simply: ''His goal is the same of every Augustan, the betterment of our city.''

When Henry Howard passed away Monday morning, we lost a public servant who led by example, a leader who shared the beliefs and hopes of his hometown.

The Bible says a good name is rather to be chosen than great riches, and loving favor rather than silver or gold. Mr. Speaker, Henry Howard made a good name for himself, his family; and he enjoyed the loving favor of all who knew him.

REDUCING CONGRESSIONAL SPENDING

(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, the publications on Capitol Hill today have been filled with information about a topic: How do we go about reducing spending. What a nice deliberation for us to have in this body. How would we choose to reduce spending: across-the-board cuts or looking at specific programs.

Last week I came to the floor and I talked about three bills I had introduced. Each of these bills would call for across-the-board cuts, whether 1, 2, or 5 percent reductions. I want to thank the Speaker and the gentleman from Missouri (Mr. BLUNT) for listening to the proposal. I want to thank the gentleman from Virginia (Mr. CANTOR) for signing, and the gentleman from Iowa (Mr. NUSSLE) for his leadership as we work to find a way to fund the Hurricane Katrina disaster and as we look at a way to prioritize spending and address fiscal responsibility in this body.

FUNDING CHOICES

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I think it is certainly important for this body to be fiscally responsible, but let me share with Members that in the aftermath of Hurricane Katrina, there are cities and towns in rural areas that cannot pay their bills. It is a matter of choices. We have to look at a new way to deal with the Iraq war and Afghanistan and stop the spiraling spending of $480 billion.

The reason I say that is because some of the unsung heroes of Hurricane Katrina, although they do not want applause, deserve so. Even though I voted for the Department of Homeland Security appropriations, I know we are not funding homeland security enough. The Coast Guard has saved over 23,000 individuals, fire fighters and police, those who did not walk away from their jobs. Citizen Corps has been found out to be one of the best means of homeland security where we train neighborhoods to secure themselves. All of that needs enhanced homeland security funding.

Yes, Mr. Speaker, we have to make choices, but we should not be cutting the budget now.

GETTING FINANCIAL HOUSE IN ORDER

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

Mr. MCHENRY. Mr. Speaker, tonight I want to commend our Republican leadership in the House for taking a bold move to actually look at ways to get our financial house in order. It is time that we move forward, that we move forward as a government and look at these programs that we have been spending more and more and more on every year.

As a result of Hurricane Katrina and Hurricane Rita, we have had to spend a lot of money in the gulf coast region; but we have to do as a government what families do across America, and that is looking at the family budget and saying where should I spend and not spend. That is what we are going to do as Republicans in the House. I am so proud we have Republican leadership that is willing to take on this courageous fight to cut spending and keep returning every taxpayer's dollar back to them as much as possible.

Mr. Speaker, I am happy about the leadership we have in the House, and I am glad we have bold leadership.

MEETING AMERICA'S ENERGY NEEDS

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

Mr. GOHMERT. Mr. Speaker, somebody once said when talking about government, no matter how cynical you get, it is never enough to catch up.

Mr. Speaker, we have been hearing for so long the Republicans should do something about bringing down gas prices. Well, we have an energy bill, and we are going to have another one. I have heard a lot of talk now that we are actually going to talk about the ability to have additional refineries, gee, we do not need them now it turns out.

Yes, we do need them. We have not built one in 30 years. Even though some have pushed their capacity up a little bit, it is time to allow for a new refinery in the United States. We are becoming far too reliant on foreign gasoline, and that continues to grow. It is time to do something, and we are going to have a chance to do that. It is time to put up or shut up.

Mr. Speaker, tomorrow we will find out who really wants to help Americans pay less for gasoline, and we will find out who wants to keep sticking them with higher prices.

TRIBUTE TO JON PICINI, JR.

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

Mr. PORTER. Mr. Speaker, I rise today with a very heavy heart. This past Sunday, good friends of mine, the Picini family from Las Vegas, Nevada, lost their son, 19-year-old John Picini, Jr., in his sleep.

My prayers and my thoughts go to the Picini family for the loss of a loved one which is hard to imagine, as a father myself. I know how difficult a time it is, and I will provide for the RECORD words of his Aunt Terry Murphy, also one of my best friends, regarding her heartfelt thoughts at the loss of John Picini, Jr.

The words of Ms. Terry Murphy, referred to above, are as follows:

John Joseph Picini Jr.

Man. Boy. Brother. Son. Cousin. Friend. Dude. Musician. Angel. Amazing. Loving. Giving. Kind. Adorable. Sweet. Sad. Happy. Fun to be with. Inventive. Creative. Peaceful. Beautiful. Sensitive.

These are all the words to describe John Picini Jr. Two days before his birth, John nearly didn't make it into this world. Upon arrival, we all learned about the Duffy Factor, a blood disorder which made his entry into the world a bit more difficult than most. As we all watched John grow, we never ceased to he amazed at who he was becoming. At who he did become.

When he made music, he was transported to a different plane and he took along with him all who watched and listened. He carried us away. Only a very evolved soul can so profoundly move people with his own creations and John's were beyond amazing.

John was graced with an unusual sensitivity. Webster's dictionary defines sensitivity as the capacity of being easily hurt, and the awareness of the needs and emotions of others. This sensitivity was the foundation of his creative abilities. It was also the foundation of what made us all love him to the core.

When John suffered the accident that damaged his knees, he turned his pain into comfort for others. His first act after receiving compensation for his injuries was to give his mother a gift of $2,000.00 to be used for a research program which was designed to, and did help people. He then set up a big Texas Hold-em game. Upon learning that a friend of his mother had no money to pay her rent, he took the money from the game, gave it to his mom and told her to pay the rent, but not to tell the woman where the money came from. Giving selflessly and without expectation of gratitude. That was John. He took great joy in giving. And in his life he gave us more than he ever knew.

John took his own pain and turned it into good fortune for others. This is truly a lesson to all of us in what living is about. A statue of St. Francis of Assisi stood in John's house. From St. Francis, John learned that it is in giving that we receive, in comforting that we find comfort, in giving faith that we find it, and in loving that we are loved.

So much did John enjoy giving that he went to a party at the Oasis Center for Children at Christmas time and gave each child a card, a hug, and twenty dollars. He did this again on Valentines Day. These actions represent the very essence of John Joseph Picini Jr.

If we can define a man by the music he loves, we can define John as a peacemaker and a poet. His heroes—John Lennon, Jimi Hendrix, Harry Chapin, Bob Dylan. All peacemakers and poets. All but Dylan, taken from this planet long before their time.

John will be watching and loving us from his new home with the angels. He was, after all, an angel flying too close to the ground as Willie Nelson would say.

We who are left behind have been forever changed for knowing John. And we will be forever changed for having lost him. He is, without a doubt, surrounded with warmth and love and light in the arms of God the father, his son Jesus Christ and the Blessed Mother. They're holding him and keeping him safe. He will live forever in our hearts and he'll have no tears in heaven.

SPECIAL ORDERS

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

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

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

ORDER OF BUSINESS

Mr. OSBORNE. Mr. Speaker, I ask unanimous consent to take my Special Order at this time.

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

There was no objection.

FUEL PRICES

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

Mr. OSBORNE. Mr. Speaker, as I travel my district in Nebraska, the number one concern is high fuel prices, and I would assume that is true for a great many Members in this Chamber. The reasons are somewhat obvious. Worldwide demand for petroleum has increased. China and India are using more oil than ever before. We are nearly 60 percent dependent on foreign oil at the present time. OPEC can, to some degree, set oil prices because of that. And of course more recently the hurricanes have shut down some of our refineries.

So we took a good first step last July in passing the energy bill. The renewable fuel standards require 7.5 billion gallons of ethanol or biodiesel by 2012, which nearly doubles the amount of renewable fuels. Also the energy bill expedites access to 2 trillion barrels of oil in U.S. oil shale deposits. And also it promotes an initiative for the production of hydrogen fuel cells, which I think in 15 to 20 years can pretty much remove demand for petroleum fuel products.

However, we do need some immediate relief, something quicker than the energy bill passed in July can provide. We have had no new refineries built since 1976. It is almost impossible to get a building permit for a new refinery, and so as a result our refineries are operating at roughly 95 percent of full capacity, whereas most in the industry operate somewhere around 75 percent to 80 percent of capacity. So any slight disruption in the process can put us right over the edge, as happened with the hurricanes.

Many Americans are currently spending 10 percent of their income on gasoline, particularly low-income Americans. The agriculture profits have been eaten up by high fuel costs, so many farmers in my area are losing money because of the high fuel costs.

The Gasoline for Americas Security Act of 2005 will be introduced tomorrow, and we will vote on it. I think there are some tremendous aspects of this bill. Number one, it encourages increased refinery capacity by removing regulatory and permitting roadblocks. We have not been able to build one because of all of the environmental concerns.

Number two, it reduces the boutique fuels from somewhere in the neighborhood of 40 to six. Every time you switch from one type of fuel to another, you shut down the refinery, clean out all of the pipes, very time-consuming and very expensive; and this reduces that process to about six types of fuel. It also removes red tape from pipeline construction.

Above all, one of the most important things, it removes the loan guarantees on the Alaska pipeline unless that pipeline is started within the next 2 years. So far we need that pipeline badly because we need the gas that comes from Canada and Alaska, and that pipeline would provide a very valuable source.

Fourth, it promotes carpooling through education and incentives which will save petroleum.

And last, it prevents price gouging and requires the Federal Trade Commission to draft a standard definition of price gouging, because right now everybody has their own definition, and it will provide some enforcement guidelines.

Mr. Speaker, I think it is a good bill. I am looking forward to it. I think it can provide some immediate relief in this country in an area where we can stand some help.

□ 2115

URGING A ''NO'' VOTE ON GASOLINE FOR AMERICA'S SECURITY ACT OF 2005

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

Ms. KAPTUR. Mr. Speaker, there is no doubt that one of the biggest concerns that we hear from our constituents is the unjustified increase in the price of fuels. Just in Ohio today, gasoline is over $3 a gallon. People cannot afford to take their families for weekend drives or vacations because the cost of gasoline prohibits it. Farmers and other small businessmen face higher fuel costs that are making it nearly impossible for them to make a profit. Individuals are concerned about the cost of home heating this year as heating oil and natural gas prices go up faster than windchill blowing across the Great Lakes, and programs like heating assistance for those that cannot afford to pay their bills, like senior citizens, are facing flatlining by the Republican majority in this House when it is eminently clear that the need will be greater this year than ever in the past. We always seem to be able to find money to send to other countries, but we cannot take care of the people right here at home. What a shame.

So what does this Congress do about all of this? Tomorrow we are supposed to be debating the Gasoline for America's Security Act of 2005, H.R. 2360. The wordsmiths have been busy little elves with this one because not only does it have the right words to make the public believe that this body is really doing something about the problem, but it really is not. They have tucked away goodies for their friends in the oil industry who thought that the energy bill that some people voted here a few weeks ago was not enough for them. In the words of former President Reagan, ''There they go again.''

They give new regulatory subsidies to the refining industry when those industries' profits are at breaking records. If we look, just in this past year of 2004, the five major U.S. oil companies, Exxon, British Petroleum, Shell, Chevron and Conoco, have almost tripled their profits, taking in more than $50 billion, $50 billion, more than they did just 2 years before. How much more do they want when so many in our society are living right at the edge?

In 2005, after months of suspected price gouging, these five major oil companies are on target to pocket over $100 billion more, nearly $40 billion more than Congress has appropriated so far to rebuild the entirety of our devastated gulf coast, think about that, which has taken generations to build. That is how much money just those companies are taking in.

The bill rolls back authority currently given to our Federal Trade Commission to deal with price gouging. It seems to target smaller retailers while limiting the areas that can be investigated for price gouging. According to a September 1 Wall Street Journal article, after Hurricane Katrina, unleaded gas prices surged 36 percent in just 3 days, pushing the wholesale price average up 132 percent above a year ago. And this massive increase occurred despite the fact that in the same 3-day period, the price of crude oil went up just 4.25 percent. Over the past year, crude oil prices have gone up 64 percent, so that means that the wholesale price of gasoline jumped nine times as fast as the price of crude in 3 days and is running more than double the increase of crude over the past year. And these companies are just swimming in the windfall benefits.

So instead of renewing our vows to imported oil, we need to be developing new renewable energy sources here at home: wind power, solar, biofuels, fuel cells, hydrogen, clean coal. We consume 25 percent of the world's oil production, spending tens of billions of dollars to import oil from some of the most unstable and undemocratic regions of the world. At the same time, we have only 3 percent of known reserves.

According to a study done for the National Resources Defense Council, if we were to follow an aggressive plan to develop cellulosic biofuels over the next 10 years, we could produce the equivalent of nearly 7.9 million barrels of oil per day. That is equal to more than 50 percent of our current oil use for transportation and more than three times what we import from the Persian Gulf alone. We have more than 5 million vehicles on the road right now that will run on 85 percent ethanol and a growing number that run on biodiesel blends of 5 percent or higher. The people who drive these cars in many cases do not even know it, and if they do, they cannot find the fuel in their home communities because we have not done enough to make these renewable and less costly fuels available to our own constituents. What a shame.

Some want us to keep drilling. They do not care where. It could be in a critical water area like the Great Lakes. Perish the thought.

In my view, we do not need to drill any more holes in our own heads. What we really need is an energy plan that develops self-sufficiency from renewable sources and a plan that not only calls for renewable fuel standards but provides support for the infrastructure and public education campaign to get there. A country that could land a man on the moon can do this as well. We need resolve right here in this Congress.

I urge this Congress to take a giant dose of Beano and cast a resounding ''no'' vote on the Gas Act of 2005 that will come up tomorrow. We can and surely must do better for our children.

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

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

ORDER OF BUSINESS

Mr. KUHL of New York. Madam Speaker, I ask unanimous consent to take my Special Order at this time.

The SPEAKER pro tempore (Mrs. SCHMIDT). Is there objection to the request of the gentleman from New York?

There was no objection.

RECOGNIZING ELMIRA COLLEGE'S 150TH ANNIVERSARY

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

Mr. KUHL of New York. Madam Speaker, I rise to recognize the sesquicentennial of one of the greatest educational institutions in my district of upstate New York, Elmira College. Elmira College turned 150 years old on October 2, just a couple of days ago this year.

Elmira College was the first college for women with a course of study and degree requirements equal to those of the Nation's finest colleges.

On October 23, 1853, the Regents of the University of the State of New York granted a charter to the college, and the cornerstone of the building that would later come to be known as Cowles Hall was laid in June of 1854.

In October of 1855, Elmira College opened its doors to its first students, and the great, historical Cowles Hall still stands as a monument to women's college education in Elmira and the United States.

Elmira College is sometimes known as ''the mother of women's colleges.'' The official college colors, purple and gold, were taken from the colors adorning the banners of the women's suffrage movement and from the college flower, the iris, which is also the name of the college yearbook published each year since 1896.

Its location in Elmira, the commercial and cultural center of the Finger Lakes region, was through the efforts of Simeon Benjamin, the college's earliest benefactor, often referred to as ''The Founder.'' Benjamin was instrumental in the selection of the college's first president, Dr. Augustus Cowles, after whom the college's original building was subsequently named.

Another of the college's founding trustees was Jervis Langdon, whose daughter Olivia, an alumna of the college, later married Samuel Clemens, to most of us also recognized as Mark Twain. To this day, Elmira college has been closely associated with Mark Twain, who wrote many of his best known novels in Elmira, in a structure, the Mark Twain Study, which was relocated to the Elmira College campus in 1952.

Elmira college became coeducational in all of its programs in 1969 and quickly achieved an even gender balance. Entering its 15th decade, Elmira College continues its commitment to provide a sound liberal arts education while strengthening its professional programs. Its standards of academic excellence resulted in the award of a chapter of Phi Beta Kappa in 1940.

College traditions are cherished. The Sibyl, one of the oldest student-literary magazines in the country, has been published continuously since 1876. Mountain Day, faculty and administration ''Patron Saints,'' the Midnight Breakfast, and the Holiday Banquet are among the many traditional activities which enrich college life.

While academics are a priority at Elmira College, school spirit emanates from its students through athletics. Elmira College offers 26 varsity and junior varsity teams and intramural sports as well. Elmira College strives for excellence both in the classroom and on the field by embracing the student athlete. Fifty-six percent of the students maintain a grade point average of 3.0 or better. National rankings and post-season tournament play have also been annual traditions for the Soaring Eagles. Most recently, the women's ice hockey team has made four consecutive NCAA tournament appearances, including winning the National Title and sporting an undefeated season in its inaugural season.

On the one hand, Elmira College is securely rooted in the local community by a tradition of excellence, ''town-gown'' relations and reciprocal sharing of resources. A good example of this is the public lectures presented by the internationally known Mark Twain scholars who are bought to Elmira by the college's Center for Mark Twain Studies. Another example is the college's community service program, which has been commended by the President of the United States.

At the same time, the college expands its worldwide view with opportunities such as its various innovative projects offered in an intensive 6-week spring term made possible by the distinctive academic calendar. While proud of its history and traditions, Elmira College looks ahead to the future.

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

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

ORDER OF BUSINESS

Ms. WOOLSEY. Madam Speaker, I ask unanimous consent to take my Special Order at this time.

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

There was no objection.

TRIP TO IRAQ

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

Madam Speaker, here is a quote: ''Victory means exit strategy, and it's important for the President to explain to us what the exit strategy is.''

Those words were not spoken by a Member of Congress, not by a prominent opponent of the Iraq War. They were not even spoken about this President or this war. Those words were spoken in April, 1999, about President Clinton's military campaign in Kosovo, and they were spoken by a Republican Governor named George W. Bush.

What a difference 6½ years makes because it is precisely an exit strategy that is missing from our Iraq policy. With 2,000 of their fellow citizens dead and 1 billion of their tax dollars being sent to Iraq every week, the American people have a right to some honest answers to some important questions like: What exactly defines victory? What are the benchmarks of success? What is the long-term plan? What does the end game look like?

We are paying for this war in blood and money. My home district lost a 23-year-old soldier on Saturday. Why will the President not repay us with some honesty and transparency? Why does he insult us with empty platitudes about ''staying the course'' and ''staying in Iraq as long as it takes''?

Madam Speaker, I had the privilege of traveling to Iraq last week with a few of my House colleagues. We were briefed by the commanders on the ground. We saw the military facilities, which I am happy to report are state of the art. The quality of our soldiers' medical care in particular is excellent as far as I could see. Good equipment and the best docs that one could have.

The most rewarding and enlightening part of the trip was simply having meals and talking with the enlisted men and women, mostly those from California and particularly from my district north of the Golden Gate Bridge.

Madam Speaker, these young people are the very best America has to offer. They are brave. They are intelligent. They are loyal, loyal to their country, to their mission and to each other. They are profoundly committed to this mission, even those who told me privately they do not support the policy that underlies it.

These are genuine heroes whose courage and resolve are greater than our accolades can convey. We truly have the most capable military the world has ever known. So what is the problem?

The problem is that we do not have leaders in Washington that are worthy of these fine soldiers. Our troops have not failed. They have been failed by their civilian superiors, those who sent them to Iraq on false pretenses, on a poorly defined mission without all the tools they needed and without a plan to get them out of there.

This morning's speech from the President was the same old shopworn rhetoric: Terrorism bad, freedom good. We know that and we agree, but that alone does not justify an open-ended military commitment. What comes next? Do not tell us. Show us. Show us that there is some kind of long-term strategy to return Iraq to the Iraqi people and the troops to their families back home.

If the President will not lead, then we will. Last month, I assembled a group of Middle East experts and military strategists to explore viable and compassionate exit strategies.

□ 2130

I do not have all the answers, and I am not prepared to endorse a single approach, but I have felt for many months now that it was about time we started this conversation about troop withdrawal and started throwing ideas out and on the table.

Madam Speaker, our troops have endured enough sacrifice. We need to plan to bring them home.

At the same time, we must give Iraq back to the Iraqi people through a range of economic, political, and humanitarian partnerships. The American people deserve better than the poor planning that has characterized every phase of this war, and the extraordinary men and women whom I met in Iraq most certainly deserve better. They deserve leaders as courageous and honorable as they are. In return for their unfailing loyalty, they deserve basic competence and integrity.

COORDINATED STRATEGY OF CHARACTER ASSASSINATION

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

Mr. MCHENRY. Madam Speaker, tonight I think we need to speak about the partisanship that is not just encountered here in Washington, D.C., not from the people just here in this body, but the partisanship we have seen from a prosecutor down in Austin, Texas. It is part of a coordinated strategy that those on the other side in this House have. It is a coordinated strategy of character assassination.

A couple of months ago I spoke before the House, and I outlined a few simple things. I said the Democrat leadership has led their party on a campaign against Republicans, against the Republican majority of this House, through a conspiracy of character assassination and misleading attacks.

The U.S. News and World Report wrote back in April: ''Democratic strategists, confident that voters are increasingly fed up with the Republican establishment, are planning an all-out attack on what they call 'the abuse of power' by the Republicans.''

I said at the time the liberal magazine, the New Republic, published an article entitled: ''How Democrats can Overthrow the House,'' this House, Madam Speaker, and I quote from that article: ''Democrats should consider fighting back by extra-parliamentary means, going beyond the standard parameters of legislative debate, and attacking Republicans not on issues, but on ethics, character. In other words, it may be time for Democrats to burn down the House in order to save it.''

Those are not my words, Madam Speaker. Those are the words of the liberal New Republic outlining the Democrat strategy to take the majority in this House. ''Burn down the House in order to save it,'' they say.

Well, at the time, a lot of people thought that what I was outlining was something that was far off; that maybe it would not happen; that maybe we would have some high-minded individuals on the other side that would say enough is enough. This is not the right strategy for America; it is not the right type of political discourse we should have in this country. But, no, no, no, we saw this just a week ago with a partisan prosecutor in Austin Texas named Ronnie Earle.

After impaneling seven grand juries, he was able to come up with one charge, conspiracy; conspiracy against our majority leader, our Republican leader in the House. Well, as it turns out, those charges, not only were they false but they also were based on a statute that was not in effect at the time that they claim these events happened.

What we saw was a partisan prosecutor that was so focused on scoring political points that it did not matter what the law said; and so on Monday, he came up with a new charge based on new evidence, he claims. After going through seven grand juries, Madam Speaker, after going through 2 years of investigating our Republican leader, intent on taking him down, they said in 2 days they came up with new information and came up with a new charge.

It is an amazing thing that has happened. The American people have heard it before by watching the TV. They know the details of this.

But I want to outline what a former U.S. Attorney from the Southern District of New York, Andrew McCarthy, outlined. He said, ''Ronnie Earle, district attorney of Travis County, Texas, has no business wielding the enormous power of prosecution. A matter of national gravity is being pursued with shocking ethical bankruptcy by the district attorney, by Ronnie Earle. If Congressman DELAY did something illegal, he, like anyone else, should be called into account. But he, like anyone else, is entitled to procedural fairness, including a prosecutor who not only is, but also appears to be, fair and impartial.''

Those are the words of a former U.S. Attorney. Madam Speaker, I will enter this into the RECORD.

Madam Speaker, also McCarthy adds, ''Ronnie Earle is a disgrace to his profession and has done grievous disservice to thousands of Federal, State and local government attorneys, prosecutors of all persuasions whose common bond is a good-faith commitment to the rules, but who will now bear the burden of suspicions fostered by Earle's excesses.''

Madam Speaker, you may say that is just a columnist talking. But what does the liberal Austin American Statesman say? It says: ''Ronnie Earle has created a circus-like investigation alleging Republican campaign funding illegalities, but he has not proven it.''

Madam Speaker, we see the Democrats' agenda is to burn down this House by attacking our leaders on baseless accusations, and they will stop at nothing until they bring down our majority.

Madam Speaker, I include for the RECORD the article by Andrew C. McCarthy:

RONNIE EARLE SHOULD NOT BE A PROSECUTOR

(By Andrew C. McCarthy)

If there is one thing liberals and conservatives ought to be able to agree on, it is this: Ronnie Earle, district attorney of Travis County, Texas, has no business wielding the enormous powers of prosecution.

I don't know Congressman TOM DELAY, the House Majority Leader. I certainly don't know if he's done anything illegal, let alone something so illegal as to warrant indictment. It doesn't look like it—and at least one grand jury has already refused to indict him (a fact Earle appears to have tried to conceal from the public as he scrambled to find a new grand jury that would). Yet experience shows it is foolhardy for those who don't know all the facts to hazard a judgment about such things.

One thing is sure, though, and it ought to make anyone who cares about basic fairness angry. The investigation of DELAY, a matter of national gravity is being pursued with shocking ethical bankruptcy by the district attorney—by Ronnie Earle.

For nearly 20 years, I had the privilege of being a prosecutor in the best law-enforcement office in the United States, the U.S. Attorney's Office for the Southern District of New York. Being a prosecutor is the world's greatest job because it is honest work for the highest cause—service to one's own community. And it is work that has precious little to do with politics.

In their private lives, many of my fellow government lawyers were political independents, either by design (i.e., out of a conscious rectitude holding that law enforcement should be above politics) or because they were just apolitical. Most, as one would expect in New York, were Democrats. A large percentage, as, again, one would expect from a group of mostly young people educated in top schools, was proudly liberal. Over coffee or lunch, or dinner, they and we few, hardy conservatives would have spirited debates over all manner of issues.

In the four corners of a case, however, none of that mattered a wit. Within those four corners, there were rules and responsibilities. There was recognition that prosecutors have breathtaking power over the lives of those they investigate. Power inarguably vital to the rule of law. But power which, if used recklessly or maliciously, can leave lives in tatters. The lives not only of the innocent and the guilty, but of the justice system itself.

This was especially so in investigations of political corruption. We prosecuted Republicans and Democrats, in about equal measure. The cases were hard, but checking your politics at the door was never hard, for at least two reasons.

First, there tends to be nothing ideological about the crimes committed by politicians. They are a stew of pettiness, greed and above-it-all arrogance over which neither party has a monopoly, and the offensiveness of which cuts across philosophical divides.

Second, some wrongs are simply not intended to be crimes. Among them are political wrongs: sleazy abuses of power, cronyism, most acts of nepotism, half-truths or outright lies in campaigns, etc. In a free society, these get sorted out in our bumptious political system. Usually, absent shades of financial fraud, bribery, and extortion, prosecutors should stay their hands. There are too many real crimes to waste resources on that sort of thing. More significantly, the risk of criminalizing politics would only discourage honest citizens from participating in matters of public concern.

The code prosecutors live by is not a liberal or conservative one. It is a code of ethics—of nonpartisan, non-ideological honor. Of course many prosecutors are ambitious. Of course prosecutors want to win. But even the ambitious ones who care a bit too much about winning quickly learn that success is intimately tied to doing things the right way. And not least because that is the norm their colleagues follow—as well as the standard by which the defense bar and the judiciary (populated by no small percentage of former prosecutors) scrutinize them. It is, moreover, the standard the public demands they meet.

People want to see the guilty convicted, but they also want to feel good about the way it is done. The prosecutor is the public's lawyer, and his duty is not merely to get the job done but to get it done right. The second part is just as crucial as the first. They are equal parts of doing justice. No one expects perfection, which is unattainable in any human endeavor. But if the outcomes of the justice system are to be regarded as legitimate, as befitting a decent society, people have to be confident that if they stood accused, the prosecutor would enforce their rights and make sure they got a fair fight.

So there are certain things that are just flat-out verboten. Most basic are these: to resist public comment about non-public, investigative information; to abjure any personal stake in the litigation that could suggest decisions regarding the public interest are being made to suit the prosecutor's private interests; and—if all that is not Sesame Street simple enough—to remain above any financial or political entanglement that could render one's objectivity and judgment suspect.

In the profession, these things come under the hoary rubric of ''avoiding the appearance of impropriety.'' In layman's terms, they are about having an I.Q. high enough that you know to put your socks on before your shoes. This is bedrock stuff. It is central to the presumption of innocence, due process, and equal protection under the law that prosecutors owe even the most despicable offenders. It is foundational to the integrity of the system on which rest our security, our economy, and our freedoms.

And Ronnie Earle has flouted it in embarrassing, mind-numbingly brazen ways.

As Byron York has been reporting on NRO (see here, here, and here), Earle has partnered up with producers making a movie, called The Big Buy, about his Ahab's pursuit of DELAY. A movie about a real investigation? Giving filmmakers access to investigative information while a secret grand-jury probe is underway? Allowing them to know who is being investigated and why? To view proposed indictments even before the grand jury does? Allowing them into the sanctuary of the grand jury room, and actually to film grand jurors themselves? Creating a powerful incentive—in conflict with the duty of evenhandedness—to bring charges on flimsy evidence? For a prosecutor, these aren't just major lapses. They are firing offenses. For prosecutors such as those I worked with over the years, from across the political spectrum, I daresay they'd be thought firing-squad offenses.

Attending partisan fundraisers in order to speak openly about an ongoing grand jury investigation against an uncharged public official. As a moneymaking vehicle.

Penning a nakedly partisan op-ed (in the New York Times on November 23, 2004) about the political fallout of his grand-jury investigation of DELAY, then uncharged.

Settling cases by squeezing businesses to make hefty financial contributions to pet personal causes in exchange for exercising the public's power to dismiss charges.

Secretly shopping for new grand juries when, despite the incalculable advantages the prosecution has in that forum, the earlier grand jurors have found the case too weak to indict.

Ignoring the commission by members of his own party of the same conduct that he seeks to brand felonious when engaged in by members of the other party.

Such actions and tactics are reprehensible. They constitute inexcusably dishonorable behavior on the part of a public servant, regardless of whether the persons and entities investigated were in the wrong. They warrant universal censure.

If Congressman DELAY did something illegal, he, like anyone else, should be called to account. But he, like anyone else, is entitled to procedural fairness, including a prosecutor who not only is, but also appears to be, fair and impartial.

Ronnie Earle is not that prosecutor. He has disgraced his profession, and done grievous disservice to thousands of Federal, State, and local government attorneys. Prosecutors of all persuasions whose common bond is a good faith commitment to the rules—but who will now bear the burden of suspicions fostered by Earle's excesses.

The burden, but not the cost. That will be borne by the public.

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.)

LATINOS AND HIV/AIDS

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

Ms. SOLIS. Madam Speaker, today I rise to bring attention to the devastating impact the epidemic of HIV/AIDS continues to have on the Latino community nationwide. According to the latest data and statistics from the Centers for Disease Control and Prevention, although Latinos make up

only 14 percent of the population of the U.S. and Puerto Rico, they account for 20 percent; that is about 164,000 of the more than 930,000 AIDS cases diagnosed since the beginning of the epidemic.

This epidemic has also affected women and young people in the Latino community. Latinas, unfortunately, represent a high 18 percent of new AIDS cases among women. Our teenagers accounted for 20 percent of the new AIDS cases among teens in the year 2002. In my own home State of California, an estimated 15,387 Latinos are living with AIDS, representing the second highest State in terms of the number of Latinos infected with AIDS nationwide.

Unfortunately, while Latinos suffer disproportionately from HIV and AIDS, many are uninsured and are unable to gain access to adequate care services due to language and cultural barriers, lack of transportation, and fear of stigmatization. I want to highlight these concerns and also bring together our Nation and community towards the commitment of creating new alliances, adopting culturally specific and appropriate interventions, and advocating for new funding and resources targeted to those communities most adversely affected by this horrible epidemic.

I have also introduced legislation supporting the third annual National Latino AIDS Awareness Day, which takes place on Saturday, October 15, 2005. This is a national day of awareness and prevention against HIV and AIDS in the Latino community.

National Latino AIDS Awareness Day salutes the more than 76,000 Latino AIDS survivors in the U.S. and the efforts of people living with HIV and AIDS, their volunteers, professionals, and their family members. It also recognizes and applauds the national and community organizations for their work in promoting awareness about AIDS, providing information and offering treatment to those who suffer from this deadly disease.

The purpose of the resolution is straightforward and simple: the Nation can no longer afford to close its eyes and avoid the impact of this devastating disease. In fact, the theme of the National Latino AIDS Awareness Day is ''abre los ojos,'' or ''open your eyes.''

While 40,000 new cases of HIV are reported each year, Congress has slashed funding for essential programs critical to providing comprehensive response to stopping the spread of this disease. Our communities have been asked for years to do more and more with less and less, and this Nation must open its eyes to work towards preventing the spread of the disease.

I ask my colleagues to support this important resolution, and I look forward to the day when the House of Representatives adopts this approach and brings about an opportunity for more awareness and prevention of the HIV and AIDS epidemic in the Latino community.

I also want to speak towards the importance of additional funding, supportive services, and capacity-building initiatives for those infected with the disease. A core component of the Nation's response to HIV and AIDS is the Ryan White Comprehensive Aids Resource Emergency Act, known as the CARE Act. I ask that Congress immediately reauthorize this important piece of legislation.

Signed into law back in 1990 and reauthorized twice since then, the CARE Act is named after a young man, Ryan White, who was infected by HIV through treatment for his hemophilia, who taught the Nation strength in a time when no one knew much about this disease. Authorization for the CARE Act expired last week on September 30, 2005.

It is important that Congress pass a new stronger and fully funded Ryan White CARE Act as soon as possible. After Medicaid, the Ryan White CARE Act is the largest payer of care and treatment services for AIDS patients in the U.S. Commonly referred to as ''the payer of last resort,'' the CARE Act serves those who fall through the cracks of traditional government-sponsored health care networks.

At least one in every two individuals assisted through the CARE Act lives below the Federal poverty level, and about 25 percent are uninsured, and less than 10 percent have any private health insurance, and about 28 percent were enrolled in Medicaid.

The CARE Act is organized into four titles and is essential to providing services to individuals with HIV and AIDS. Title I provides funds to 51 eligible metropolitan areas most heavily impacted by the epidemic; title II money goes to States and aids drugs assistance programs; and titles III and IV to community-based providers. Eighty-five percent of all Ryan White CARE Act dollars are distributed through titles I and II of the act.

According to the Department of Health and Human Services, Latinos represent about 20 percent of all the CARE Act clients in 2002.

In addition to the four structured titles of the CARE Act, the Minority AIDS Initiative, MAI, and the Special Projects of National Significance, SPNS, span all of these titles.

Through the Minority AIDS Initiative, each CARE Act title has a mandate to provide a minimum amount of funding to address the needs of minorities. However, due to the disproportionate amount of racial and ethnic minorities that continue to be infected with HIV/AIDS and the inequities that still exist, this funding is still not sufficient to meet the needs of communities of color.

The epidemic of HIV/AIDS has had a deleterious effect on all communities of color.

As the Chair of the Congressional Hispanic Caucus Health Taskforce, I am committed to working on securing services for those infected and affected by HIV and AIDS.

Madam Speaker, I ask for full funding of the Ryan White CARE Act—$3.1 billion dollars—to address these concerns outlined today.

It is important to address the critical issue of combating the spread of HIV and AIDS in communities of color through the thoughtful and targeted reauthorization of the CARE Act.

Despite flat funding over the past few years, the CARE Act in its current form is still the best tool that has proven successful in the fight against HIV/AIDS.

The CARE Act works—and given a renewed commitment in giving those on the front lines of the battle, whether they be private partnerships, government initiatives or local organizations specializing in outreach, prevention, testing and care, the CARE Act can work even better, as long as we ''abremos los ojos.''

Also, I request unanimous consent to submit this statement for my colleague of the Congressional Hispanic Caucus, Rep. LUIS GUTIERREZ.

MS. SOLIS'S SPECIAL ORDER ON LATINOS AND HIV/AIDS

Mr. GUTIERREZ. Mr. Speaker, I rise toy to discuss the devastating effect HIV/AIDS has had on the Latino community and communities of color across this country. Today, I am also pleased to be an original cosponsor of Congresswoman Hilda Solis' Concurrent Resolution to support the observance of National Latino AIDS Awareness Day. This bill was introduced at a pivotal time: the bedrock of our Nation's response to HIV/AIDS, the Ryan White CARE Act, expired last week on September 30, 2005.

Unfortunately, HIV/AIDS has a disproportionate stronghold in the Latino community. The numbers are disturbing. The CDC has reported that 43,171 people were diagnosed with AIDS in 2003. Twenty percent of those reported were Latino, yet Latinos represent only 14 percent of the population. In the past 3 years, the number of new HIV/AIDS diagnoses among Latinos increased more than 14 percent. This disparity is on track to continue to grow even greater because the latest statistics show that AIDS diagnoses among whites has decreased three percent from 2000 to 2003.

These trends are especially evident in our urban areas. According to the City of Chicago Department of Health, the 2003 AIDS rate was 32.9 per 100,000 people in Chicago. In the United States as a whole, the AIDS rate is half that.

Chicago's high rate reflects the prevalence of AIDS in communities of color. In 2003, the AIDS rate for African-Americans in Chicago was three times the AIDS rate of Whites. Latinos also have a higher AIDS rate than whites in Chicago.

This epidemic has left many of our metropolitan areas struggling to care for those affected by HIV/AIDS. Many of the minorities suffering disproportionately from HIV/AIDS do not have the access to the healthcare and other services they need. When Congress passed the Ryan White CARE act in 1990, we put in place programs that addressed these issues and, as a result, we have seen improvement in the way we treat and care for uninsured and underinsured people living with HIV/AIDS.

But more needs to be done. AIDS has placed our country in a state of emergency. Indeed, this notion is expressed in the title of the legislation, the ''Comprehensive AIDS Resources Emergency, CARE Act.'' This emergency requires the attention of the Congress, and I am pleased to join Congresswoman

SOLIS today in calling for the reauthorization of the Ryan White CARE Act and cosponsoring her bill to support the observance of National Latino AIDS Awareness Day.

Mr. Speaker, we need to recognize the disproportionate affect AIDS has on our communities of color, and I join my fellow Members of the Congressional Hispanic Caucus tonight to call on Congress to work swiftly to reauthorize and strengthen the Ryan White CARE Act and to make sure these programs are fully funded.

GENERAL LEAVE

Ms. SOLIS. 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 subject of my Special Order.

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

There was no objection.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A CRISIS IN THE COURTS OF AMERICA

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

Mr. CARTER. Madam Speaker, I rise this evening to talk about an ongoing crisis that is in this country, a crisis in the courts of America. People are using the third branch of this government as an abusive form of receiving money from the court system, in many instances just because they file a lawsuit. People are using the courts of America to intimidate others out of their constitutional rights because of the expense of litigation. Most importantly, and what I rise today for, they are driving the medical profession into the ground.

Madam Speaker, I have spent 21 years of my life working with fine lawyers in a courtroom. I have seen the courtroom and how things work in the courtroom change substantially in that 21 years on the bench as a trial judge in Texas.

□ 2145

The courts were designed for people to seek recourse when they were damaged. The courts were designed to grant fairness to all parties involved. The courts were not designed to use the economic expense of litigation to force people to settle lawsuits or to force people to pay money. They were designed for a fair presentation of the evidence and a fair decision to be rendered by the trier of facts and the trier of the law.

Yet, today, in modern society, we see in every area courts being used to try to force someone to do something contrary to their best interests, to pay when, in reality, the only reason they are paying is because, quite frankly, it is cheaper than fighting the litigation, cheaper for insurance claims to be settled, because it is easier to settle an accident than actually stand up for what is right. We see this, and if the spotlight is placed upon this, we see what it is doing to our medical profession.

Madam Speaker, we love to all sit around and reminisce about the old country doctor who would actually make house calls. The doctor that would make a house call with a little black bag today probably ought to be seriously examined for being crazy, because if all he brings is the resources of that bag to make that house call, surely there is a lawyer some place that is going to sue him for something because he said he did not do the right thing. So what is happening to our legal profession?

In many instances, doctors will tell us, unnecessary tests are being required of our patients. The cost of our medical care in this country is skyrocketing not because maybe that doctor thinks he may know what is wrong with that patient, but he also wants to make sure that he has that MRI and that CAT scan on record to confirm what his diagnosis is. Why? Because of the trial lawyers standing outside the door, ready to sue him for the slightest thing because he thinks he can prove that that test was not right.

Madam Speaker, we have women in south Texas that cannot find a baby doctor to deliver their baby and cannot find a pediatrician to care for their baby when it is born. Patients in south Texas cannot find a neurologist or a neurosurgeon when someone has been in a car wreck and has a brain injury and desperately needs someone that can treat them, either a neurologist or a neurosurgeon. There are people that are being hauled all the way from the Rio Grande Valley, Brownsville, and McAllen, all the way to San Antonio to try to find a neurologist that will take care of a serious, serious case.

Madam Speaker, this is a crisis in America. I am just looking at Texas. But this is not just new to Texas; this is all over the country. There are multiple States that are in crisis when it comes to medical liability. Tonight, I am up here and I am joined by many of my colleagues to talk about H.R. 5, the Help Efficient, Assessible, Low-cost, Timely Health Care Act of 2005 entitled HEALTH. This is sponsored by my colleague, the gentleman from Georgia (Mr. GINGREY), a medical doctor and a good friend from the State of Georgia, and I am sure that he will join us here in just a little while. Right now, he is with the Committee on Rules, and that is why he is not the first one to talk, because he is the doctor.

But he will tell us, as I will tell my colleagues and my colleagues will tell us, this crisis in America is causing skyrocketing medical costs, unfair jury verdicts and judgments against the doctors of this country and causing doctors to say, I am not doing this anymore.

Madam Speaker, when we drive out the people who are there to protect our lives, when we drive them away with these frivolous and sometimes onerous, most of the time onerous lawsuits, we are driving away people that are there to save our lives. Nobody asks when they are dragged into the emergency room after a terrible car wreck where the jaws of life have pried them out of the car, they do not ask, where is my lawyer, they are looking for a doctor. Yet, I have talked personally with emergency room surgeons, and they tell me that their profession is getting thinner and thinner and thinner every day. In fact, most of the people that still are willing to go and be emergency

room surgeons are the guys who love to live on the edge with that adrenaline rush, because they certainly are not doing it because they feel safe. They deal constantly with the fear of a lawsuit because they did the right thing to save a life.

Doctors deliver babies. That is what we all expect. We want a doctor to be there with our wonderful spouse when they give us the gift of a child. Why do we want that doctor there? We want that doctor there to make sure that child is healthy and to make sure that birth is as successful as possible and make sure mama comes home with the baby. Yet, with the amount of lawsuits that are attacking our OBGYNs in America, more and more of our outstanding doctors are finding something else to do.

Madam Speaker, this is a crisis in America. The gentleman from Georgia (Mr. GINGREY), the sponsor of H.R. 5, I believe offers us the solution to that crisis. I see that he has joined us, and I am going to yield to him to talk to us about this issue.

Mr. GINGREY. Madam Speaker, I thank the gentleman from Texas (Judge CARTER), my good friend, for yielding. This is a hugely important issue in this Lawsuit Abuse Prevention Week when we are focusing on not just medical malpractice suits but a number of other things like frivolous lawsuits, class action abuse. This Republican majority has dealt with these issues time and time again. This House of Representatives actually, in a bipartisan fashion, Madam Speaker, I am pleased to say, has passed this particular bill, H.R. 5, about four times since myself and my colleagues. And we are all in the same class of the 108th Congress; I think we passed it twice. It was passed in the 107th and now once again in the 109th. I think that totals five times, this issue of tort reform.

As a physician Member, Madam Speaker, I am often I guess considered someone who is anti-attorney, who has a bias against attorneys. Nothing could be further from the truth. In fact, in my immediate family, I have two attorneys; my daughter, who is a prosecutor in State court in Cobb County; and my brother, who spent his lifetime as a practicing attorney doing real estate law; and my good friend, the gentleman from Texas (Judge CARTER) who was a good lawyer and an even better judge as a superior court judge in Texas. I have great respect for the legal profession. Rather, Madam Speaker, this is about leveling the playing field and making sure that every voice on each side of the issue is fair and balanced. That is all it is, pure and simple. I think my colleagues would agree with me on that.

I am joined by some of my doctor friends here tonight along with the gentleman from Texas (Judge CARTER), and we have all experienced situations where maybe one of our colleagues in the health care profession is being sued for practicing below the standard of care, and in those situations where we know that they practiced below the standard of care or the hospital, through negligence, has resulted in an injury to a patient, we are right in there pulling for the plaintiffs. There is no question about that. I think it is very important, as we discuss this during this hour, for our colleagues, Madam Speaker, to understand that. We are trying to bring balance to a situation that right now is way out of kilter, totally unbalanced, and it is to the detriment, not so much to the health care providers, but to the patients who need, who desperately need the access, as Judge CARTER was talking about at the outset. And physicians who are involved in high-risk specialties, emergency room doctors, orthopedic surgeons like my colleague, the gentleman from Cobb County, Georgia, (Dr. PRICE) who we will hear from in just a few minutes, and the gentleman from Pennsylvania (Dr. MURPHY) who deals with mental health, which is such a vital issue, so important to the health care of individuals, you are in a situation where if you do not have these doctors available, particularly in emergency situations, people suffer, people get injured and people die. So that is really what it is all about.

I appreciate so much being with my colleagues. At this point, I yield back to the gentleman from Texas (Judge CARTER) and hope to participate later in the hour as we discuss this critically important issue during this time this evening.

Mr. CARTER. Madam Speaker, I yield to the gentleman from Pennsylvania (Dr. MURPHY).

Mr. MURPHY. Madam Speaker, I thank the gentleman for yielding, and I thank the gentleman from Georgia (Dr. GINGREY) as well.

We are talking about medical liability reform tonight, and my background as a psychologist is one that I think it is incredibly important to support these issues, because in my career, I have so often dealt with the problems that have stemmed from difficulty with accessing medical care. Let me tell my colleagues two stories.

One is a story of a place in rural Pennsylvania where a woman went into premature labor. Now, because of the dearth of OBGYNs in her town, they drove in their car about an hour and a half to a nearby hospital, taking considerable risk to get up there. The baby was born premature. It would have been best if she would have had the care in a local hospital, but she did not have that. And children who are born premature oftentimes are at higher risk for several developmental disabilities. It is a sad thing to think that children sometimes cannot get that immediate access to care, because those first few minutes of care for a newborn baby are so critically important when they are premature, high-risk, low birth weight, maybe the mother was eclamptic, pre-eclamptic, and those first few minutes can mean the difference between a child who has some severe problems, a child who has mild problems or a child who has no problems at all. As I would do developmental follow-up with so many of these infants, it is of increasing concern to me that when there is not sufficient medical care there nearby with OBGYNs, or anyone else for that matter, you cannot get the patient the care they need then, and that baby cannot be treated by a lawsuit. That does not make up for what occurred because a physician was not around and the physician is not around because in Pennsylvania, like so many other States, about 20 other States listed at risk for this, has seen such a decrease in physicians.

Another story: A hospital where several cases have occurred where people have gone into that hospital suffering from a stroke, but there were no neurosurgeons on call at that hospital because of the high medical liability costs for these neurosurgeons in that State. So patients had a certain kind of clotting that needed to be broken with a line through the femoral artery or a catheter, as it were, into the carotid, and these patients then had to be life lifted to another hospital. Again, those minutes when someone is having a stroke are critical and can mean the difference between life and death.

In a number of those cases, sadly, those patients died. It was not from lack of good health care that was available; it just was not available at that hospital because the doctors were no longer able to practice in that State or in that region.

Bills like H.R. 5 are extremely important, and we have passed it a couple of times in the House, and we have to continue that. But what happens is that, in so many States, we are far from being able to do that on our own. Pennsylvania, for example, has a constitutional provision there that would query that State even if it started moving forward a number of years to take care of that.

□ 2200

But ultimately our concern has to be for better patient care. And some look upon this and say are we looking at caps on punitive damages or changes of venue and other sorts of legal issues here that somehow are going to protect the physician who is not practicing well. As one trial attorney I heard say, the trouble with medical malpractice is medical malpractice.

Certainly, none of us want to see situations taking place where we are protecting problems that occur. All of us, whatever branch of health care we are in, are dedicated to making sure patients have the best care. But when you cannot get a doctor, you cannot get the care, good, bad or otherwise. And so the issue is how we make sure we have the availability of that health care.

Listen to a couple of these points: one in three medical residents in my home State of Pennsylvania stated in a

survey they would leave the State after completing their medical residency because of the lack of affordable malpractice or medical liability insurance. In addition, 71 percent of residency program directors reported a decrease in retention of medical residents in Pennsylvania. As a result, more and more doctors are practicing defensive medicine. And only about 4 percent of our physicians in key areas, such as obstetrics, gynecology, orthopedic surgery, neurosurgery, only about 4 percent of physicians in Pennsylvania are under age 35. As others doctors retire, we are going to continue to have this; and that is why we have a crisis, no longer just brewing, but really some significant shortages.

Let me mention one or two things that we are working on as part of this, because all of us in the health care field and all of us in the House have to be focused also on patient safety. Some of the issues before us are also what Secretary Leavitt and the President are pushing and that is for reform for how we keep track of medical records.

Electronic medical records is a system whereby patients' charts are kept in secure and confidential electronic records and computer systems so physicians can access them. And at the moment they are reviewing these charts, it is no longer a matter of trying to find the pages in the charts which may be scattered in different places, no longer a situation where lab results never quite made it, no longer a situation where the doctor has to call for repeat tests because he cannot find the x-ray or the CT scan or the MRI.

It is accessible to him or her, and thereby not only does it save money because tests do not have to be repeated, but it can call to the attention of the physician significant findings. One study that was published last year found about 14 percent of medical records are missing some data. For example, a physician may have called for lab tests, never got in the chart, perhaps the patient did not follow up and have it done. And a physician said in many of those cases it would change their diagnosis and what they would call for for treatment of those patients.

Does it save money? You bet. A Rand study report published a couple of weeks ago said if we move toward electronic medical records and electronic prescribing, we could save health care in America about $160 billion a year. And with the improved efficiency and with the reduction in absenteeism in the workplace, those numbers could go up to over $300 billion a year.

Now, while we are facing an era of looking at ever-increasing health care costs, where small businesses cannot afford them, or individuals and families are wondering if they are going to be able to cover those health care costs, by doing such things as electric medical records and prescribing, we can actually provide the venue whereby physicians, everybody in the health care field, could keep better track of what is happening.

One of the troubles is with the fear of liability, strange as it is, many times hospitals are concerned if they start gathering more of this data to show them where the problems are, what they should begin to review, how they should change, for example, infection rates, et cetera, they are concerned that someone is going to come in and grab those records and start suing everybody before the hospital can start to make some changes.

We have got to present a situation here where physicians and nurses and hospitals and administrators and patients are all working together towards patient safety. But to that end we not only need the patient safety issues; we also need the physicians practicing.

And I am joined tonight by another one of our colleagues, the gentleman from Georgia (Mr. PRICE), who is also going to be able to speak from his own experience on these issues and how it is critically important. So I would now like to yield as much time as he may consume, if I may, to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Madam Speaker, I appreciate the opportunity to join my colleagues tonight on an issue that is very important. And I found many of your comments so apt and so very pertinent.

I am an orthopedic surgeon, at least I was before I came to Congress; and I have a number of friends in the orthopedic surgery field who practice in Pennsylvania. They are clamoring for young orthopedic surgeons to come to Pennsylvania. My understanding is that there are no orthopedic surgeons under the age of 35 in Pennsylvania. None. And if that is the case, as it is, I think, in that specialty and in others, this is a crisis that we have that will take a generation or more to solve, unless we act now. So I thank the gentleman for the information that he gave.

As I mentioned, I am an orthopedic surgeon, and I am also a third-generation physician. So as the gentleman from Texas (Mr. CARTER) mentioned, the old time country doctor, well, that old time country doctor was my grandfather. Some of my earliest memories are of going with my grandfather on his rounds on the weekend. And rounds for him did not mean going to the hospital and seeing patients. They meant going to patients' homes. And I will never forget the wonder and the faith and really the love that was communicated to him as he visited so many of those patients' homes. My grandfather never thought about malpractice insurance or liability insurance. They never dreamed of it. Never had to.

My father practiced for a number of years and saw so many changes, and I saw him lament those changes over a period of time. And I guess now the question is not as physicians across our Nation, it really is not whether they will be sued, it is when. It is when they will be sued. And when you think about that as a matter of policy in our society now, when will physicians be sued, a physician being sued, and you think about that man or that woman who is doing their doggonedest just to take care of people, and you think about what they have to deal with every single day, when they are thinking about the next time that they will be sued, or if they will be sued or when they will be sued, it changes how they relate to patients. It changes how they relate to their job. It changes how they relate to their commitment to the work that they do.

And so we have a situation that must be addressed. And it is imperative. The citizens of our country know that it has got to be addressed. Here is some polling that was done by Harris earlier this year. It says 78 percent of Americans express concern that the skyrocketing medical liability costs could limit their ability to get the care when they need it. And I think, as my colleagues have said, the question really is not the cost of malpractice or the cost of liability insurance to the doctors. The question is the access to quality care for patients. That is the consequence of all this. It is not that there is more money, although it is important that there is more money going into something that really is not resulting in any better care for anybody.

But the real question is we are limiting the access of quality care for patients across this Nation. You say, well how does that happen? Well, I want to share with you a couple of examples, as we all have. My good friend from Georgia was an OB–GYN doctor for years and years, and delivered, I think, 5,000 or more babies. And right now we have more counties in the State of Georgia and more counties, frankly, in the Nation that have no coverage by an OB doctor, no coverage to deliver babies, greater in more counties now than we had 10 years ago.

So we are going in the wrong direction. And you say well, now why is that? Did they forget how to deliver babies? Well, certainly not. That is not the answer. The answer is that OB doctors, in the field of OB, delivering a baby is defined as a high-risk procedure. Delivering a normal baby is defined, for insurance purposes, as a high-risk procedure. And there are more and more, because of the liability crisis, there are more and more OB doctors who no longer do high-risk procedures. Therefore, they no longer deliver babies, which is something that those men and women trained to do. That was their craft. That was their calling, to deliver and care for women during their pregnancy and to deliver those babies. So those women who live in those counties now where there are no OB doctors to deliver babies do not have the access to care that they need or that they had just a few short years ago.

In the field of radiology, there are some things that we do not even know as patients that we are missing or that

we are losing. In the field of radiology, there are a number of instances, the issue of mammograms is important because there are about 40 percent of the radiologists in this Nation who no longer read mammograms, no longer read them.

And so you ask the question, well, did they forget how to read them? No, they did not forget how to read them. They were taught in their training, certainly, how to read mammograms and do as well as anybody could do, given the limits of the test, given the limits the mammogram, which is about, in the best of hands, 90 percent. The best radiologist reads a mammogram correctly 90 percent of the time. That is not because he or she does not know how to read them. That is because that is the limit of the test. That is the limit of technology that we have. And so if a radiologist reads 40 mammograms in a given day, 40 mammograms in a given day, it is likely that he or she will not have the right interpretation on four of them.

Well, I do not know anybody that you can ask to expose themselves to liability on 10 percent of the occasions of the work that they do and expect them to continue to do that work. So the only answer for the radiologists and the only answer for the radiologist and his or her family is to not perform that procedure, not read that or interpret that test. That means that women across this Nation no longer have the kind of access to interpretation of mammograms as they did 10 years ago. The same is true for pathologists and Pap smears. Same kind of numbers.

I want to just give one more example and then yield back because many of my colleagues have talked about it being a matter of life and death, and it truly is. And I want to relate a story that highlights, I think, the imperative for us solving this crisis and this challenge before us because it is a matter of life and death.

People are dying because we have, as a national policy, a court system, a legal system that does not allow individuals appropriate access to quality patient care. And the example goes to the issue that the gentleman from Pennsylvania (Mr. MURPHY) and the gentleman from Texas (Mr. CARTER) talked about, and that is the issue of neurosurgery. And it happens with other specialties, but with neurosurgeons, individuals who take care of problems with the brain, that they are on the front lines for some of those incredible crises in individual's lives, when action is needed immediately. And if action does not occur immediately, then there are severe consequences; and oftentimes the consequence is loss of life.

There was an individual that came to a hospital in the metropolitan Atlanta area, a young man in his young 40s and he had fallen and he had hit his head and he knew that something was not just right and so he drove himself to the hospital. And he arrived at the hospital, and because of the liability crisis, there were no neurosurgeons on call, which means that there are no neurosurgeons that the emergency room physician could call in the event of an emergency or a crisis. They would have to transfer those patients elsewhere.

Well, this patient, this gentleman came to the emergency room, was seen by the emergency room physician, was appropriately diagnosed as having what is called a subdural hematoma, which is a bleed within the brain. It is a blood clot within the brain, and it can put pressure on the brain and it can kill you. The treatment for it is relatively simple. It is relatively simple to relieve that pressure, but it is done by a neurosurgeon. In this hospital there were no neurosurgeons on call, no neurosurgeons available; and so this individual, the patient, had a relatively rapid decrease in his clinical status. He got very, very sick and very ill and his life was threatened, and the emergency room physician recognized that, but his only option was to put him in an ambulance and get him to another hospital. And that patient died on the way to the next hospital. That patient died because of our liability crisis in this Nation, and that death will not show up in any statistic anywhere as being a result of our current tort reform crisis, our system of liability problems right now. Will not show up anywhere.

So access to care is being compromised. Quality of care is being compromised. We have a real crisis. Seventy-eight percent of Americans understand that. And what do they want done? Seventy-three percent of Americans want their elected representatives in Washington to support comprehensive medical liability reform. That is the take-home message, that is the take-home message for our colleagues who have acted responsibly here in the House over and over. It is the take-home message for our friends on the Senate side to make certain that they act on H.R. 5 and act soon, quickly, as rapidly as they can in order to save lives and in order to ensure quality care.

With that, I thank the gentleman from Pennsylvania (Mr. MURPHY) so very much, the gentleman from Texas (Mr. CARTER), the gentleman from Georgia (Mr. GINGREY) for allowing me to participate in this discussion tonight. We ought to stand up here every night and give this message until this work gets done. Thank you so much.

Mr. MURPHY. Madam Speaker, I thank the gentleman for yielding back. And before I yield back to the gentleman from Texas (Mr. CARTER), I just want to mention one other thing too because while we are talking about these protections and hearing the tragic story that the gentleman from Georgia (Mr. PRICE) mentioned, another bill that I put in, H.R. 1313, is one that would also help us with the uninsured and underinsured. One of the issues the President has committed to putting more funding in is community health centers, community health centers where people pay a sliding fee scale supported by the local community which provides more close access for people who are uninsured and underinsured.

□ 2215

We have situations there where physicians who were paid or hired by these clinics are covered by the Federal Liability Act where they may not go in front of a jury trial, but the judge will decide what happened if there was a problem there.

The sad thing about it is if a physician, if a nurse or psychologist or podiatrist or dentist wants to volunteer in those settings, they are not covered. So it happens we have a huge shortage of health care providers when at a time we could be expanding because many providers would like to volunteer their time at community health centers.

A big example is the problems that just occurred down in the gulf coast with the hurricanes. Many people wanted to volunteer at community health centers, but if we do not provide some of these protections to make sure they can provide excellent health care and be there, we will not have enough.

So that is another area I certainly urge my colleagues to help us pass. With that, there are many other issues to cover tonight.

Mr. CARTER. Madam Speaker, at this time we are joined by the gentlewoman from Tennessee (Mrs. BLACKBURN), one of our wonderful colleagues, a real asset to this House, and at this time I yield to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Madam Speaker, I thank the gentleman from Texas for yielding, and I thank him for organizing this hour tonight and for the work he has put into this issue and how wonderful that our colleagues here in this body and that the American people can hear from the gentleman from Georgia (Mr. PRICE) and the gentleman from Pennsylvania (Mr. MURPHY) and the gentleman from Georgia (Mr. GINGREY) and the gentleman from Texas (Mr. CARTER) and hear how Members of this body, Members who have served as a part of our legal and judicial system, Members who are health care providers address this situation and realize the need to address medical liability here in this country.

I think it is worthy, too, that we hear from consumers in this debate, and being a health care consumer is something that is important to me and important to so many of my constituents in Tennessee.

The gentleman from Georgia (Mr. PRICE) had mentioned the Harris poll, and I think the results of this poll are so reflective of what we hear from our constituents. Seventy-eight percent of the individuals polled in the Harris poll talked about medical liability costs and expecting Congress to do something to address that issue, 78 percent.

Seventy-three percent want us to make medical malpractice reform a top issue for the U.S. House of Representatives, and they do that because they see this as a freedom issue, a freedom for them to choose who they want to be their doctor, who they want to take care of them, to have access to the health care that they know is there and available, but because of a litigious society and a legal system that many times is out of control, is not available.

I will have to tell my colleagues I had a constituent in a town hall meeting recently stop the town hall meeting when we got to this, stand up and say, I have got something to say. He said I think when it comes to lawyers suing doctors that we ought to have a law. He said, a doctor cannot diagnose you; he cannot give you any medicine unless he has a face-to-face meeting with you and checks you out. I think the same thing ought to apply to these lawyers, that they thought to have a face-to-face meeting and get to know these patients before that lawyer can help that patient sue that doctor.

That is sometimes the frustration that we hear and good common sense that people bring forward. This is what we are hearing from the consumers of this Nation, from our citizens, from our constituents: Address this because it is a freedom issue. It is a freedom issue for physicians who want to practice the skill that they have been trained to do. It is a freedom of access issue for our constituents.

Our constituents know that because of the liability crisis in this great Nation that their hospital choices are limited; that their physician choices are limited; that they are having to drive further distances; that health care is not as available, especially in our rural and underserved areas. I tell my colleagues, if that hospital is 60 miles away, many times it might as well be 600 miles away because it is so difficult to get to.

So I really want to thank the leadership of this House. I want to thank the gentleman from Georgia (Mr. GINGREY) and the gentleman from Texas (Mr. CARTER) and the gentleman from Pennsylvania (Mr. MURPHY) and the gentleman from Georgia (Mr. PRICE) for bringing their expertise to bear in this body and bringing attention to the medical liability crisis and to the need to move forward, complete addressing H.R. 5 and taking a lead in the medical malpractice/medical liability issue.

Mr. CARTER. Madam Speaker, I thank the congresswoman for her comments. The congresswoman is always willing to stand up for the people in her district and talk about the people of her district, and she never fails to tell us a story about the people in her district.

I want to tell my colleagues a couple of stories. I want to tell my colleagues, in 21 years on the bench, I have seen an awful lot of people who really have the attitude that suing people is kind of a profession. I want to tell my colleague true stories, and these are both absolutely true stories, but I am not going to use the people's names because, as far as I know, they are both still alive. Hey, I do not know, they might even be watching.

I have this one friend that I worked with many years ago down in the Texas legislature when I was working for the staff down at the legislature as a young lawyer. When I talk about this, I am a lawyer and practiced law for about 12 years before I went on the bench. So I am not picking on lawyers here.

But anyway, I used to go deer hunting with this fellow, called him Joe, and about 10 years later, I ran into him kind of on the street. I said, hey, Joe, what is going on; what are you doing? He said, oh, I got me a job. I said, what do you do? He said, I am a suer. I said, a what? I thought he works for the sewer, is that what he said? He said no, I am a suer. I said, what in the world is a suer? He said, I get out in my old car out on the highway, slam on my brakes and somebody runs into the back of me; I slap a collar around my neck and I sue him. I thought he was joking. I laughed. I thought that was a funny thing for a fellow to say, until I ran into a guy that I knew who knew him well, and he said, no, well, that is what he does. That is what he does.

That is an attitude about our court system that has got to change, and it has got to change. If necessary, we have to turn this world around. That is why juries go crazy on these verdicts.

I will tell my colleagues another story.

Mr. GINGREY. Madam Speaker, if the gentleman would yield before he starts that next story, the point the gentleman is making, and I think it is a good one, is that in this current climate, it is easier to sue your doctor than to see your doctor. Clearly, there is something wrong with that picture.

Mr. CARTER. Absolutely, absolutely. You have to stand in line a lot longer to see him than to sue him.

This other fellow, friend of mine, was a cigarette smoker, and this was back many years ago. He was sitting there. He is a prolific reader. He said, I have decided how I am going to retire as soon as I get out of college. This was back when I was in college. I said, okay, John, how are you going to retire? He said, well, I read an article that said that the reason people smoke is because they were weaned too soon. He said, so I smoke three packs of cigarettes a day. At that time cigarettes cost about 35 cents a pack. He would get rich today on his plan. He said, so I have added up how many packages of cigarettes I think I am going to smoke in my lifetime, and I happen to know the reason my mother weaned me soon is because her doctor gave her that advice. He said, so I am going to sue my mother and my doctor because I smoke. He said, and I think I can get $1 million out of that deal, by the way, by my calculation.

That was a joke, but it does underlie how people view the court systems and the lawsuits that people perceive that can be heard. Now we are having people wanting to sue hamburger people for obesity. They are wanting to sue schools for the vending machines that are in the schools, and of course, they are suing the doctors for everything under the sun. It is amazing. It is absolutely amazing.

I think what we will do here is let us just open this up to a general discussion. Let us first let the gentleman from Georgia (Mr. GINGREY) talk a little bit about this bill, and then the gentleman from Pennsylvania (Mr. MURPHY) wants to talk about some stuff.

Mr. GINGREY. Madam Speaker, I thank the gentleman for yielding, and H.R. 5, the HEALTH Act of 2005, the same bill I said earlier in the evening that the 107th, the 108th twice, and now the 109th have passed in this body, and by the way, the gentleman from Georgia (Mr. PRICE), the orthopedic surgeon, was talking earlier in his presentation and showed a poster with the pretty alarming statistic that 78 percent of the American public want us to do something about this crisis because they want to be able rather than sue their doctor to see their doctor.

So those Members either in this body or the other body, on both sides of the aisle, I say to my colleagues, if you are poll driven, this is a no-brainer. This is a slam dunk winner of an issue, but even if the statistics were not there, it is the right thing to do. It is the right thing to do.

I would say to our colleagues in the other body, and I know that we are not supposed to stand over here and criticize the other body, and I will not do that, but I am awfully frustrated. I am terribly frustrated that we have addressed this issue, this same bill, every provision identical, for the last three Congresses, and yet, the other body, for some reason, I will let my colleagues figure out why, but for some reason, they are not addressing this issue. I would literally beg them on behalf of my patients, our patients, to address this issue because the statistics are clearly there, but it is the right thing to do.

Mr. MURPHY. Madam Speaker, if the gentleman would yield, I would like to say to our colleagues, ask him to point out a couple of the issues here. In particular, let me raise one that some people say. Does this bill protect physicians who may perhaps be practicing out of their realm of expertise or really doing wrong? Does this allow these physicians to continue practicing?

Mr. GINGREY. Well, yes, and of course, the good judge certainly knows this. I am sure he has seen it in his courtroom many times.

But the issue that is brought up a lot of times is, well, gosh, you are about to take away an injured person's right to a redress of their grievances; you are going to take away their day in court. That is absolutely not true, and I am

so glad that the gentleman from Pennsylvania (Mr. MURPHY) brought that to our attention.

We are talking about in the major provision of this bill, which is patterned, modeled after the California bill on tort reform in the late 1970s that stabilized the market and health care delivery system in that State, is a cap on so-called pain and suffering awards or what we call noneconomic, at some figure. In our bill, it is $250,000. Some States have addressed that, and maybe it is $350,000.

In some instances, if there are more than one defendant in a case, and I can tell my colleagues and I know my two colleagues here with me this evening know this, but in almost every case there are multiple defendants. So let us say the cap on noneconomic was $350,000, and you had two or three defendants, then that award in itself, not counting any economic damages, is over $1 million dollar.

Mr. MURPHY. Madam Speaker, if the gentleman would yield, a question on that. Another question is what if the patient perhaps needs rehabilitation costs, other medical care, would the gentleman point out what this bill does if a person has ongoing medical needs as a consequence? My understanding is it does not limit it and the patient could get that ongoing care.

Mr. GINGREY. Madam Speaker, in fact, the gentleman from Texas (Mr. CARTER) may want to address that as to how a calculation is made in a court of law in regard to making a patient whole, the so-called economic awards based on income and loss of income.

Mr. CARTER. Add future medical care. By my understanding, this bill does not limit any amount of medical care that has already been expended nor any projected needs in medical care in the future including, as you say, rehabilitation. Even mental health issues could be addressed. If there is proof of the necessity, this can be carried forward, and it is not limiting it.

It is that undefinable pain and suffering issue that can allow people to break the bank at Monte Carlo with their judgment and get $1 billion in that category.

□ 2230

A billion dollars has been awarded in the past. Many times multimillions of dollars have been awarded for pain and suffering. That is the issue. That is the real issue in a nutshell.

Something needs to be mentioned here. We have had a lot of doctors come in here, and some people watching might be thinking, of course, these doctors are in the business; of course they want to do this. Well, these doctors are not in the business. These doctors have left the practice of medicine to come to Congress. And I think in many instances they came to Congress because they had a voice that needed to be heard on many issues, including this issue here.

I know I have become very close with many of the doctors, the gentleman from Georgia (Mr. GINGREY) being the prime example, and they are here because they care about multiple issues affecting their people back home, and they are here to represent all of the people of their State. They are no longer practicing physicians, so they are not doing this because they are reaching into their pocketbooks, but they are doing this because they know there is an abuse here that needs to be rectified, and this stands for the Senate as well as the House. These doctors do not practice their profession while they are serving in the Congress.

Mr. GINGREY. If the gentleman will yield on that point. Clearly, as the gentleman from Texas points out, there are those of us that you have met here this evening who are health care professionals in our former life but now are Members of Congress. And while we know of individual anecdotal cases, maybe friends of ours who have got a problem in regard to a frivolous lawsuit or something, what is more important now is for us to have a view from 30,000 feet, as the expression would go. Because as my colleague, the gentleman from Texas (Mr. CARTER) points out, we have an obligation and a duty to every patient-citizen, 285 million in this country, and not just the 630,000 or so in our congressional districts or the doctors who we practiced with when we were in that profession.

So my colleague is absolutely right. We have to look at that big picture.

Mr. CARTER. If the gentleman will yield back for a moment. As we talk about lawsuit abuse, right now we are talking about doctors, but you can talk to your small businessman and ask him what he pays for the insurance coverage because of liability factors that influence whatever business he is in. He can be in the manufacturing business, he can be a consultant, he can be an engineer, an architect, or a lawyer. There is not a small businessman or a profession in America that is not facing the possibility of frivolous lawsuits that can cause them major damage in their business.

In fact, lawsuits have become a tool of competition in America today in the business community. There are people and organizations who actually try to drive a person out of business by filing frivolous lawsuits against them, knowing it will cost them $25,000 to $50,000 to defend them. They come back and they come back and they come back again, and, thus, ultimately, the small businessman finally throws up his hands and says, I cannot pay these attorneys fees any more. My insurance people will not cover me any more, and so I am getting out of this business. That is happening. It probably happened in this Nation while I was talking tonight.

Fair redress is what we ought to have in the courts; fair disputes settled between two parties. But using the court as a weapon to direct people, whether it be in business, in politics, or in a profession, is wrong.

Mr. MURPHY. If the gentleman will yield, there are a couple of points that I want to draw upon the judge's knowledge and experience, as well as that of the prime sponsor, the gentleman from Georgia (Mr. GINGREY).

There are two elements that are important to note. One, this bill does not preempt, if States have their own caps on punitive damages, or noneconomic damages. If States have higher or lower limits, out of respect for the Tenth Amendment, States' rights, the Federal law would not preempt that in any way, shape, or form, which is very important.

It also deals with the issue of joint and several liability, as I understand. That is to say that sometimes what happens is someone will go after what is known as the deep pockets. If a person is only a couple percent responsible for something, perhaps the hospital would be sued, even though the hospital had a very, very limited role in something, or a doctor with a very limited role, maybe just another surgeon who was asked to come in and check up on the patient but that may be the person who has the most coverage, so they would sue that individual. This really protects them and makes sure it is based upon their actual responsibility in the case.

Am I right on that?

Mr. GINGREY. The gentleman from Pennsylvania is absolutely right. A perfect example: Dr. Jones asks Dr. Smith to look in on her patient on Sunday morning because she was going to be at church for a couple of hours. Dr. Smith goes by the room, waves to the patient and says, how are you doing? Is everything okay? Dr. Jones wanted me to look in on you. The patient is fine, but in a subsequent time, a day or two, all of a sudden the patient's health deteriorates.

Now, it has nothing to do with this doctor that was covering for 2 hours so his colleague could attend services at her church, yet that doctor gets named along with the primary defendant, who may or may not have had some significant responsibility or liability. But they are judged just as culpable, as the gentleman from Pennsylvania points out, and maybe more culpable, particularly if they happen to have the most insurance or the deepest pockets. That is what he is referring to when he says this joint and several liability.

This bill, as my colleague alleges, eliminates that provision and it changes it to several liability, so that a person who maybe has some minor participation in a case that goes south, where the patient does not do well and is injured, and maybe there is some practice below the standard of care, they are only culpable for a pro rata percentage of that. And that is the way it should be, and not liable based on the amount of malpractice coverage they have. And I really appreciate the gentleman for bringing that up.

The other thing that I think is important to mention, is that a major

provision of this bill is something called collateral source disclosure. The gentleman from Texas, just a few minutes ago, was talking about economic awards, and if a person needs some additional surgery or they need additional testing to make them whole because of some injury, then there is compensation for that. As an example, lost income, lost wages because an individual cannot work. But suppose that plaintiff has a disability income policy that covers 90 percent of their income for the rest of their life if they remain disabled. Suppose that person has the best first dollar health insurance policy that money can buy that covers any additional medical expense and rehabilitation expense, such as durable medical equipment, power wheelchairs, or whatever. Then that needs to be disclosed to the jury so that we do not have this situation, Madam Speaker, of what I consider double dipping.

It is a fairness issue. And as we said at the outset, that is all we are talking about. We want to make sure that those that are injured get justly compensated, but we do not want, as my colleague from Texas said, this civil justice system to become a lottery in the minds of individuals. Because that is where we get to the situation where indeed it is easier to sue your doctor than to see your doctor. And I yield back to the gentleman from Texas.

Mr. CARTER. Madam Speaker, I thank the gentleman for yielding and for his comments. What we are talking about tonight is a climate that has developed over a long period of time in our court system. It is a climate which was never designed or anticipated by the founders of our Nation; that our courts would become a weapon to batter someone into submission; that our courts would become a tool of business; that our courts would become a slot machine where individuals could pull the handle and receive big benefits.

I love our court system, and I think our court system has the potential to be fair, impartial, and to resolve grievances for every American citizen. I think the court system works hard to see that it does just that. But there are issues and attitudes of the American people that we can only change by redirecting the thought pattern of ''I am going to get rich on this lawsuit,'' rather than the fairer thought process of ''I am going to recover for how I was damaged and how I suffered.'' That is what we are looking here for.

I think that every American is looking to his or her government to be treated fairly. I think it is our responsibility here as Members of Congress to try to do everything we can to make sure that all who appear in the courts get fair justice.

So I thank the Chair for being willing to listen to us tonight and to hear our discussion about lawsuit abuse and in particular medical malpractice, and I urge my colleagues on both sides of the aisle to stand up and be counted by casting their vote for fairness. I also urge our colleagues in the other body to address this issue and cast their vote for fairness in the American justice system. If we instigate and create fairness, we will have done the will of the framers and the will of the American people.

30-SOMETHING WORKING GROUP

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

Mr. MEEK of Florida. Madam Speaker, once again it is an honor to come before the House. We would also like to thank the Democratic leader for allowing us to come to the floor.

We usually have a 30-something Working Group, which has now picked up on many new purposes, and tonight, once again, we have the opportunity to come to the floor on behalf of the American people, to inform the Members, and to make the process better. With us tonight we have the gentleman from New Jersey (Mr. PALLONE), who is an outstanding Member of this body, and I am also joined by the gentleman from Ohio (Mr. RYAN), and I know others will be coming.

I just want to say that usually we deal with issues that are facing young people, but today there are a number of issues that are facing Americans in general and I am very, very concerned about not only what is going on here in Washington, D.C. but also what is not going on, and I think it is important to talk about those issues in this democracy that so many Americans have lost their lives for, that so many Americans have lost limbs and their mobility to allow us to come to this floor to represent them and represent everyday Americans.

Madam Speaker, we talked last week about the issue of the independent commission, and I think it is important that we look at this independent commission and look into what happened not only with regard to Hurricane Katrina but Hurricane Rita. I strongly believe that we can do a lot more than what we are doing right now.

I know there is a committee that is looking into this effort, but it is not a bipartisan committee. And once again I want to go on the record commending the Democratic leader for not making appointments to that committee, and I will discuss the reasons why later. I think also tonight we will talk about what is happening here in Washington, D.C., or what is not happening here in Washington, D.C., and I think we will help crystallize this not only for the Members but also for the American people.

Mr. Speaker, I took the opportunity to go on to the White House Web site.

Mr. MEEK. Mr. Speaker, I ask unanimous consent to submit for the RECORD the information I will be referring to regarding the White House Web site.

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

There was no objection.

Mr. MEEK of Florida. Mr. Speaker, I know the President put forth a task force with his homeland security adviser as the head of it. He mentioned this in an announcement, and I assumed that it would be something where this task force would actually have some findings which would come back to not only the Congress but to the American people. So I checked out the White House Web site, at WhiteHouse.gov, if any of the Members in their offices want to go on to that Web site to find out what is there and what is not there.

This is actually the front page of the Web site. It has a lot of things on here. It talks about what the President is doing, about press briefings, and a number of other things, such as the war on terror. There is a little box down here that says Hurricane Relief Efforts. You click on that and then move over to this particular page here.

□ 2245

Madam Speaker, it goes on. The President is hugging emergency management personnel in Texas. That is fine. We want to commend those Americans who are doing what they are supposed to be doing. It talks about a number of things, speeches in the news, Federal Government Hurricane Rita preparedness. It goes on further down the page, which is the first page if you are looking at it on the computer, President Bush declares a state of emergency for the States of Louisiana and Texas. It goes on and talks about his major speeches.

Madam Speaker, the point is that the President mentions nothing about this review, what went wrong, where it went wrong, and why it went wrong. We know that hurricanes and natural disasters are acts of God; but we also know in the case of Hurricane Katrina, and I can tell Members there are some who came to the Capitol today saying that in the case of Hurricane Rita, and we will be voting on the energy bill tomorrow, one Member said it is the worst bill we have seen in 7 months, and I can tell Members there are some real issues that are going on in that bill that we will talk about a little later.

Madam Speaker, I think it is important that the American people understand that I believe we are not taking this issue seriously. The 9/11 Commission came out saying that many of their recommendations were not enacted, such as intraoperability to allow emergency workers to talk to one another. We had Coast Guard people who could not talk to the 82nd Airborne. We had local police officers who could not talk to one another because we did not do what we were supposed to do years after 9/11.

I can tell Members, the number of Democratic amendments to come up

with intraoperability to make sure that emergency workers can talk to one another was voted down on a party-line basis. I want to make sure that everybody understands what is not going on here in Washington. This is not only national security; it is responding to the Federal taxpayer in the way that they deserve, the State, local and Federal response. But we will never know because this Congress would not allow an independent commission to take place.

Madam Speaker, I yield to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Madam Speaker, I appreciate the words of the gentleman from Florida (Mr. MEEK). I think we need to be absolutely clear that after all this time when we are talking about the committee that passed out of this House, this is a committee, 11 to 9, Republicans 11, Democrats 9; and what we are arguing from our side of the aisle, why not have an independent commission like for 9/11. That was a commission that worked, that solved problems, and that was bipartisan. Why would we not want that to happen again. We have seen time and time again, over the past 5 years in particular, when there was no check on the Republican power in the House and the Senate, that time and time again we have been getting bad information from the leadership here in the House of Representatives, the Republican leadership. We have been getting bad information. If you want to talk about the war, bad information. Why would we want the Republican majority in Congress to oversee the information and the intelligence and everything else that came from the war. It is the fox guarding the hen house.

And when we talk about the Medicare prescription drug bill, it started out $400 billion. That is all it is going to cost. Then we find out months later it was $700 billion. Why would we want the majority party who originally gave us the bad information to then oversee the investigation into the bad information that they gave us in the first place.

After Hurricane Katrina, after one of the great national and natural disasters in the history of the United States of America, decimated FEMA, terrible response on all levels, there is plenty of blame to go around, Federal, State and local, why would we want the party who is in charge to oversee their own investigation.

Give the American people an honest assessment of how things worked and what the mistakes were, because at the end of the day, this is about fixing the problem because that could have been, that very well could have been a biological attack in New Orleans. And the response was terrible. So why would we want the Republican majority to oversee the Republican mistakes and expect at the end of the day that we are going to get an honest assessment. It just does not make any sense.

Madam Speaker, I want to welcome the gentleman from New Jersey (Mr. PALLONE) to the 30-something Group.

Mr. PALLONE. Mr. Speaker, I thank the gentleman from Florida (Mr. MEEK) and the gentleman from Ohio (Mr. RYAN). I forgot when I came down here that this was the 30-something Group. It is going to have to be the 50-something Group in my case. I know you have been down here talking about issues that are important to young people, and of course the issue you are talking about tonight is important to all of us.

I want to say very bluntly that the reason that the Republicans do not want this independent investigation is because of a coverup. Essentially, they want to whitewash what they are doing. We have a whole culture here of corruption and cronyism in D.C. with the Republican Party. I think it has become quite evident to people outside of the Beltway there is a coverup, and they do not want people to know what is going on here.

The most devastating example of this cronyism comes from the faces of the displaced and those left behind in New Orleans in the days following Hurricane Katrina.

There was an editorial in the New York Times, September 26, that kind of sums it up in terms of why they do not want this independent investigation into Hurricane Katrina, and it is called ''Faking the Katrina Inquiry.''

It says that the White House and Republican-controlled Congress resisting popular support for an independent nonpartisan commission remain determined to run self-serving, bogus investigations. They mention in the editorial the case of David Safavian, who I noticed in today's Washington Post was indicted, and this guy was the White House's top Federal procurement official. He was already enmeshed in the lucrative gulf coast rebuilding plans when he had to resign abruptly to face arrest on charges of obstructing justice and a deepening investigation into lobbyist corruption in Washington.

What the New York Times essentially says at the end of their editorial is there is no way to whitewash a hurricane. A government dominated by one party should be disqualified from investigating itself. Just as President Bush repeatedly fought the creation of the 9/11 Commission until public pressure forced him to yield, so should the public demand that the administration and Congress get real about Hurricane Katrina.

So the point I am trying to make is it is not just the New York Times. Every major editorial I have seen in every paper around the country has said there should be an independent commission because obviously when you have one-party rule, which is what we have here in Washington, they cannot possibly investigate themselves. There has got to be some Democrats, some representatives from the other side of the aisle so the real face of this cronyism or cultural corruption is unveiled.

If they have nothing to hide, there is no problem with an independent commission. It is because they have something to hide. Every day in the papers there is more and more about government contracts, no-bid contracts, things going to friends of the President and the Vice President. It is this culture of corruption that they are trying to hide. That is why they do not want to do this independent commission.

We have to keep talking about this because it is getting to be more and more obvious every day that there is a coverup, they do not want to show what is going on, the no bids and everything else, that keeps surfacing every day in the media.

Mr. RYAN of Ohio. Madam Speaker, I think it is not only the corruption, and I think all of us here choose that word very carefully. I do not think that is the kind of word you just throw around here, because that is not right. But time after time after time, the White House, the White House, the procurement office, the FBI leaks, what we have here going on in the House, the Senate, we have a whole Martha Stewart scandal going on in the Senate. All of these things add up. At some point you have to use the ''C'' word because it keeps coming and coming and coming.

But the problem for the American people is that the corruption leads to incompetence and an inability to govern. This side has proven time and time again that they do not know how to govern in the United States of America.

You look at Hurricane Katrina, the economy, education, health care, gas prices, energy, pick a topic. It is incompetence, and they cannot handle the levers of government.

Madam Speaker, I welcome the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Speaker, it is great to see that our ranks are expanding, in more ways than one in the 30-something Group, just a little ribbing to the gentleman from New Jersey (Mr. PALLONE).

We have been talking about this for the last couple of weeks, and it is almost hard to pick a jumping off point when it comes to the culture of corruption and cronyism that goes on here. I am the newest one of us, so I sort of have the freshest look. I was so hopeful when I came here 10 months ago that we would be able to come together in a spirit of bipartisanship and that of all types of investigations, of any investigation, that the investigation of the aftermath of Hurricane Katrina would be one that you would think would be a no-brainer as far as bipartisanship. It has to be similar to the 9/11 independent commission, and it is not just about that we need Democrats and Republicans. It is that we need no partisanship involved in the aftermath of

Hurricane Katrina, the investigation of Hurricane Katrina.

The analogy we have been using on the floor is having a committee in the Congress that is lopsided in terms of partisanship and internal and not independent investigating Hurricane Katrina's aftermath would be like saying that the Enron executives or the Tyco executives should be allowed to investigate themselves and determine what happened and report back to the public or the Federal Government as to what happened.

I think that people would be pretty outraged if we allowed the Enron CEO to handle their own investigation.

Back in 1994, I was serving in the Florida House of Representatives with the gentleman from Florida (Mr. MEEK), and I remember when Mr. Gingrich took the floor repeatedly and pointed then to what he called an arrogance of power. I have to tell Members it did not take them very long to come full circle and be kings of the hill of that arrogance. They have literally defined the word.

We have reached a point now where what they pointed to that they said developed over 40 years, it only took them 10. So they have a much shorter learning curve than some of our predecessors. The cronyism and the corruption has got to stop. We could go through a long list of people hired who were totally unqualified for the positions they were appointed to. And then to add insult to injury, also engaged in corrupt activity during their tenure, one of whom, Mr. Safavian, was just arrested, just indicted, and he was in charge of procurement at the White House.

Mr. MEEK of Florida. Madam Speaker, there are a couple of articles that I want to enter into the CONGRESSIONAL RECORD because I think it is important. I think it is important for us to understand that this is just one day here in Washington, and I think it is important for Members to understand that we are not here at 11 p.m. at night talking about the Pallone, Wasserman Schultz, Ryan Report. This is actually happening. This is what is happening in our democracy. The 107th Congress, 108th Congress, and 109th Congress are going to be held responsible for what has happened with regard to the deficit, what has happened as it relates to a war where they embellished the reason for why we went to war.

□ 2300

We are going to give this to the Clerk and make sure this appears in the CONGRESSIONAL RECORD: ''Spy probe widens to cover aides to the White House service.'' This is as it relates to the outing of CIA agents and sharing information with foreign governments: ''CIA Rejects Discipline for 9/11 Failures.''

''Goss,'' who is the CIA Director, ''cites fear of hurting the agency.'' That is also on the front page.

I am just going to go a little further on because this is too much to overlook and if we do not talk about it here in the Congress, then who will? ''Ex-White House Aide Indicted'' for lying to Federal investigators. This is serious stuff. It goes on. ''GOP Divided Over Range of Severity of Spending Cuts.''

I want to yield here for a second as we move along. We were on this floor supplemental after supplemental, borrowing to be able to pay for the war in Iraq. We all want to protect our men and women in uniform. I tell my colleagues I am first in line, and I am pretty sure many of us are. I know the gentleman from Ohio (Mr. RYAN) and I serve on the Committee on Armed Services. This is what we do every day: make sure that our troops are protected. But I can tell my colleagues right now, when it came down to giving money for chasing weapons of mass destruction that were not there, an imminent threat to the United States of America that was not there, but now it is an imminent threat due to the fact that it is the seed of terrorism right now. Individuals are going in there. They are going after Americans, and they are trying to fight against our troops that are there that were originally there for weapons of mass destruction, but that is another point. Now it comes down to making sure that we respond to Americans that have paid their taxes, that many of their children are at war right now either in Afghanistan or Iraq, that now the majority, the Republicans on the majority side, and not all of them, but I will say the individuals that are running the show on the other side, the leadership, they now want to say, well, we have to look at cuts and we have to off-balance some issues. Let us look at this. They are looking at cuts as it relates to things like Head Start, Title I, meals for poor children.

So we want to take from the poor to give to the poor in the light of being a fiscal conservative, and then at the same time, we have got billionaires, billionaires. No one is saying anything about them. No one is saying anything about the tax cuts for billionaires, not middle class tax cuts. There is no discussion on that on the majority side, and I think it is important that we highlight the hypocrisy in democracy.

There are about ten stories here, and I know folks can go to Washingtonpost.com. This is just one paper I picked up this morning. As it relates to the CIA chief, it goes on: On A–11, it talks about Porter Goss, and this is very interesting. The President said that we should have an internal investigation. Why do we need a 9/11 Commission? Okay. The internal investigation took place between Senator GRAHAM over on the other side, head of the Select Committee on Intelligence at that time, and Porter Goss, who is now the Director of the CIA, was head of the House Permanent Select Committee on Intelligence. Part of the charge for that was to look at individuals no matter what level and ask the Inspector General, and that is the individual that is outside of the CIA autonomy. People are not supposed to be able to reach him and touch him, not supposed to be able to intimidate him.

The Congress passed a bill saying he should investigate this, come back with findings, and if there is a breakdown in management or something that was overlooked, then those, no matter what level, should be held responsible. The Inspector General did his job. He came back with a report, and today or yesterday, the CIA Director, appointed by the President, said, oh, well, we are not going to do anything about that. We are not going to hold those individuals accountable. George Tenet, who was the Director of the CIA at the time of 9/11, also who won the Medal of Freedom from the President, that he will not be held responsible or anybody under him. So the CIA Director said he will see to it that that report stays secret even though, Mr. Speaker, Americans lost their lives. And that is the part that gets under my skin. I do not represent New York. The gentleman from New Jersey (Mr. PALLONE) represents some of the victims of 9/11.

Mr. PALLONE. Two hundred died.

Mr. MEEK of Florida. Two hundred died. His constituents died. And how dare the CIA Director or the President or the Congress sit by and watch this happen. All of those lives, firefighters, police officers, individuals who just said, I am going to work today, folks that have lost loved ones, we are going to say, oh, well, we passed legislation, but we are not willing to stand by it.

Mr. Speaker, I am saying this to make a point that this leadership and this administration, and there were Republicans, Democrats, Independents, even individuals who said, I am not voting because I do not care about the political process, there are individuals that died here and this is not dealing with the issue of, oh, well, they are a bunch of Democrats that died and Democrats in the House are concerned about it.

There are a couple more stories here that I know the gentleman is going to talk about, but that is just section A of the Washington Post, and I am not even at the Federal section yet. But I want to make sure to highlight it for the Clerk so they can enter it into the CONGRESSIONAL RECORD. There are couple of other stories that I want to get to, to share with the Members, because I want to make sure that we are all paying attention to what is going on because, when all is said and historians look at the 109th Congress on who was doing what and who stood by and watched it happen, I want to make sure that people know that many of us in this Congress were on the side of saying that we were about doing the right thing, that we wanted to make sure that things happened.

Madam Speaker, I yield to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Madam Speaker, I know that the gentleman could have continued to the Federal page that has a few more articles like this, but I just wanted to highlight one on the Federal page that says, ''Choice for Head of Wildlife Agency Provokes Dissent.'' Some people might say we are now talking about wildlife and fish and we are not talking about people, and I do not want to take away in any way from the comments that the gentleman from Florida made before because he was talking about the 9/11 Commission and the people who died at the World Trade Center. As I said, 200 from my district alone. But it is sort of ironic that this incompetence in terms of the officials that are appointed by the administration extends even to the Fish & Wildlife Agency. And I just want to highlight that. That is on page A25 of today's Washington Post. The gentleman from Florida pointed that out to me because I am the ranking member on the Fisheries and Oceans Subcommittee.

If I could just reference this, this says ''This morning, the Senate Environment and Public Works Committee is likely to easily approve the nomination of Dale Hall, a regional director in the U.S. Fish & Wildlife Service, to head the agency, making the full Senate vote a formality.'' It says, ''It's the kind of vote that makes environmentalists cringe. Hall, a 27-year Fish & Wildlife Service veteran, has infuriated wildlife activists, not to mention some of his staff, by not pushing more aggressively to protect threatened and endangered species.''

The Members know we just had a vote on that, trying to gut the Endangered Species Act, but that is not even the issue. It says: In May, he told agency biologists they should rely on the genetic science available at the time of a species' listing when deciding whether to recommend new safeguards, even if that science dated back to the 1970s.

And they have some people who worked for him quoted here, saying, ''He consistently tries to get the staff to change the science.''

This is something that we have all the time with these incompetent people that are appointed to these agencies. They want to change the science. We cannot even rely on the science because they want to change it.

Mr. RYAN of Ohio. If they don't like the science, change the science.

Mr. PALLONE. Madam Speaker, I know that when we heard about Michael Brown, the head of FEMA, and everybody knows how incompetent he was and what he did in the aftermath of the hurricane, basically did nothing, made things even worse, I think people initially thought maybe he is an exception. But what we are finding every day is that this is what this Bush administration does. They are constantly appointing people who are not qualified to their positions.

Mr. RYAN of Ohio. Madam Speaker, will the gentleman yield?

Mr. MEEK of Florida. I yield to the gentleman from Ohio.

Mr. RYAN of Ohio. Madam Speaker, the gentleman is exactly right. They are not qualified. They are ideologues. And I want to share with my colleagues a couple quotes here. They are not competent to hold a position, but yet they hold an ideology that they want to implement. And I want to just share with my colleagues that a gentleman from Heritage Foundation says that conservatives at the Heritage Foundation and elsewhere have advocated regarding Katrina that any recovery package begin with the understanding that the liberal social welfare programs of the last century failed the poor in every imaginable way. He added that the unique circumstances created by Katrina are an unprecedented opportunity to push for radical change.

They want to implement their ideology, and they want to say that the social programs that the Democrats put in over the last 40 years somehow failed. What? Social Security that lifted 50 percent of the seniors out of poverty, Medicare that provided health care for seniors a failure?

Mr. PALLONE. Madam Speaker, if the gentleman will further yield, just quickly all I am saying really is these are decisions about public health and safety. I mean, that is what we found in the aftermath of Katrina. We are talking about public health and safety, people's lives. I just want to have qualified people making decisions about health and safety issues. That is not asking much. And I understand that the gentleman from California (Mr. WAXMAN), who is on my committee, who is the ranking member on the Committee on Government Reform, has actually introduced legislation to require all political appointees holding Federal public safety positions meet minimum requirements of expertise, leadership and achievement. And I think that is crucial. He is one of our leading Democrats, ranking member on the Committee on Government Reform. It just makes sense that if someone is appointed to a position where they are going to be making decisions about public health and safety, they have to have some expertise for that position. So far, the Republicans have been resisting that and are not willing to go along with the gentleman from California's (Mr. WAXMAN) proposal.

Mr. RYAN of Ohio. Save their political appointments for the ambassadorships with a lot of beachfront property. That is where they put their political people. And we understand that happens. Do not put them in charge of FEMA. Do not put them in a position where if they do not like the science, then change the science.

Mr. PALLONE. The Food and Drug Administration.

Mr. RYAN of Ohio. FDA? They have got to be kidding me.

Ms. WASSERMAN SCHULTZ. Madam Speaker, will the gentleman yield?

Mr. MEEK of Florida. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Madam Speaker, what this boils down to is, it is about the three Cs: We have competence, cronyism and corruption. That is what this Chamber has become about. It is a question about their incompetence. There has clearly been corruption, and we have only to list the myriad of people who are in hot water at the executive branch level and, unfortunately, in this Chamber on the other side of the aisle. As much respect as we might have for our colleagues, we have an even greater respect for this institution, and, unfortunately, there are quite a number of people who forget their need to respect this institution.

And if it were not bad enough that we have a laundry list of people now who have been hired as cronies who were unqualified at the executive level for the position that they took on and then later engaged in corrupt activity, on top of that now just yesterday we hear a report that Special Operations forces were taught by individuals who have been determined to be in this country illegally, illegally, and who are now in the process of being deported. We have Special Operations forces who do not even like to acknowledge that they exist being taught foreign language by people who were found to have been in this country illegally, two from Indonesia and one from an African country.

Let us go further because I wish it stopped there. Just yesterday, we found that there is a spy apparently in the White House. I mean, a spy in the White House. I do not know. I am new. I am a freshman, and 9/11 was 4 years ago. I would think that by 2005, as 4 years has passed, the crackdown and effort that the administration and the Republican leadership here has been engaging in it to shore up our homeland security and make sure people feel safer, and security has been the issue. How in God's name do we have illegal immigrants from areas that one might question the motivation of some of the people and why they are here because certainly those nations that these illegal immigrants are from have had al Qaeda representatives come? We cannot make a blanket statement about it, but no question there have been problems with those countries.

Special Operations forces being taught by illegal immigrants and a spy in the White House, and we have cronyism that is running rampant at the executive branch level and ethical problem after ethical problem and indictments in this very institution. My God, if that does not cry out for a new direction and this country to be taken in a new direction, I do not know what does.

I came here and held up my right hand and swore to uphold the Constitution and the integrity of this institution, and I want to underscore the summary that the gentleman from the

State of Illinois (Mr. EMANUEL) said the other day on a news program.

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The way he characterized what this institution has become is that the leadership in this institution has taken this institution from the People's House to the auction House, and there is no other way to describe it. That is the bottom line. And it is really sad.

Mr. MEEK of Florida. Madam Speaker, reclaiming my time, as the gentlewoman shows, it is beyond sad. Sad would be if we could not do anything about it, but we can, and the American people can do something about it. I will tell you right now, all that we are talking about here, and I will tell you, because we like to talk about solutions, we also like to point out the problem.

Time after time again, and the gentleman from New Jersey (Mr. PALLONE) is the Member who has been here the longest, from New Jersey, the fact is that Democrat amendments that have gone down on partisan lines to make sure we take care of the kind of oversight that the American people called for. Well, let us just say the Constitution calls for from this body. We have oversight and investigative powers that we are not exercising.

I think it is important, and I just want to make sure that we put on the record, I have asked the Congressional Research Service to go in and pull the number of Congressional subpoenas that went out in the Clinton administration versus the Bush administration.

I will tell you I personally, my chief and staff and others had to call the House Counsel's information to get this information, to allow the Congressional Research Service to go in, and the Congressional Research Service said, ''Well, somebody said that it may be political.''

No, it is just a history of the House. We did not call the GOP or the Democratic National Committee on this. If subpoenas went out under the Clinton administration, that is a matter of record. What is political about that?

Now, I will tell you, this is not a witch hunt or any kind of hunt you want to call it. It is the truth, and it is the fact that we cannot rely, and that is the reason why we need an independent commission to make sure that not only the act of God, when we watched television, it was the act of a lack of governance. It was an act of cronyism, of the Corps of Engineers stopping work after 37 years on a levee that they knew would be breached. And look, the American taxpayers now have to pick up $200 billion.

I will yield to the gentleman from Ohio (Mr. RYAN) to talk about his bill, because I think it is important that we get colleagues on the other side to come down and sign on it.

Before we do that, I want to make sure as we move through section A of the Washington Post, I feel that all of this should be enshrined, because I think it is important within the CONGRESSIONAL RECORD, which it will, that before the historians look at it, that the American people will have an opportunity to look at it and know that they have an option to bring about change in their government.

They deserve better. I am telling you right now, they deserve better. I know they do, and they know they do. This is national security. This is Americans we are talking about.

This is what I could not believe, Madam Speaker. ''Pentagon Releases Repayments Rules.'' Now, we had a big discussion here on this floor about body armor and we went to war saying that we are prepared to go to war.

Well, that is what the generals and the four star guys were telling us in the Committee on Armed Services. ''We got it covered, Congressman. Don't ask any questions. Either you are with us or with them. Don't ask us any questions.'' That is from Mr. Ashcroft over in the Senate, I must add.

Thank God for Senator DODD and many others here in this Congress that fought to make sure that our men and women had the body armor that they needed.

You would have some folks come to the floor and make you believe that they are the leaders on watching out for our men and women. It is not a partisan issue, it is an American issue, the fact we were talking about body armor, and the gentleman from Missouri (Mr. SKELTON), the ranking member on the Committee on Armed Services, I would say some folks on the majority side were concerned about the body armor. Men and women were dying because they did not have what they needed.

Guess what they did? They did what they are supposed to do. Moms, dads, uncles, brothers, sisters alike, sons and daughters, bought their loved one body armor, kevlar, to wear in Iraq and Afghanistan. They did so. Then we passed a bill saying they should be reimbursed, rightfully so, unfortunately after the fact, and some folks died.

The Congress called for, once again, the WashingtonPost.com, you go on and check it out yourself, it goes on, ''The guidelines, from Undersecretary of Defense, David S.C. Chu, comes nearly a year after Congress passed legislation ordering,'' this is not asking, ''ordering the Department of Defense to come up with the reimbursement policy. The law required that the Pentagon issue the rules by February 25 of this year.'' Not 2006, but 2005.

Here we are in October, in October, and because there were threats from Senator DODD and others in this Congress that they will do something drastic legislatively because they did not do it, these are families that still have not been reimbursed. These are Americans. These are Americans. These are not folks in a foreign land.

So when folks start getting upset about what we are talking about here on this floor, I can tell you something, I am glad that somebody fought for the opportunity for us to raise these issues, because this is beyond belief. Here in the United States, our own people. These are our people.

Now, I am just going to share this with the gentleman from New Jersey (Mr. PALLONE). This is not something as it relates to people saying, ''Oh, you are being partisan.'' No, we are not being partisan. We are telling the truth. We are making sure Members know exactly what they are doing and not doing.

If you are a Member of the majority side and you want to see the kind of change that these men and women deserve, that these men and women deserve to get reimbursed for their body armor, that are financially challenged right now, that are paying too much for gas, that will pay over $1,000 for heating oil or LP gas, this winter, they need that money. And, guess what? You go on the DOD website, there is no mention of it. There is no mention of the fact where they can go on and find out how they can be reimbursed.

So, we are going to work on that. I tried to find that today. This is on behalf of the entire country.

Mr. PALLONE. Madam Speaker, if the gentleman will yield further, the gentleman did not get into the details because it is almost sickening to read. I just have to read this one thing in the article the gentleman is referencing where it says, ''Last week Marine Sergeant Todd Bowers, whose parents bought him a high-tech rifle scope said that the extra piece of equipment saved his life, and that a $100 pair of goggles he bought saved his eyesight when he was shot by a sniper.''

''If you need any proof that the Pentagon is once again coming up short, all you need to do is take a look at the list of reimbursable items, Senator DODD said. It does not include the gun scope that saved Todd Bowers' life.''

It is shameful. I could cry, to be honest with you. I am not trying to be dramatic. But to think that the parents had to buy the equipment to save their son's life, and now the administration, Pentagon does not want it to be reimbursable, I just cringe when I read about it, when the gentleman brought this to my attention. It is a shameful thing.

Mr. RYAN of Ohio. Madam Speaker, if the gentleman will yield further, if I may add something, the shame of the whole matter is, it is about priorities. We have time to pass tax cuts through this Chamber that give billionaires and millionaires hundreds of thousands of dollars, billions of dollars for the oil industry, to pass a prescription drug bill that does nothing to contain costs, so it is a billions of dollars in giveaways to the pharmaceutical companies, and then the reality is, that money has to come from somewhere. So this kid does not have goggles and some average American has to go out and buy them.

People say, well, what is the government doing? You know what we are

doing here? You know what the Republican leadership here is doing? They are giving billions of dollars in tax credits and subsidies to the oil industry. That is what they are doing. They are giving Warren Buffett and Bill Gates a tax cut. That is what they are doing.

Here is where we ask for the opportunity to lead the country. Democrats are asking the American people for an opportunity to lead this country, and say if your priority is for that kid to have the goggles he needs, that is the priority of the Democratic Party; in health care and education, that is the priority of the Democratic Party.

We want a chance to govern, because this outfit has dropped the ball.

Mr. MEEK of Florida. As we look at oversight and accountability, will the gentleman please talk about H.R. 3764?

Mr. RYAN of Ohio. This is the Democratic bill that establishes a congressional commission to examine Federal, State and local response to the devastation by Hurricane Katrina. It is an independent commission.

What we are doing, we want to ask the American people and other Members of Congress to support this and become a citizen cosponsor of this bill, at www.housedemocrats.gov/katrina. This is an opportunity for all Americans to participate in the movement to try to establish an independent commission. Get rid of the partisanship, get rid of the nonsense, let us get some real oversight here.

Mr. MEEK of Florida. Madam Speaker, reclaiming my time, I just want to say that we have a cosponsor form here for H.R. 3764 sitting here on the table. There is my pen. Anyone from the majority side, the Republicans, that want to get down to making sure that this never, ever happens again, that we do not have people dying because they did not have insulin, we do not have emergency responders not able to talk to one another because they do not have interoperability where they can talk to one other to save lives, and where we can save $200 billion hopefully in the future, because we could have saved New Orleans if we were on our job, our j-o-b, maybe, not maybe, this independent commission will point out, this independent commission, which the gentleman from Ohio (Mr. RYAN) pointed out before, it is a group of individuals that are outside of the Congress, like the 9/11 Commission, that will not be here in Congress to carry on about trying to cover up on behalf of the majority side. So we have this here.

Mr. RYAN of Ohio. If the gentleman will yield further, the reason we want to do this is because the record over the past few years has been simple: Everything that happened, everything that was told to us prior to the war, has not been true. No one has been held responsible for that at all. No oversight. We were told that the prescription drug bill was only going to cost $400 billion. We find out after it is $700 billion. No oversight, no one is held responsible for it. And on and on and on. The budget projections, the economy, gas, energy costs, everything, no oversight, no one is being held responsible, and we think that it is in the best interests of the American people to have an independent commission.

Mr. MEEK of Florida. Madam Speaker, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Speaker, since the rule for the energy bill tomorrow was just filed, it seems a good place to jump off from, because I really hope that now that tomorrow we are going to be throwing the door, blowing the door wide open to more offshore oil drilling in the United States coastal regions, the gentleman from New Jersey represents the Jersey shore, I represent the eastern coastline, the gentleman represents the eastern coastline. Sorry, the gentleman from Ohio (Mr. RYAN) does not have much of a coastline.

But we have some deep, deep concerns that are going to be dealt with on the floor tomorrow where, for the first time, we are going to have the possibility of drilling much closer to the United States coastline in places that have been subject to a ban and moratoriums.

Given the track record, particularly recently, of competence, cronyism and corruption, I am hopeful that we are not going to see the giveaways that are in this bill tomorrow turn into what we have seen in terms of the three C's in the last several weeks and, quite honestly, in the last several years.

Mr. PALLONE. Madam Speaker, if the gentleman will yield further, I am glad the gentlewoman brought that up. I would say what we are seeing in this energy bill, and this is unfortunate thing, in the same way that Hurricanes Katrina and Rita became an opportunity for corruption and cronyism in the awarding of contracts by the Republicans, we are seeing it is also becoming an excuse to basically waive all environmental regulation, affirmative action, prevailing wage and the list goes on. The waiver of environmental regulations and the effort to basically gut environmental protections is unbelievable.

The gentlewoman mentioned the offshore oil drilling. But one of the other things that affects my State is the Clean Air Act provisions. In other words, in that bill, basically what the President and the Republican leadership have done is taken the opportunity to gut the Clean Air Act.

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They are essentially saying now that if an older plant that does not meet clean air restrictions under the current law wants to expand its capacity, that they can still expand the capacity using the older standards, which would allow a lot more air pollution to pollute the atmosphere.

So whether it is clean water, whether it is clean air, whatever it happens to be, they are using the hurricane rather than it being an opportunity, as we have suggested, to try to rebuild and give people a new opportunity in life to rebuild their lives, it is being used as an excuse to basically run roughshod over all kinds of existing protections, whether they be affirmative action, environmental protection, whatever.

Again, it is cronyism, because if I can take a power plant and I can expand it and pollute the atmosphere and save money that way, it is just another giveaway, if you will, to their friends, their special interests in the utility business.

Ms. WASSERMAN SCHULTZ. Madam Speaker, tomorrow they will be trying to create the mythology for the American people that this is going to do something to reduce gas prices.

Mr. PALLONE. And it will not. There is not anything in it.

Ms. WASSERMAN SCHULTZ. There is not a single item in this bill that will reduce gas prices, not tomorrow, not next Tuesday, not 3 weeks from now will one penny get cut off a gallon of gas as a result of this bill.

What will happen is it will put more money in the pockets of the people who make money off the energy industry; we are going to waive the Clean Air Act provisions; it limits FTC penalties for price gouging; and it is almost completely impossible to increase refining capacity. There is a taxpayer subsidy for oil companies. These are the provisions in this bill. There is a giveaway of Federal lands in this bill. Madam Speaker, it is unbelievable. We just did this 7 weeks ago, and now we are going to give them more. I mean, where does it stop?

We have an alternative, I say to the gentleman from Florida (Mr. MEEK), if the gentleman would like to outline some of the provisions in it.

Mr. MEEK of Florida. Madam Speaker, I want the gentlewoman to do that, but I also want to point out, being on the Committee on Armed Services, some of the other issues that are in this bill. It is very unfortunate. I am not going to be one to talk about the oil companies and special interests and the lobbyists and the K Street project and all of that, because guess what? The American people elected a Congress to protect them from greed, from doing it because we can. And we just passed, the majority did, an energy bill 7 months ago, but they are doing it on the backs of individuals of devastation, communities that are not in place to be able to come to Congress and lobby against this kind of action.

This is what is happening within this bill, I say to my colleagues. We just went through a BRAC process, military base closures. If they close, that means that the government can give this land to oil companies to go in and drill. Local communities have plans for military bases to help their economy, to be able to do the things that they want to do, because it is within their community.

Here is the kicker in this whole thing. There are a number of kickers. You can get kicked to death under this bill. If an oil company was to move in and contaminate or do something to harm the public, if the mayor of that city or county or parish or State were to bring a lawsuit against the oil company, and they were to lose, they would have to pay the oil companies' legal fees. Now, on the other side of the coin, if the local community, parish, county, State was to file a lawsuit against an oil company for not carrying out their environmental duties or whatever the case may be, put their constituents in harm's way, and they were to win, the oil companies, by Federal law, if this passed tomorrow, if the majority has their way, do not have to reimburse the local government for their legal fees.

So here is the U.S. Congress majority that is going to stand on the side of industry to say, we are on your side versus we are on the local mayor, the parish, the county commissioner, or the State government's side, the side of the taxpayers, and that are the individuals who elected us to come to Congress.

Madam Speaker, I warned my friends on the Majority side, I warned them. Because tomorrow we have 5 hours of debate and around 2 or 3 o'clock, we are going to be here on this floor and we are going to see the followers versus the leaders. On this side, we are going to lead because we are going to have an alternative amendment that is not going to have any of that language in there that is going to be able to bring gas prices down, that is going to be able to deal with our issues of conserving energy and things of that nature.

So I think it is important that we realize, and I want to warn the Members, unfortunately, if you keep voting for what they tell you to vote for on the Republican leadership side, you will find yourselves making a career decision, bottom line. Because I think the American people are fed up with this stuff here in Washington, DC. We are trying to do what we can. Someone may say, well, why are you all on the Floor arguing. The gentleman from New Jersey has talked about what Senator DODD has done. The reason why the Department of Defense wrote those rules several months later after the congressional deadline was the fact that a Democrat raised the issue and threatened them, that he will take it to the next level, and that is the reason why they did it. They did not do it because they were supposed to by law or that it was the right thing to do; they did it because they came under pressure.

I am telling my colleagues that we are within our right to put the pressure on, put it on the RECORD, and we will be here every opportunity that these lights are on to talk about what is not happening and what we are trying to do, and the reason why we cannot do it because we are in the minority. If the Republican Conference betters itself and it starts to get leadership that is going to lead on behalf of the American people, then God bless them, but I can tell my colleagues right now for the last 10 years, that has not happened. It has not happened. That is the reason why. It can be a Republican parish, it can be a Republican mayor, it can be a Republican governor, if you bring suit against this industry, which is what they are bringing to the Floor tomorrow on the Majority side, you are going to find yourself paying legal fees if you are not successful. That is to intimidate local communities for not bringing suit against individuals that violate environmental law. That is what that is about.

Ms. WASSERMAN SCHULTZ. Madam Speaker, if my colleagues do not mind me jumping in here, lest people think that we are just on the Floor here pointing fingers and only being critical, we have our own alternative proposal, the democratic alternative to the energy bill tomorrow.

People might think that we as Members of Congress are somehow different than our constituents. I am just a minivan mom. I do not drive a big old SUV; I drive a mini van. I wish I could drive a car that was smaller, but I have 3 little kids who have to be strapped into a car seat. I have 6-year-old twins and a 2-year-old baby girl and I, like most moms, do not have much of an alternative in terms of making sure I have a car that is safe, that is big enough to haul them and all their soccer stuff and Brownie stuff and baseball stuff, just all their stuff. That is what parents across this country deal with every single day.

Last week and the week before and the week before that, I paid $45 to $50 to fill up my tank. Whenever I end up spending $45 to $50 on anything, I swallow hard. When you have to do that once a week, there is a problem. We make an okay income as Members of Congress. Think about the people who are struggling paycheck to paycheck.

Tomorrow on this floor, we are going to offer a real alternative to the energy bill. We are going to offer an alternative that puts some bark into the Federal Trade Commission's bite. We are going to give explicit authority to the FTC to define, for the first time, price gouging and what it is and how to penalize for it and make sure that there are factors that can be determined. We are going to make sure that everybody in the supply chain, including home heating fuels, deals with price gouging measures. We are going to make sure that it is not just one end of the chain, the energy chain, but the whole thing. We are going to establish a strategic refinery reserve. Our substitute would increase our Nation's refinery capacity by establishing a strategic refinery reserve.

Madam Speaker, we are taking real steps in our proposed alternative tomorrow which, of course, is not going to pass because the Republicans much prefer their industry-laden benefits package, which is the best way to describe this bill.

Mr. RYAN of Ohio. Pork.

Ms. WASSERMAN SCHULTZ. Pork. We will substitute any appropriate word. We have to make sure that we provide some real relief to the minivan moms and dads across this country.

Mr. MEEK of Florida. Madam Speaker, we understand the majority has about 10 minutes. We are going to come back another 10 minutes after the Majority side; we will have 10 minutes after that, and I think the gentleman from Ohio (Mr. RYAN) is going to be sponsoring that. We have a couple more minutes and we are going to turn it over to the gentleman from Ohio (Mr. RYAN).

But first, let me just say this real quickly, the articles that we talked about tonight, and this is just one publication. Washingtonpost.com. If you want to figure out how you can be a cosponsor on House bill 3764, that is housedemocrats.gov/katrina, you can go on-line and become a cosponsor of that legislation as a citizen to be able to push the drive for us to make sure that Americans never, ever have to go through the lack of response that they have received, and that is for Federal, State and local.

The SPEAKER pro tempore (Mrs. SCHMIDT). The gentleman's time has expired.

Mr. MEEK of Florida. We will give it out next time.

CIA REJECTS DISCIPLINE FOR 9/11 FAILURES

GOSS CITES FEAR OF HURTING AGENCY

(By Dafna Linzer and Walter Pincus)

The CIA will not seek to hold any current or former agency officials, including ex-director George J. Tenet, responsible for failures leading up to the Sept. 11, 2001 attacks, CIA Director Porter J. Goss said yesterday, despite a recommendation by the agency's inspector general that he convene an ''accountability board'' to judge their performance.

Goss's decision, coming, four years after hijackers commandeered four jets and killed nearly 3,000 people, appeared to end possibility that a high-level official will be held responsible for what several investigations found to be significant failures throughout the government. The inspectors general of the departments of State, Justice and Defense completed their own investigations without publicized disciplinary actions taken against anyone.

The CIA's report, which severely criticized actions of senior officers, will remain classified, Goss said in his announcement, which was welcomed by some former officials mentioned in the document but assailed by families of victims of the attacks.

Goss said in his statement that the voluminous report by the CIA Inspector General John L. Helgerson, ''unveiled no mysteries,'' and that making it public would only bring harm to the agency when it it trying to rebuild. Goss said that the report in no way suggest ''that any one person or group of people could have prevented 9/11.

''Of the officer named in the report,'' he said, ''about half have retired from the Agency, and those who are still with us are amongst the finest we have.''

Goss had supported an internal CIA review in December 2002, while he was chairman of the House intelligence committee. The CIA report, which was mostly completed in February, is the last known government inquiry on the counterterrorism failures ahead of the attacks and has been the most secretive.

It also had the potential to pit Goss against his own agency. Convening a review board could have embarrassed his predecessors and renewed questions over, President Bush's decision to award Tenet the Presidential Medal of Freedom.

I think it is utterly reprehensible for Director Goss to be hinting towards not holding anyone accountable, particularly since he was in an oversight capacity as house chairman and is now in a position to atone for his own failures,'' said Kristin Breitweiser, whose husband, Ron, was killed at the World Trade Center. ''He is either avoiding embarrassment or trying to hide something.''

More than a dozen intelligence officials, including Tenet; his former director of operations, James L. Pavitt; and J. Cofer Black, former head of the counterterrorism center, are faulted in the CIA report, said officials who have read the classified findings. Tenet vigorously disputed the findings, arguing that he and his officers had done more than anyone else in the intelligence community to warn about al Qaeda.

The report also names some current undercover operatives working in the counterterrorism center. Officials had said exposing them to public criticism would harm their work and the agency during a time of war.

Tenet had no comment yesterday. Pavitt said he was relieved. ''He did what was right for the institution and its people, and for their work,'' Pavitt said of Goss.

Goss's former congressional colleagues, who have urged that the report be declassified, reacted coolly to his decision to forgo accountability reviews. They said Goss and John D. Negroponte, the director of national intelligence, will be summoned to appear before the Senate intelligence committee to answers questions this month.

''I am concerned to learn of the Director's decision to forego this step in the process,'' Sen. Pat Roberts, (R-Kan.) said in a statement. ''However, I spoke with Director Goss and Negroponte earlier today and they both strongly believe that this is the correct course of action.''

The CIA's internal report was done in a response to a recommendation of the House-Senate committee that looked into the attacks. The committee called on the CIA's inspector general to conduct an investigation ''to determine whether and to what extent personnel at all levels should be held accountable any omission, commission or failure to meet professional standards'' to prevent or disrupt the attacks.

Based on these findings, the CIA director was to take ''appropriate disciplinary or other action,'' with the result to be passed on to the President and the House and Senate intelligence committees.

But Goss declined. He noted that before Sept. 11, when he was chairman of the House intelligence panel, the CIA suffered from cutbacks and reduced budgets. ''Stars'' were singled out and asked ''to take on some tough assignments,'' he said, ''Unfortunately, time and resources were not on their side, despite their best efforts to meet unprecedented challenges.

''Risk is a critical part of the intelligence business. Singling out these individuals would send the wrong message to our junior officers about taking risks—whether it be in operation in the field or being assigned to a hot topic at headquarters,'' he said.

Citing classified information about intelligence sources and methods, Goss said the report should not be made public.

Rep. Jane Harman (Calif.) the ranking Democrat on the House intelligence panel, said she will work to get some elements declassified and said Goss has a responsibility to ''persuade the public that he has dealt fairly with his agency's past mistakes.''

EX-WHITE HOUSE AIDE INDICTED IN ABRAMOFF CASE

(By Thomas B. Edsall)

David H. Safavian, former chief of White House procurement policy; was indicted yesterday on five counts of lying about his dealings with former Republican lobbyist Jack Abramoff and impeding a Senate investigation of him.

The indictment accuses Safavian, who previously served as former chief of staff for the General Services Administration, of falsely telling GSA officials that Abramoff had no dealings with the agency at a time in 2002, the government alleges, that Abramoff was seeking to obtain use of two GSA properties with Safavian's assistance.

It also accuses Safavian of repeatedly making false statements to investigators about a golf trip he took with Abramoff to Scotland the same year. GSA ethics rules prohibited receiving gifts from anyone seeking an official action by the agency.

Safavian was arrested Sept. 19 on the similar charges, the first criminal allegations levied in the ongoing corruption investigation of Abramoff's activities in Washington. Safavian had resigned as top administrator at the federal procurement office in the White House Office of Management and Budget three days earlier.

The indictment alleges that ''from May 16, 2002 until January 2004, Safavian made false statements and obstructed investigations into his relationship with a Washington, D.C., lobbyist,'' who has been identified as Abramoff. The indictment refers to him only as ''Lobbyist A.''

Safavian's attorney, Barbara Van Gelder, said the charges are ''an attempt to prove guilt by association.'' She said, ''If this case did not involve Mr. Abramoff, the government would never have indicted Mr. Safavian on these charges.''

Van Gelder said Safavian ''will plead not guilty, and he will request a speedy trial.'' She added, ''We believe that after all the evidence is aired, Mr. Safavian will be acquitted of all charges.''

Abramoff has been indicted in Florida on bank fraud charges, and is under investigation in connection with at least $82 million, he and an associate received from Indian tribes that operate gambling casinos, and for fees from other clients.

Federal investigators are known to be looking at trips to Scotland that Abramoff arranged for members of Congress and others, including former House majority leader Tom DeLay (R–Tex.) and House Administration Committee Chairman Robert W. Ney (R–Ohio) and Ralph Reed, former executive director of the Christian Coalition and now a candidate for lieutenant governor in Georgia.

Safavian, Ney and Reed all went on the 2002 trip to Scotland, which cost an estimated $100,000.

If convicted, Safavian, who worked as a lobbyist with Abramoff in the 1990s, faces a maximum sentence of five years in prison and a $250,000 fine on each of the counts.

PENTAGON RELEASES REPAYMENT RULES

TROOPS WHO BOUGHT PROTECTIVE GEAR NOW MAY REQUEST REIMBURSEMENT

Under pressure from Congress, the Pentagon issued overdue regulations yesterday for reimbursing troops in Iraq and Afghanistan for body armor and other gear they bought to protect themselves.

The program, which is effective immediately, would allow reimbursement for combat helmets, ballistic eye protection, hydration systems and tactical vests, including a variety of body armor inserts to protect the throat, groin and collar.

The guidelines, from Undersecretary Of Defense David S.C. Chu, come nearly a year after Congress passed legislation ordering the reimbursement policy. That law required the Pentagon to issue the rule by Feb. 25 of this year.

Under the guidelines, reimbursement for each individual item cannot exceed $1,100, and the items become government property and must be turned over to the Defense Department, unless they are destroyed or no longer usable. The purchase must have been between Sept. 10, 2001, and Aug. 1, 2004, and the soldier must not have been issued equivalent government equipment.

Senators, unhappy with the Pentagon's slow progress, approved an amendment to a defense spending bill yesterday that, would further expand the program. The measure would also take the money decision out of the hands of Defense Secretary Donald H. Rumsfeld and give control to military unit commanders in the field.

Condemning the new program as too little, too late, Sen. Christopher J. Dodd (D-Conn.) said the Pentagon's list is too restrictive and does not include critical safety equipment such as gun scopes, additional Humvee armor and radios.

''The Pentagon's leadership has done everything in its power to stop this measure from being implemented,'' Dodd said. ''Why should they stop now?''

Last week, Marine Sgt. Todd Bowers, whose parents bought him a high-tech rifle scope, said that the extra piece of equipment saved his life, and that a $100 pair of goggles he bought saved his eyesight when he was shot by a sniper.

''If you need any proof that [the Pentagon] is once again coming up short, all you need to do is take a look at the list of reimbursable items,'' Dodd said. ''It does not include the gun scope that saved Todd Bowers's life.''

The chairman of the Senate Armed Services Committee, John W. Warner (R-Va.), urged support for Dodd's amendment. But Warner asked that lawmakers work together to set a new end date for the program, possibly in 2006. The amendment passed by a voice vote.

Pentagon officials have opposed the reimbursement idea, calling it ''an unmanageable precedent that will saddle the DOD with an open-ended financial burden.''

In his memo, Chu said that the secretaries of the military services may request that other equipment be added to the list.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3893, GASOLINE FOR AMERICA'S SECURITY ACT OF 2005

Mr. LINCOLN DIAZ-BALART of Florida, from the Committee on Rules (during the special order of Mr. MEEK of Florida) submitted a privileged report (Rept. No. 109–245) on the resolution (H. Res. 481) providing for consideration of the bill (H.R. 3893) to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people, and for other purposes, which

was referred to the House Calendar and ordered to be printed.

DEFENSE INTELLIGENCE AGENCY USING FALSE CLAIMS TO SILENCE COLONEL

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Pennsylvania (Mr. WELDON) is recognized for half the remaining time until midnight.

Mr. WELDON of Pennsylvania. Madam Speaker, I rise this evening for this short Special Order to express my personal outrage regarding the treatment of some brave military personnel who simply are trying to tell the truth.

Madam Speaker, over the past 3 months, I have outlined for our colleagues evidence that came from military officers that we had knowledge of Mohammed Atta and al Qaeda prior to September 11 and the attack against us in New York City. This information came about from a top secret program known as ''Able Danger'' which was a program that was developed by Special Forces Command as a planning process to deal with al Qaeda cells.

The military officers involved with this program identified 5 specific cells around the world, one of which was a Brooklyn cell, and this Brooklyn cell, one year before 9/11; in fact, in January and February of 2000, actually identified Mohammed Atta, 3 of the other terrorists that were involved in the 9/11 attack, and identified this in a chart that was produced as a part of their planning process.

Furthermore, Madam Speaker, these military officers have testified, and will testify under oath, that in September of 2000, one year before September 11, they made 3 attempts to transfer information regarding the Brooklyn cell and Mohammed Atta to the FBI. An FBI employee has again agreed to testify under oath that she arranged the 3 meetings and agreed to set up for the FBI the opportunity to receive this data. All 3 meetings were canceled by lawyers within the previous administration, the Clinton administration.

We still do not know who gave the ultimate order or why those meetings were canceled, but we do know that in September of 2000, attempts to transfer information regarding al Qaeda, the Brooklyn cell, and Mohammed Atta were thwarted.

This information was presented to the 9/11 Commission in an effort to provide a clear and concise analysis of what happened prior to 9/11. On 2 separate occasions, a Lieutenant Colonel from the Army, Anthony Shaffer and a commander from the Navy, Scott Philpott, offered to provide information to the 9/11 Commission that they, in fact, were involved with Able Danger and that they identified Mohammed Atta prior to 9/11.

Colonel Shaffer, who was promoted during the past year, during a time in which his security clearance had been temporarily lifted by the Defense Intelligence Agency, has been the subject of gross and outrageous harassment. I have been on the Committee on Armed Services for 19 years, and my job as a member of that committee has been to support our military personnel when they are assigned overseas or when they are at home during their training and other operations. As I mentioned to Secretary Rumsfeld in a hearing last Thursday, a full committee hearing, I have supported every major reform that he has put forth over the past several years regarding our military, the way our military operates, and the way the Pentagon is organized.

Madam Speaker, Secretary Rumsfeld has repeatedly told us that his top priority is the morale and the welfare of our troops. The commander of the Joint Chiefs of Staff, both the recent and now the current Chairman of the Joint Chiefs of Staff, repeatedly tell us their top priority is the protection of our military personnel in uniform. And now, we find out that Lieutenant Colonel Anthony Shaffer, a Bronze Star recipient, 23-year veteran of military intelligence, serving in Afghanistan, embedded with our troops in harm's way, has had gross distortions and absolute outrageous claims made against him publicly by the Defense Intelligence Agency as a way to silence him.

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Lieutenant Colonel Shaffer has been prohibited from talking to Members of Congress. He has been stopped from testifying before the Senate Judiciary Committee in spite of the fact that five senators from both parties were present at a hearing 2 weeks ago. Lieutenant Shaffer was in the room. Lieutenant Colonel Shaffer was in the room, yet he was not permitted to testify. His lawyer, in fact, made statements for him.

But in an attempt to totally discredit Lieutenant Colonel Shaffer, in an attempt to try to diminish his credibility before the American people and the Congress, the Defense Intelligence Agency has resorted to a new set of lows in terms of the credibility of our American military. And no, Madam Speaker, I do not think this action by the Defense Intelligence Agency has been brought forward by uniformed military personnel. It has been brought forward by the bureaucrats, the sort of bureaucrats who linger from one administration to the other and who have the embarrassment of having to understand what Lieutenant Colonel Shaffer and commander Scott Philpott did in warning us, attempting to warn us about the 9/11 attacks.

The Defense Intelligence Agency, 1 day before Lieutenant Colonel Shaffer was to testify before the Senate Judiciary Committee, permanently pulled his security clearance, and the reasons they gave, Madam Speaker, were outrageous. They are scandalous. They said that he had forwarded phone calls on his cell phone while being deployed in Afghanistan for a total cost of approximately $67. They said that he had received mileage and toll fees improperly for attending a military conference at Fort Dix, New Jersey, which anyone in this body would say he was eligible to attend. $341. They said that he, in fact, received an award for which he was not entitled, even though his superior officers nominated him for that award. But in one of the most despicable acts I have ever seen a Federal agency involve itself in in 19 years, they said on the record that Lieutenant Colonel Anthony Shaffer stole pens from the U.S. government.

Now, what they did not say, Madam Speaker, was that Lieutenant Colonel Shaffer, when he was 15 or 16 years old, as the son of an officer assigned to one of our embassies, admitted to stealing some pens which he gave to some disadvantaged people. Now, clearly, when he was 15 or 16, he was not working for the military. He was not a military intelligence officer. He was yet to take his lie detector test for admission into that category, and he admitted all of this. But in this current effort to try to discredit Lieutenant Colonel Anthony Shaffer, the Defense Intelligence Agency went to the outrageous length of publicly acknowledging that Lieutenant Colonel Shaffer had stolen pens and failing to mention how old he was when the theft took place, that he publicly admitted himself before being employed by the military.

Madam Speaker, we have a major problem in America. Sandy Berger, our National Security Advisor, stole documents from the National Archives, stole documents and put them in his clothing and took them out because they would incriminate him and President Clinton about what they knew before 9/11. He stole them. He placed them inside of his coat, in his pants, in his shoes, and he took those documents out of the National Archives because he did not want the 9/11 Commission to see what was in there. When he was caught, and finally brought to justice, his security clearance was lifted for 3 years.

Lieutenant Colonel Anthony Shaffer simply told the truth and because Defense intelligence bureaucrats are unhappy about being embarrassed they have removed his security clearance permanently. Is that what America is about, Madam Speaker? Is it about protecting a national security advisor who steals classified documents from the archives of the United States about what happened before 9/11 and gets a 3-year lift of his clearance, and a uniformed military officer who simply tells the truth has his security clearance permanently lifted?

Madam Speaker, if we do not right this wrong that will send and is sending a signal to every uniformed officer in America, if you tell the truth and if that truth embarrasses a bureaucrat or a political appointee, you are more expendable than the civilian officer, and

that cannot stand. We must do better. Anthony Shaffer deserves justice.

TOM DELAY'S HOUSE OF SHAME

The SPEAKER pro tempore (Mrs. SCHMIDT). Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. RYAN) is recognized for the remaining time until midnight.

Mr. RYAN of Ohio. Madam Speaker, I appreciate the opportunity for us to just grab a few more minutes here and finish up, the 30-something working group that we have here, and we want to kind of end the conversation tonight talking a little bit about a recent periodical that we like to call Newsweek. It is about the power outage. And we have mentioned a couple of words here tonight, competence or lack thereof, and cronyism.

Now, we like, at the 30-something working group, to get third party validators. And here on the cover of Newsweek, GOP, a mounting crisis of competence and cronyism, which I think is exactly what we have been talking about here tonight.

Madam Speaker, I would like to submit for the RECORD an article here, Tom DeLay's House of Shame, by Jonathan Alter.

Before yielding to the gentleman, I would like to just share a little bit a couple of the quotes. I want to share a couple of quotes from this article today or this week. This gentleman is saying, Mr. Alter is saying that historians will regard this as the single most corrupt decade in the long and colorful history of the House of Representatives. That is pretty sad. And that Congress has always had its share of extremists, but the DeLay era is the first time the fringe has ever been in charge. And when we talked about Katrina, we talked about trying to implement this extremist agenda, regardless of what the circumstances are, and using Katrina as an opportunity to implement this agenda. I want to just share one more quote before we open it up here of what then House majority leader Mr. DELAY said after the hurricanes, and I quote, that Katrina and Rita "introduced a valuable forum to promote the triumph of our ideas and solutions for government over the crumbling and outdated policies of the Democratic controlled Congress of past decades." The crumbling or the triumph of our ideas. Triumph of our ideas. I mean, let's just look at where we are right now. Triumph of the Republican ideas? What? Increased poverty? Stagnant wages? Health care going up by 15 to 20 percent a year? Pharmaceutical costs going up by 20 percent a year. What triumph of ideas?

Ms. WASSERMAN SCHULTZ. Do not forget the deficit.

Mr. RYAN of Ohio. A deficit, $500 billion? Now that is not even factoring in the war, a war that we got ram-rodded into, lied into. Is that the great triumph of ideas?

Mr. MEEK of Florida. Mr. RYAN, where are we getting the money from?

Mr. RYAN of Ohio. We are borrowing it from China. We do not even have the money.

Mr. MEEK of Florida. Saudi Arabia, too. Do not leave them out.

Mr. RYAN of Ohio. And how many years the majority said about the Democratic controlled Congress tax and spend, tax and spend, tax and spend. Well, the last 10 years and the last 5 years in particular, borrow and spend. We are borrowing the money from China, Japan, Saudi Arabia, a lot of people who do not have really friendly interests with the United States of America. And the problem is, we have got to pay interest on the money we are borrowing. Reckless fiscal policy, incompetence, corruption, cronyism, time and time and time again.

TOM DELAY'S HOUSE OF SHAME

(By Jonathan Alter)

A decade ago, I paid a call on Tom Delay in his Ornate office in the Capitol. I had heard a rumor about him that I figured could not possibly be true. The rumor was that after the GOP took control of the House that Year, DeLay had begun keeping a little black book with the names of Washington lobbyists who wanted to come see him. If the lobbyists were not Republicans and contributors to his power base, they didn't get into "the people's House." DeLay not only confirmed the story, he showed me the book. His time was limited, DeLay explained with a genial smile. Why should he open his door to people who were not on the team?

Thus began what historians will regard as the single most corrupt decade in the long and colorful history of the House of Representatives. Come on, you say. How about all those years when congressmen accepted cash in the House chamber and then staggered onto the floor drunk? Yes, special interests have bought off members of Congress at least since Daniel Webster took his seat while on the payroll of a bank. And yes, Congress over the years has seen dozens of sex scandals and dozens of members brought low by financial improprieties. But never before has the leadership of the House been hijacked by a small band of extremists bent on building a ruthless shakedown machine, lining the pockets of their richest constituents and rolling back popular protections for ordinary people. These folks borrow like banana republics and spend like Tip O'Neill on speed.

I have no idea if DeLay has technically broken the law. What interests me is how this moderate, evenly divided nation came to be ruled on at least one side of Capitol Hill by a zealot. This is a man who calls the Environmental Protection Agency "the Gestapo of government" and favors repealing the Clean Air Act because "it's never been proven that air toxins are hazardous to people"; who insists repeatedly that judges on the other side of issues "need to be intimidated" and rejects the idea of a separation of church and state; who claims there are not parents trying to raise families on the minimum wage—that "fortunately, such families no not exist" (at least Newt Gingrich was intrigued by the challenges of poverty); who once said: "A woman can't take care of the family. It takes a man to provide structure." I could go on all day. Congress has always had its share of extremists. But the DeLay era is the first time the fringe has ever been in charge.

The only comparison to DeLay & Co. might be the Radical Republicans of the 1860s. But the 19th-century Radical Republican agenda was to integrate and remake the South. The 21st-century Radical Republican agenda is to enact the wish list of the tobacco and gun lobbies, repeal health and safety regulations and spend billions on shameless pork-barrel projects to keep the GOP at the trough. Another analogy is to Republican Speaker Joe Cannon, who ran the House with an iron fist a century ago. But Cannon had to contend with Progressive Republicans who eventually stripped him of his power. DeLay's ruling radical conservative claque remains united, at least for now.

Comparisons with fellow Texan Sam Rayburn fall short, too. Rayburn was respected on both sides of the aisle for his rock-solid integrity. He and most other House speakers carefully balanced their support for corporate interests like the oil depletion allowance with at least some sense of public good. And they had to share much of their power with committee chairmen. Today, seniority is much less important. Chairmen are term-limited (six years) or tossed if they displease DeLay. And this crowd views "the public interest" as strictly for liberal pantywaists.

How have they succeeded? A new book "Off Center: The Republican Revolution and the Erosion of American Democracy," by Jacob S. Hacker and Paul Pierson, explains how the GOP is simply better than the Democratic Party at the basic blocking and tackling of politics, including the exploitation of cultural and religious issues. The authors argue that even if DeLay goes down, the zealotry and corporate shilling will continue as long as the GOP controls the House. Consider DeLay's temporary replacement, Missouri Rep. Roy Blunt. The Washington Post reported last week that Blunt is respected by Republican members in part because he has "strong ties to the Washington lobbying community." That's a qualification for office?

The only reason the House hasn't done even more damage is that the Senate often sands down the most noxious ideas, making the bills merely bad, not disastrous. What next for the House of Shame? If DeLay's acquitted, he'll be back in power. If he's convicted, his protégés will continue his work. Reform efforts by fiscal conservatives determined to curb their borrow-and-spend colleagues are probably doomed. The only way to get rid of the termites eating away the people's House is to stamp them out at the next election.

Mr. RYAN of Ohio. I would be happy to yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Madam Speaker, and yet they are still, in the aftermath of Katrina, in the aftermath of Rita, with ballooning deficits and horrific corruption and cronyism, still talking about tax cuts, making the tax cuts permanent. They are still talking about budget reconciliation, which is Washington speak for cuts. They are still talking about not providing what people in this country, in the middle, in the middle, the average hardworking American needs.

You know, the gentleman from Ohio (Mr. RYAN) is absolutely right. It is the fringe that has been governing this institution, and this country for the last 10 years. Most of us are mainstream. Most people consider themselves very middle of the road, moderate, not left, not right, just middle of the road, and they want the course to generally be steering in an almost straight path,

not veering in one direction or another, and most definitely, not favoring one group over another. This leadership has clearly favored the privileged, and it is not like, there is no question about that; that is documented fact. The privileged, they are first in line to get theirs. And you know, if we can throw some crumbs to the people who are average everyday Americans, then you know that is fine, too.

But we have got to make sure that we get back to the competence that we need to run this government. We have to rid this government of the cronyism and the corruption, and we have got to restore the fourth C which is the American people's confidence.

Mr. MEEK of Florida. I have had very little to say in this condensed time that we have. I think it is important for us to make sure that folks are not just, Members are not just watching thinking that we are going, just coming out of the sky with this stuff. We gave it at the WashingtonPost.com. We also said, if you wanted to cosponsor on House Resolution 3764, which is a bill that we have put forth to be about the solution, making sure that we can head off a lack of governance, not paying attention to the things that we need to pay attention to.

One thing about Katrina, Madam Speaker, and Rita was the fact that we are not ready to respond to a catastrophic event here in the United States. And I can tell you that our military is ready, but the question is, are our American leaders ready to respond? Do we have what we need to have in place as it relates to the management?

And if you want to cosign on this independent commission, that I must say to the gentleman from Ohio (Mr. RYAN) that we talked about before, 81 percent of the polls show that Americans want to see an independent commission, you can sign on to this bill just as a regular U.S. citizen, HouseDemocrats.gov/Katrina.

With that, I say to the gentleman from Ohio (Mr. RYAN) that we have a lot of work here to do. No one is saying that anyone is guilty or whatever the case may be because we know that there will be a court of law that that will take plays and on behalf of the institution, I hope all works well as it relates to democracy prevailing.

But I will tell you that it is important, and it is embarrassing to be a Member of the 109th Congress with this cloud over this institution. And people are going to look at, they do not care. They look at you as a Member of the House, not as a Democrat or a Republican or the one independent that we have here in this House. They look at us as stewards of this democracy that people have died for us to have the opportunity.

And I yield back to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Well, I am just going to wrap up here in the final, unless the gentlewoman has any final comments.

Ms. WASSERMAN SCHULTZ. No, I was just going to suggest that you give out the website. And we always encourage people who watch us each week to contact us, give us your thoughts and opinions and please let Members know.

Mr. RYAN of Ohio. It is a little late tonight. If you are still up, 30somethingdems@mail.House.gov. Send us some e-mails. We have been getting some really great ones, and a lot of them lately.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DELAHUNT (at the request of Ms. PELOSI) for today and October 7.

Mr. CROWLEY (at the request of Ms. PELOSI) for today.

Mr. POE (at the request of Mr. BLUNT) for today after 2:00 p.m. on account of business in his district.

Mr. ROYCE (at the request of Mr. BLUNT) for today and October 7 on account of medical reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Mr. GRIJALVA, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. BARROW, for 5 minutes, today.

(The following Members (at the request of Mr. KUHL of New York) to revise and extend their remarks and include extraneous material:)

Mr. PAUL, for 5 minutes, today and October 7.

Mr. OSBORNE, for 5 minutes, today.

Mr. GINGREY, for 5 minutes, October 7.

Mr. MCCAUL of Texas, for 5 minutes, today.

Mr. MCHENRY, for 5 minutes, today.

Mr. KUHL of New York, for 5 minutes, today.

Mr. POE, for 5 minutes, October 7.

Mr. BURTON of Indiana, for 5 minutes, today and October 7.

Mr. FORBES, for 5 minutes, October 7.

Mr. JONES of North Carolina, for 5 minutes, October 7.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 392. An act to authorize the President to award a gold medal on behalf of Congress, collectively, to the Tuskegee Airmen in recognition of their unique military record, which inspired revolutionary reform in the Armed Forces; to the Committee on Financial Services.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 1413. An act to redesignate the Crowne Plaza in Kingston, Jamaica as the Colin L. Powell Residential Plaza.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on October 3, 2005, he presented to the President of the United States, for his approval, the following bill.

H.R. 3863. Natural Disaster Student Aid Fairness Act.

ADJOURNMENT

Mr. RYAN of Ohio. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Friday, October 7, 2005, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4398. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule—Title IV Conservators, Receivers, and Voluntary Liquidations; Receivership Repudiation Authorities (RIN: 3052-AC26) received September 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4399. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's final rule—Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Investments, Liquidity, and Divestiture (RIN: 3052-AC22) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4400. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Community Reinvestment Act Regulations [Regulation BB; Docket No. R-1225] received July 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4401. A letter from the Assistant to the Board, Division of Consumer and Comm. Affairs, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—Truth in Lending [Regulation Z; Docket No. R-1231] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4402. A letter from the Regulatory Specialist, Legislative and Regulatory Activities Division, Office of the Comptroller of the Currency, Department of the Treasury, transmitting the Department's final rule—

Community Reinvestment Act Regulations [Docket No. 05-11] (RIN: 1557-AB98) received August 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4403. A letter from the Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule—Mixed-Finance Development for Supportive Housing for the Elderly or Persons With Disabilities and Other Changes to 24 CFR Part 891 [Docket No. FR-4725-F-02] (RIN: 2502-AH83) received September 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4404. A letter from the Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting the Department's final rule—Revisions to the Public Housing Operating Fund Program [Docket No. FR-4874-F-08] (RIN: 2577-AC51) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4405. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Securities of Nonmember Insured Banks (RIN: 3064-AC88) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4406. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Community Reinvestment Act Regulations (RIN: 3064-AC89) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4407. A letter from the Acting Deputy Director, Office of Federal Housing Enterprise Oversight, transmitting the Office's final rule—Mortgage Fraud Reporting (RIN: 2550-AA31) received July 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4408. A letter from the Assistant Secretary, Division of Corporate Finance, Securities and Exchange Commission, transmitting the Commission's final rule—OWNERSHIP REPORTS AND TRADING BY OFFICERS, DIRECTORS AND PRINCIPAL SECURITY HOLDERS [RELEASE NOS. 33-8600; 34-52202; 35-28013; IC-27025; File No. S7-27-04] (RIN: 3235-AJ27) received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

4409. A letter from the Senior Regulatory Officer, Wage and Hour Division, Department of Labor, transmitting the Department's final rule—Industries in American Samoa; Wage Order—October 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4410. A letter from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4411. A letter from the Deputy Executive Director, Pensions Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received August 2, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

4412. A letter from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting the Department's final rule—Guidelines for Voluntary Greenhouse Gas Reporting (RIN: 1901-AB11) received September 21, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4413. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule—Standardization of Small Generator Interconnection Agreements and Procedures [Docket No. RM02-12-000] received July 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4414. A letter from the Secretary of the Commission, Federal Trade Commission, transmitting the Commission's final rule—Labeling and Advertising of Home Insulation: Trade Regulation Rule—received August 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4415. A letter from the Acting Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: NAC-UMS Revision 4 (RIN: 3150-AH75) received July 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4416. A letter from the Acting Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting the Commission's final rule—Incorporation by Reference of ASME BPV Code Cases (RIN: 3150-AH35) received October 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4417. A letter from the Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting the Commission's final rule—EMERGENCY PREPAREDNESS AND RESPONSE ACTIONS FOR SECURITY-BASED EVENTS [NRC BULLETIN 2005-02] received July 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4418. A letter from the Acting Director, Office of Congressional Affairs, U.S. Nuclear Regulatory Commission, transmitting the Commission's final rule—List of Approved Spent Fuel Storage Casks: Standardized NUHOMS-32PT, -24HB, and -24PTH Revision 8 (RIN: 3150-AH77) received September 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

4419. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-171, ''Prescription Drug Excessive Pricing Act of 2005,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4420. A letter from the Chairman, Council of the District of Columbia, transmitting copy of D.C. ACT 16-170, ''Walter Reed Property Tax Exemption Reconfirmation Act 0f 2005,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4421. A letter from the Chairman, Council of the District of Columbia, transmitting copy of D.C. ACT 16-184, ''Income Withholding Transfer and Revision Temporary Amendment Act of 2005,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4422. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. Act 16-183, ''District of Columbia Emancipation Day Alternate Date Temporary Amendment Act of 2005,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4423. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-173, ''District of Columbia Bus Shelter Temporary Amendment Act of 2005,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4424. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-172, ''Brentwood Retail Center Real Property Tax Exemption Temporary Act of 2005,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4425. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 16-182, ''Dog Park Establishment Amendment Act of 2005,'' pursuant to D.C. Code section 1—233(c)(1); to the Committee on Government Reform.

4426. A letter from the Deputy Archivist of the United States, National Archive and Records Administration, transmitting the Administration's final rule—Records Center Facility Standards (RIN: 3095-AB31) received September 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4427. A letter from the Director, Division of Strategic Human Resources Policy, Office of Personnel Management, transmitting the Office's final rule—Information Technology Exchange Program (RIN: 3206-AJ91) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4428. A letter from the Director, Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting the Office's final rule—Law Enforcement Officer and Firefighter Retirement (RIN: 3206-AJ39) received July 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4429. A letter from the Director, Division for Strategic Human Resources Policy, Office of Personnel Management, transmitting the Office's final rule—Retirement Credit for Certain Government Service Performed Abroad (RIN: 3206-AK84) received September 30, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

4430. A letter from the Asst. Secretary for Land and Minerals Management, Department of the Interior, transmitting the Department's final rule—Royalty Payment and Royalty and Production Reporting Requirements Relief for Federal Oil and Gas Lessees Affected by Hurricane Katrina or Hurricane Rita (RIN: 1010-AD28) received October 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4431. A letter from the Acting Assistant Secretary, DHRC, Department of the Interior, transmitting the Department's final rule—Marine Mammals; Native Exemptions (RIN: 1018-AT48) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4432. A letter from the Acting Principal Deputy Assistant Secretary, Bureau of Indian Affairs, Department of the Interior, transmitting the Department's final rule—Navajo Partitioned Lands Grazing Permits (RIN: 1076-AE46) received October 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4433. A letter from the Director Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Exceptions to Definition of Date of Receipt Based on Natural or Man-made Disruption of Normal Business Practices (RIN: 2900-AL12) received September 2, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4434. A letter from the Director of Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Jurisdictions and Addresses of Regional Counsels (RIN: 2900-AM20) received September 2, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4435. A letter from the Chief, Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule—Audits of States, Local Governments, and Non-Profit Organizations; Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-Profit Organizations (RIN: 2900-AJ62) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

4436. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule—Establishment of the Niagara Escarpment Viticultural Area (2004R-589P) [T.D. TTB-33; Re: Notice No. 33] (RIN: 1513-AA97) received September 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4437. A letter from the SSA Regulations Officer, Office of Disability and Income Security Programs, Social Security Administration, transmitting the Administration's final rule—Technical Revisions to the Supplemental Security Income (SSI) Regulations on Income and Resources (RIN: 0960-AE79) received July 26, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4438. A letter from the SSA Regulations Officer, Office of Regulations, Social Security Administration, transmitting the Administration's final rule—Revised Medical Criteria for Evaluating Impairments That Affect Multiple Body Systems [Regulation No. 4] (RIN: 0960-AF32) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4439. A letter from the SSA Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Update to Divided State Retirement Systems Coverage Group List and Technical Covergae Corrections Required by the Social Security Protection Act of 2004 [Regulations No. 4] (RIN: 0960-AG18) received July 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4440. A letter from the Chairman, Farm Credit Administration, transmitting the Administration's final rule—Organization; Standards of Conduct and Referral of Known or Suspected Criminal Violations; Loan Policies and Operations; Funding and Fiscal Affairs, Loan Policies and Operations, and Funding Operations; Disclosure to Shareholders; Preferred Stock (RIN: 3052-AC21) received September 20, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Agriculture and Financial Services.

4441. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department's final rule—Medicaid Program; State Allotments for Payment of Medicare Part B Premiums for Qualifying Individuals: Federal Fiscal Year 2005 [CMS-2210-IFC] (RIN: 0938-AO04) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

4442. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting the Department's final rule—Definition and Registration of Reverse Distributors [Docket No. DEA-108F] (RIN: 1117-AA19) received September 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and the Judiciary.

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 of Texas: Committee on Energy and Commerce. H.R. 3893. A bill to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people, and for other purposes; with an amendment (Rept. 109–244, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. LINCOLN DIAZ-BALART of Florida: Committee on Rules. House Resolution 481. Resolution providing for the consideration of the bill (H.R. 3983) to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people, and for other purposes (Rept. 109–245). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

Pursuant to clause 2 of rule XII the Committees on Transportation and Infrastructure, Armed Forces, and Resources discharged for further consideration. H.R. 3893 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. RAHALL (for himself, Mr. INSLEE, Mr. SHAYS, Mr. GEORGE MILLER of California, Mr. HINCHEY, Mr. KUCINICH, Mr. BLUMENAUER, Mr. GRIJALVA, and Mr. ANDREWS):

H.R. 3968. A bill to modify the requirements applicable to locatable minerals on public domain lands, consistent with the principles of self-initiation of mining claims, and for other purposes; to the Committee on Resources.

By Mr. BLUNT (for himself, Mr. CARDOZA, Mr. BONNER, Mr. ROGERS of Alabama, Mr. PICKERING, and Mr. WICKER):

H.R. 3969. A bill to provide for the designation of a Department of Agriculture disaster liaison to assist State and local employees of the Department in coordination with other disaster agencies in responding to federally declared disasters; to the Committee on Agriculture.

By Mr. ISSA:

H.R. 3970. A bill to amend title 28, United States Code, to provide liability protections for certain pandemics and countermeasures; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEAL of Georgia (for himself, Mr. MCCRERY, Mr. JINDAL, Mr. BAKER, and Mr. BOUSTANY):

H.R. 3971. A bill to provide assistance to individuals and States affected by Hurricane Katrina; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HART (for herself and Ms. MILLENDER-MCDONALD):

H.R. 3972. A bill to provide effective training and education programs for displaced homemakers, single parents, and individuals entering nontraditional employment; to the Committee on Education and the Workforce.

By Mr. UDALL of New Mexico (for himself, Mr. GRIJALVA, and Mr. RAHALL):

H.R. 3973. A bill to authorize the Forest Service and the Bureau of Land Management to carry out a series of pilot projects to encourage collaborative approaches to, and to provide research on, the rehabilitation of forest ecosystem health following uncharacteristic disturbances of forested Federal lands, to be conducted in a manner that protects wildlife habitat, water quality, and forest resiliency while also promoting social and economic opportunities in nearby communities, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUCAS (for himself, Mr. HAYES, Mr. PETERSON of Minnesota, Mr. ETHERIDGE, Mr. HINOJOSA, Mr. HOLDEN, and Mr. JENKINS):

H.R. 3974. A bill to prohibit the closure or relocation of county or local Farm Service Agency offices pending the completion of the next omnibus agriculture law; to the Committee on Agriculture.

By Mr. JINDAL (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. CASTLE, Mr. WILSON of South Carolina, Mr. PORTER, Mr. BOUSTANY, Mr. ALEXANDER, Mr. MCCRERY, and Mr. PICKERING):

H.R. 3975. A bill to ease the provision of services to individuals affected by Hurricanes Katrina and Rita, and for other purposes; to the Committee on Education and the Workforce.

By Mr. BOUSTANY (for himself, Mr. BOEHNER, Mr. MCKEON, Mr. WILSON of South Carolina, Mr. PORTER, Mr. JINDAL, Mr. ALEXANDER, Mr. BAKER, Mr. MCCRERY, and Mr. PICKERING):

H.R. 3976. A bill to accelerate the reemployment and employment of individuals affected by Hurricanes Katrina and Rita by establishing grants to eligible entities to provide worker recovery accounts to eligible individuals; to the Committee on Education and the Workforce.

By Mr. ANDREWS:

H.R. 3977. A bill to require owners of property to test and disclose the water quality of qualified wells before selling or leasing the property, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BEAUPREZ:

H.R. 3978. A bill to authorize the Secretary of Energy to purchase certain essential mineral rights and resolve natural resource damage liability claims; to the Committee on Resources.

By Mr. BURTON of Indiana (for himself and Mr. RAMSTAD):

H.R. 3979. A bill to suspend temporarily the provisions of title 5, United States Code, relating to the mandatory separation of members of the Capitol Police by reason of age or years of service; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DINGELL (for himself, Mr. BROWN of Ohio, Mr. WAXMAN, Mrs. CAPPS, Mr. PALLONE, Mr. BOUCHER, and Ms. BALDWIN):

H.R. 3980. A bill to amend title XIX of the Social Security Act to improve the qualified Medicare beneficiary (QMB) and specified low-income Medicare beneficiary (SLMB) programs within the Medicaid Program; to the Committee on Energy and Commerce.

By Mr. DOOLITTLE:

H.R. 3981. A bill to authorize the Secretary of Agriculture to carry out certain land exchanges involving small parcels of National Forest System land in the Tahoe National Forest in the State of California, and for other purposes; to the Committee on Resources.

By Mr. DOOLITTLE:

H.R. 3982. A bill to establish a pilot program to eliminate certain restrictions on eligible certified development companies; to the Committee on Small Business.

By Mr. ENGLISH of Pennsylvania:

H.R. 3983. A bill to amend the Internal Revenue Code of 1986 to provide incentives to restore and increase oil and natural gas production; to the Committee on Ways and Means.

By Ms. GRANGER:

H.R. 3984. A bill to amend the Internal Revenue Code of 1986 to allow a credit for the purchase of idling reduction systems for diesel-powered on-highway vehicles; to the Committee on Ways and Means.

By Ms. HARMAN (for herself, Mr. SHAYS, Mr. SKELTON, Mr. CASTLE, Mr. CONYERS, Mr. HOYER, Mr. DICKS, and Mrs. TAUSCHER):

H.R. 3985. A bill to provide standards for the treatment of persons under custody or control of the United States Government, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOLT (for himself and Mr. TERRY):

H.R. 3986. A bill to require the Secretary of Energy to conduct a study on the potential fuel savings from intelligent transportation systems that help businesses and consumers to plan their travel and avoid delays; to the Committee on Energy and Commerce.

By Mr. JINDAL:

H.R. 3987. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for Hurricane Katrina recovery in the Gulf Opportunity Zone; to the Committee on Ways and Means.

By Mr. JINDAL (for himself, Mr. BAKER, Mr. MCCRERY, Mr. ALEXANDER, and Mr. BOUSTANY):

H.R. 3988. A bill to provide for priority in Federal contracting for businesses in areas adversely affected by Hurricane Katrina and Hurricane Rita and treatment of small business concerns adversely affected by Hurricane Katrina and Hurricane Rita as HUBZone small business concerns, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KLINE (for himself, Mr. GUTKNECHT, Mr. RAMSTAD, Mr. OBERSTAR, Mr. PETERSON of Minnesota, Mr. KENNEDY of Minnesota, Mr. SABO, and Ms. MCCOLLUM of Minnesota):

H.R. 3989. A bill to designate the facility of the United States Postal Service located at 37598 Goodhue Avenue in Dennison, Minnesota, as the ''Albert Harold Quie Post Office''; to the Committee on Government Reform.

By Mr. LANGEVIN:

H.R. 3990. A bill to suspend temporarily the duty on Pigment Yellow 219; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 3991. A bill to suspend temporarily the duty on Pigment Blue 80; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 3992. A bill to extend the temporary suspension of duty on Solvent Blue 104; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 3993. A bill to suspend temporarily the duty on Pigment Yellow 180; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 3994. A bill to extend the temporary suspension of duty on Pigment Red 187; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 3995. A bill to extend the temporary suspension of duty on 4-amino-2,5-dimethoxy-N-phenylbenzene sulfonamide; to the Committee on Ways and Means.

By Mr. LANGEVIN:

H.R. 3996. A bill to suspend temporarily the duty on Pigment Yellow 214; to the Committee on Ways and Means.

By Mr. LATOURETTE (for himself, Ms. HOOLEY, Mr. CASTLE, Ms. PRYCE of Ohio, and Mr. MOORE of Kansas):

H.R. 3997. A bill to amend the Fair Credit Reporting Act to provide for secure financial data, and for other purposes; to the Committee on Financial Services.

By Ms. MCKINNEY:

H.R. 3998. A bill to provide farm debt and program relief to African-American farmers who suffered discrimination in the administration of Department of Agriculture farm credit programs and other agriculture programs, and for other purposes; to the Committee on Agriculture.

By Ms. MILLENDER-MCDONALD:

H.R. 3999. A bill to direct the Secretary of Homeland Security to establish the National Emergency Family Locator System; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN of Kansas (for himself and Mr. OSBORNE):

H.R. 4000. A bill to authorize the Secretary of the Interior to revise certain repayment contracts with the Bostwick Irrigation District in Nebraska, the Kansas Bostwick Irrigation District No. 2, the Frenchman-Cambridge Irrigation District, and the Webster Irrigation District No. 4, all a part of the Pick-Sloan Missouri Basin Program, and for other purposes; to the Committee on Resources.

By Mr. OTTER:

H.R. 4001. A bill to temporarily waive the restriction on highway use in applying the tax exemption for diesel fuel used on a farm for farming purposes; to the Committee on Ways and Means.

By Mr. PAUL:

H.R. 4002. A bill to ensure that a private for-profit nursing home affected by a major disaster receives the same reimbursement as a public nursing home affected by a major disaster; to the Committee on Transportation and Infrastructure.

By Mr. PAUL:

H.R. 4003. A bill to make amendments to the Iran Nonproliferation Act of 2000 related to International Space Station payments; to the Committee on International Relations, 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. PAUL:

H.R. 4004. A bill to reduce the price of gasoline by allowing for offshore drilling, eliminating Federal obstacles to constructing refineries and providing incentives for investment in refineries, suspending Federal fuel taxes when gasoline prices reach a benchmark amount, and promoting free trade; to the Committee on Ways and Means, and in addition to the Committees on Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. REICHERT (for himself, Mr. MEEK of Florida, Ms. SLAUGHTER, Mr. LATOURETTE, Mr. BRADY of Pennsylvania, Ms. HOOLEY, Mr. HIGGINS, Mr. STUPAK, Mr. SMITH of Washington, and Mr. MCNULTY):

H.R. 4005. A bill to revise and extend the National Police Athletic League Youth Enrichment Act of 2000; to the Committee on the Judiciary.

By Mr. SHAW (for himself and Mr. TANNER):

H.R. 4006. A bill to permit startup partnerships and S corporations to elect taxable years other than required years; to the Committee on Ways and Means.

By Mr. STRICKLAND (for himself, Ms. KILPATRICK of Michigan, Mr. BOUCHER, Mr. MCGOVERN, Mr. MICHAUD, Mrs. CAPPS, Mr. JEFFERSON, Mr. PAYNE, and Mr. EVANS):

H.R. 4007. A bill to amend title 38, United States Code, to provide additional authority for the Secretary of Veterans Affairs to provide health care for a period of two years to members of the Armed Forces (including members of the National Guard serving under State authority) who serve in areas affected by Hurricane Katrina and Hurricane Rita, to provide for the Secretary of Veterans Affairs and the Secretary of Defense to enter into an agreement with the National Academy of Sciences to survey and assess the potential health consequences of service by members in those areas, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO (for himself, Mr. BEAUPREZ, Mr. HOLT, Mr. SIMPSON, Mr. CONYERS, Mr. FOSSELLA, Mr. HIGGINS, Mr. BASS, Mr. PRICE of North Carolina, Mr. ROHRABACHER, Mr. GRAVES, Mr. RAMSTAD, Mr. COBLE, and Mrs. MUSGRAVE):

H.R. 4008. A bill to posthumously award a Congressional gold medal on behalf of each person aboard United Airlines Flight 93 who helped resist the hijackers and caused the plane to crash; to the Committee on Financial Services.

By Mr. THOMPSON of Mississippi (for himself, Ms. HARMAN, Mr. LANGEVIN, Ms. ZOE LOFGREN of California, Ms. NORTON, Mr. PASCRELL, Mrs. CHRISTENSEN, Ms. JACKSON-LEE of Texas, Mr. DEFAZIO, Mr. MEEK of Florida, Mr. DICKS, Mr. ETHERIDGE, and Mrs. LOWEY):

H.R. 4009. A bill to direct the Secretary of Homeland Security to conduct comprehensive examinations of the human resource capabilities and needs, organizational structure, innovation and improvement plans, intelligence and information analysis capabilities and resources, infrastructure capabilities and resources, budget, and other elements of the homeland security program and policies of the United States; to the Committee on Homeland Security, and in addition to the Committees on Intelligence (Permanent Select), and Transportation and Infrastructure, 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. UDALL of New Mexico (for himself, Ms. CARSON, Mr. CLEAVER, Mr. DAVIS of Illinois, Mr. DELAHUNT, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. KANJORSKI, Mr. MCINTYRE, Mr. PALLONE, and Mr. WEXLER):

H.R. 4010. A bill to provide emergency assistance for families receiving assistance under part A of title IV of the Social Security Act and low-income working families; to the Committee on Ways and Means.

By Ms. WATSON (for herself, Mr. MICHAUD, and Mr. BURTON of Indiana):

H.R. 4011. A bill to prohibit after 2008 the introduction into interstate commerce of mercury intended for use in a dental filling, and for other purposes; to the Committee on Energy and Commerce.

By Mr. BOEHLERT (for himself, Mr. GORDON, Mr. KING of New York, Mr. THOMPSON of Mississippi, and Mr. HONDA):

H. Con. Res. 259. Concurrent resolution expressing the sense of Congress with respect to raising awareness and enhancing the state of computer security in the United States, and supporting the goals and ideals of National Cyber Security Awareness Month; to the Committee on Science.

By Mr. HOLT:

H. Con. Res. 260. Concurrent resolution recognizing the 40th anniversary of the Second Vatican Council's Declaration on the Relation of the Church to Non-Christian Religions, Nostra Aetate, and the continuing need for mutual interreligious respect and dialogue; to the Committee on International Relations.

By Mr. PAYNE (for himself, Mr. SMITH of New Jersey, Ms. WATSON, Mr. MEEKS of New York, Mr. RANGEL, and Ms. LEE):

H. Con. Res. 261. Concurrent resolution paying tribute to the Africa-America Institute (AAI) for its more than 50 years of dedicated service toward nurturing and unleashing the productive capacities of knowledgeable, capable, and effective African leaders through education; to the Committee on International Relations.

By Ms. SOLIS (for herself, Ms. PELOSI, Mr. MCDERMOTT, Ms. WASSERMAN SCHULTZ, Mr. GRIJALVA, Ms. ROYBAL-ALLARD, Mr. REYES, Mr. ORTIZ, Mr. HONDA, Mr. PALLONE, Mrs. JONES of Ohio, Mrs. MCCARTHY, Mr. WAXMAN, Mr. LANTOS, Mr. GUTIERREZ, Mr. CUELLAR, Mr. MORAN of Virginia, Ms. MILLENDER-MCDONALD, Mr. MCGOVERN, Ms. LINDA T. SÁNCHEZ of California, Mr. SHERMAN, Ms. NORTON, Mr. CONYERS, Mr. BERMAN, Mr. TOWNS, Mr. CROWLEY, Mr. RUSH, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. RANGEL, Mrs. CHRISTENSEN, Mr. MEEK of Florida, Mr. GONZALEZ, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ZOE LOFGREN of California, Mrs. NAPOLITANO, Ms. LEE, Mr. LEWIS of Georgia, Mr. PAYNE, Ms. VELÁZQUEZ, Ms. LORETTA SANCHEZ of California, Mr. WYNN, Ms. WOOLSEY, Ms. KILPATRICK of Michigan, Ms. WATSON, Mr. BECERRA, Mr. HINCHEY, Mr. KUCINICH, Mr. DAVIS of Illinois, Mr. COSTA, Mr. MENENDEZ, Mr. FORTUÑO, Mrs. BONO, Mr. SCHIFF, Mr. ENGEL, Mr. STARK, Ms. JACKSON-LEE of Texas, Mr. BACA, Mr. KILDEE, Mr. AL GREEN of Texas, Ms. CORRINE BROWN of Florida, Mrs. CAPPS, Ms. BALDWIN, and Mr. PASTOR):

H. Con. Res. 262. Concurrent resolution supporting the observance of National Latino AIDS Awareness Day on October 15th, 2005, and for other purposes; to the Committee on Energy and Commerce.

By Mr. LANTOS (for himself and Mr. HYDE):

H. Res. 479. A resolution recognizing the 50th Anniversary of the Hungarian Revolution that began on October 23, 1956 and reaffirming the friendship between the people and governments of the United States and Hungary; to the Committee on International Relations.

By Mr. DREIER (for himself and Ms. SLAUGHTER):

H. Res. 480. A resolution permitting individuals to be admitted to the Hall of the House in order to obtain footage of the House in session for inclusion in the orientation film to be shown to visitors at the Capitol Visitor Center; to the Committee on Rules.

By Ms. HERSETH:

H. Res. 482. A resolution expressing the sense of the House of Representatives that a commemorative postage stamp should be issued to honor sculptor Korczak Ziolkowski; to the Committee on Government Reform.

By Ms. MILLENDER-MCDONALD:

H. Res. 483. A resolution supporting the goals and ideals of National Teen Dating Violence Awareness and Prevention Week; to the Committee on Government Reform.

By Mr. PORTER (for himself, Mrs. BIGGERT, Mr. OSBORNE, Mr. HINOJOSA, Mrs. MCCARTHY, Mr. GRIJALVA, and Mr. VAN HOLLEN):

H. Res. 484. A resolution supporting efforts to promote greater awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth; to the Committee on Education and the Workforce.

By Mr. SOUDER (for himself, Mr. CUMMINGS, Mr. TOM DAVIS of Virginia, Mr. BLUNT, Mr. LARSEN of Washington, Mr. TURNER, Mr. BURTON of Indiana, Ms. GRANGER, Mr. CARDOZA, Mr. WALDEN of Oregon, Mr. CALVERT, Mr. CANNON, Mr. PETERSON of Pennsylvania, Mr. VAN HOLLEN, Mr. BOOZMAN, Mr. LATHAM, and Mr. TERRY):

H. Res. 485. A resolution supporting the goals of Red Ribbon Week; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mrs. MUSGRAVE, Mr. EDWARDS, and Mr. MATHESON.
H.R. 25: Mr. HUNTER.
H.R. 49: Mr. ROTHMAN.
H.R. 97: Mr. SCOTT of Virginia and Mr. MILLER of North Carolina.
H.R. 110: Mr. BISHOP of New York.
H.R. 111: Mr. POMBO.
H.R. 179: Mr. HENSARLING.
H.R. 180: Mr. CANNON.
H.R. 198: Mr. LYNCH.
H.R. 224: Mr. LANTOS, Mr. RUPPERSBERGER, Mr. ETHERIDGE, Mr. JEFFERSON, Mr. ROTHMAN, Mr. EVANS, and Mr. MCGOVERN.
H.R. 225: Mr. BACA.
H.R. 226: Mr. MILLER of North Carolina.
H.R. 269: Mr. STRICKLAND and Mr. MANZULLO.
H.R. 284: Mr. MOORE of Kansas.
H.R. 297: Ms. CARSON.
H.R. 303: Mr. FITZPATRICK of Pennsylvania.
H.R. 311: Mr. LARSEN of Washington.
H.R. 314: Mr. OBEY.
H.R. 331: Mr. CAMP.
H.R. 363: Mr. BOUCHER, Mr. FORD, Mr. RAHALL, Mr. ENGEL, and Mr. MCGOVERN.
H.R. 371: Ms. ROS-LEHTINEN and Mrs. NORTHUP.
H.R. 373: Mr. LANTOS and Ms. SOLIS.
H.R. 475: Ms. LINDA T. SÁNCHEZ of California.
H.R. 478: Mr. COSTA.
H.R. 500: Mr. GINGREY.
H.R. 543: Mr. STARK.
H.R. 551: Mr. BROWN of Ohio and Mr. RAHALL.
H.R. 582: Mr. MENENDEZ, Mr. STRICKLAND, and Mr. HIGGINS.
H.R. 583: Mr. GORDON, Mr. RANGEL, Mr. KIND, and Mr. BROWN of Ohio.
H.R. 699: Mr. GONZALEZ, Mr. WELLER, Ms. SCHWARTZ of Pennsylvania, Mr. SIMMONS, Ms. ESHOO, Mr. GENE GREEN of Texas, and Mr. ISSA.
H.R. 700: Mr. CHANDLER, Mr. RUPPERSBERGER, and Mr. MCGOVERN.
H.R. 745: Mr. GOHMERT.
H.R. 791: Mr. SCHIFF, Mr. MCNULTY, Mr. MEEK of Florida, and Mr. BOSWELL.
H.R. 807: Mr. GRIJALVA.
H.R. 813: Mr. HASTINGS of Florida and Mr. VAN HOLLEN.
H.R. 817: Ms. CARSON and Mr. BROWN of South Carolina.
H.R. 851: Mr. DICKS, Mr. BAIRD, and Mr. MCDERMOTT.
H.R. 864: Ms. LINDA T. SÁNCHEZ of California, Ms. SOLIS, Mr. FORD, Ms. ROS-LEHTINEN, Mr. GERLACH, Mrs. CUBIN, Ms. CARSON, Mr. SMITH of Washington, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. GIBBONS.
H.R. 867: Mr. ANDREWS.
H.R. 916: Mr. LOBIONDO, Mr. MCCAUL of Texas, Ms. DEGETTE, Mr. PASTOR, Ms. ROS-LEHTINEN, Mr. BOEHLERT, Mr. SPRATT, Mrs. LOWEY, and Mr. DAVIS of Kentucky.
H.R. 920: Mr. BONNER, Mr. MOORE of Kansas, Mr. HENSARLING, Mr. MARCHANT, and Mr. GREEN of Wisconsin.
H.R. 923: Mr. CROWLEY, Mr. PORTER, Mr. SIMMONS, and Mr. EDWARDS.
H.R. 972: Mr. WELLER, Mr. CARDOZA, Mr. LEACH, and Mr. FORTENBERRY.
H.R. 986: Mr. RUPPERSBERGER and Mr. KUHL of New York.
H.R. 994: Ms. LINDA T. SÁNCHEZ of California.
H.R. 1068: Mr. KIRK and Mrs. EMERSON.
H.R. 1071: Mr. GONZALEZ.
H.R. 1079: Mr. BACHUS.
H.R. 1106: Ms. WASSERMAN SCHULTZ.
H.R. 1123: Mr. PETERSON of Minnesota.
H.R. 1175: Mr. FRANK of Massachusetts.
H.R. 1188: Ms. LEE and Ms. SCHAKOWSKY.
H.R. 1202: Ms. BALDWIN.
H.R. 1204: Mr. COSTA.
H.R. 1227: Mr. FRELINGHUYSEN, Mrs. KELLY, Mr. GIBBONS, and Mr. POMBO.
H.R. 1241: Mr. BONNER.
H.R. 1246: Mr. BURGESS.
H.R. 1258: Mr. PRICE of North Carolina.
H.R. 1294: Mr. MCHUGH and Mrs. BIGGERT.
H.R. 1298: Mr. BOUCHER.
H.R. 1310: Mr. GRIJALVA.
H.R. 1322: Ms. LINDA T. SÁNCHEZ of California and Ms. MCCOLLUM of Minnesota.
H.R. 1333: Mr. MCCAUL of Texas, Miss MCMORRIS, and Mr. DAVIS of Kentucky.
H.R. 1356: Mr. OLVER.
H.R. 1366: Mr. EMANUEL and Mr. FRANK of Massachusetts.
H.R. 1376: Mr. BARTLETT of Maryland and Ms. LINDA T. SÁNCHEZ of California.
H.R. 1402: Mr. SABO, Mr. CLYBURN, Mr. BLUMENAUER, Mrs. LOWEY, and Mr. MATHESON.
H.R. 1425: Mr. JACKSON of Illinois.
H.R. 1435: Mr. SERRANO.
H.R. 1498: Ms. DELAURO, Mrs. CHRISTENSEN, Mr. OTTER, Mr. WYNN, Mr. TOWNS, and Mr. EDWARDS.

H.R. 1506: Mr. EVANS, Mr. FILNER, Mr. RUPPERSBERGER, Mr. HOLDEN, and Mr. ROTHMAN.
H.R. 1507: Mr. RYAN of Ohio.
H.R. 1554: Mr. REYES.
H.R. 1598: Mr. HALL.
H.R. 1602: Mr. SNYDER and Mr. HALL.
H.R. 1632: Mr. OBERSTAR, Mr. BRADY of Pennsylvania, Mr. ALEXANDER, and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 1634: Mr. NADLER.
H.R. 1636: Mr. NEAL of Massachusetts.
H.R. 1668: Mr. SERRANO, Mr. REYES, and Mrs. LOWEY.
H.R. 1687: Mr. MENENDEZ, Mr. FILNER, Mrs. DAVIS of California, Ms. JACKSON-LEE of Texas, Mr. PAYNE, and Mr. ROTHMAN.
H.R. 1721: Mr. LOBIONDO and Mr. ISRAEL.
H.R. 1736: Mr. CUNNINGHAM, Mr. FRANK of Massachusetts, and Mr. MCGOVERN.
H.R. 1749: Mr. LATOURETTE.
H.R. 1772: Mr. PORTER.
H.R. 1774: Mr. FERGUSON and Ms. MOORE of Wisconsin.
H.R. 1849: Mr. WAMP.
H.R. 1898: Mr. POMBO, Mr. ROSS, Mr. HEFLEY, Mr. YOUNG of Florida, Mr. TURNER, Mr. KNOLLENBERG, and Mr. PASTOR.
H.R. 2000: Ms. SCHAKOWSKY and Ms. WASSERMAN SCHULTZ.
H.R. 2045: Mr. BUYER.
H.R. 2061: Mr. BOUCHER.
H.R. 2073: Mr. UDALL of New Mexico.
H.R. 2076: Mr. EDWARDS.
H.R. 2112: Mr. BARTLETT of Maryland, Mr. LEWIS of Kentucky, Mr. CHABOT, Mr. PITTS, Mr. BISHOP of Utah, Mr. HENSARLING, Mr. GARRETT of New Jersey, Mrs. MUSGRAVE, Mr. COLE of Oklahoma, Mr. KLINE, Mr. NEUGEBAUER, Mr. Fortuño, Mr. CANTOR, Mr. WELDON of Florida, Mr. GINGREY, Mr. SHADEGG, and Mr. JONES of North Carolina.
H.R. 2209: Mr. GREEN of Wisconsin.
H.R. 2229: Mrs. DRAKE.
H.R. 2231: Mr. CUELLAR and Mr. BONILLA.
H.R. 2238: Mr. RUPPERSBERGER, Mr. SHUSTER, and Mr. BACHUS.
H.R. 2327: Ms. WASSERMAN SCHULTZ and Mr. PALLONE.
H.R. 2333: Mr. TIERNEY.
H.R. 2340: Mr. ALLEN and Mr. SHERMAN.
H.R. 2357: Mr. RUSH.
H.R. 2386: Mr. LAHOOD, Mr. UDALL of New Mexico, Mr. MATHESON, Mr. RAMSTAD, Mr. RUPPERSBERGER, Mr. LYNCH, Mr. BAKER, and Mr. PAYNE.
H.R. 2428: Mr. OLVER, Mr. EVANS, Mr. HONDA, Mr. PAYNE, Mr. KENNEDY of Rhode Island, Mrs. TAUSCHER, Mr. ANDREWS, and Mr. BLUMENAUER.
H.R. 2533: Mr. KUHL of New York, Mr. RUPPERSBERGER, Mrs. MCCARTHY, Mr. GREEN of Wisconsin, Mr. BLUMENAUER, Mr. ROTHMAN, and Mr. GRIJALVA.
H.R. 2567: Mr. BROWN of South Carolina.
H.R. 2636: Mrs. CAPPS and Mr. WAXMAN.
H.R. 2646: Mr. HERGER.
H.R. 2663: Mr. HOLT.
H.R. 2664: Mr. LEWIS of Kentucky.
H.R. 2668: Mr. SHAW.
H.R. 2694: Mr. SANDERS, Mr. RAHALL, and Mr. MCGOVERN.
H.R. 2716: Mr. BOSWELL.
H.R. 2792: Mr. FLAKE.
H.R. 2804: Mr. HENSARLING and Mr. MARCHANT.
H.R. 2823: Mr. PUTNAM.
H.R. 2835: Mr. RUPPERSBERGER, Mr. MCGOVERN, Mr. SHERMAN, Mr. PALLONE, and Mr. ROTHMAN.
H.R. 2876: Mr. GUTIERREZ, Mr. GERLACH, Mr. RUPPERSBERGER, Mr. TERRY, Mr. MCCOTTER, Mrs. MILLER of Michigan, Mr. CAPUANO, and Mr. TAYLOR of North Carolina.
H.R. 2892: Mr. KLINE.
H.R. 2926: Mr. BROWN of Ohio and Mr. TIERNEY.
H.R. 2939: Mr. CARDIN, Mr. CASE, and Mr. WAXMAN.
H.R. 2943: Mr. RUPPERSBERGER.
H.R. 2959: Ms. SCHWARTZ of Pennsylvania.
H.R. 2961: Mr. KANJORSKI.
H.R. 2963: Mr. CROWLEY, Mr. BROWN of Ohio, and Mr. VAN HOLLEN.
H.R. 2989: Mr. HOLT, Mr. BLUMENAUER, Mr. CHANDLER, Mr. FILNER, and Mr. BOUCHER.
H.R. 2990: Mr. GILLMOR.
H.R. 3005: Mr. JONES of North Carolina, Ms. HARMAN, Mr. BECERRA, and Ms. LINDA T. SÁNCHEZ of California.
H.R. 3047: Mr. SIMMONS and Ms. SLAUGHTER.
H.R. 3063: Ms. ESHOO, Mr. MCCOTTER, Mr. LANTOS, Mr. CAPUANO, Mr. REYES, Mr. VISCLOSKY, and Mr. SANDERS.
H.R. 3086: Mr. SHERMAN and Mrs. CAPPS.
H.R. 3111: Mr. BAKER.
H.R. 3127: Ms. LINDA T. SÁNCHEZ of California, Ms. MILLENDER-MCDONALD, and Mrs. JO ANN DAVIS of Virginia.
H.R. 3137: Mr. PUTNAM, Mr. PETERSON of Pennsylvania, Mr. POE, and Mr. BARRETT of South Carolina.
H.R. 3145: Mr. HOLT, Mrs. DAVIS of California, Mr. JOHNSON of Illinois, Mr. MCGOVERN, and Mr. SAXTON.
H.R. 3147: Mr. BROWN of Ohio.
H.R. 3162: Mr. MOORE of Kansas and Mr. GREEN of Wisconsin.
H.R. 3180: Mr. DAVIS of Kentucky.
H.R. 3181: Mr. DAVIS of Kentucky.
H.R. 3186: Mr. FORBES and Ms. HERSETH.
H.R. 3191: Mr. MCGOVERN.
H.R. 3194: Mr. FARR, Mr. SERRANO, Mr. WEXLER, Ms. SOLIS, Mr. LEWIS of Georgia, and Mr. GRIJALVA.
H.R. 3255: Mr. MOORE of Kansas.
H.R. 3263: Mr. GRIJALVA.
H.R. 3301: Mr. GREEN of Wisconsin and Mr. GORDON.
H.R. 3318: Ms. BALDWIN.
H.R. 3323: Mr. GONZALEZ, Mr. RUPPERSBERGER, and Mr. MACK.
H.R. 3352: Mr. MENENDEZ.
H.R. 3361: Mr. DOGGETT and Mrs. DAVIS of California.
H.R. 3373: Mrs. CAPITO, Mr. PITTS, Mr. WEINER, Mr. SPRATT, Mr. MEEKS of New York, Mr. ROSS, Mr. FRANK of Massachusetts, Mr. GOHMERT, Mr. RAHALL, Mr. GRIJALVA, Mr. SKELTON, and Mr. GENE GREEN of Texas.
H.R. 3381: Mr. SHAYS.
H.R. 3385: Mr. BISHOP of Utah and Mr. LANTOS.
H.R. 3417: Mr. ROHRABACHER.
H.R. 3428: Mr. GARRETT of New Jersey and Mr. POE.
H.R. 3449: Mr. PASCRELL and Mr. ACKERMAN.
H.R. 3476: Mr. BARTLETT of Maryland, Mr. ANDREWS, and Mr. BOREN.
H.R. 3496: Mr. BLUMENAUER.
H.R. 3506: Mr. MOORE of Kansas.
H.R. 3511: Mr. PAUL and Mr. TERRY.
H.R. 3546: Mr. HINCHEY.
H.R. 3547: Mr. MCHUGH, Mr. MILLER of North Carolina, and Mr. SANDERS.
H.R. 3549: Mr. WOLF and Mr. SHAYS.
H.R. 3561: Mr. GENE GREEN of Texas and Ms. CARSON.
H.R. 3569: Mr. HINCHEY, Mr. MICHAUD, Mr. CASTLE, Mr. RUPPERSBERGER, and Mr. MCHUGH.
H.R. 3598: Mr. CROWLEY, Mr. MCDERMOTT, Ms. LEE, Mr. GEORGE MILLER of California, Mr. GENE GREEN of Texas, Mr. SCHIFF, Mr. STARK, Mr. NADLER, Mr. FILNER, Mr. LANTOS, Ms. MILLENDER-MCDONALD, Mrs. TAUSCHER, Ms. WATSON, Mr. THOMPSON of California, Mr. SHERMAN, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. MCCARTHY, Mr. SNYDER, Mr. DAVIS of Illinois, Ms. SCHWARTZ of Pennsylvania, Ms. SLAUGHTER, Mr. STRICKLAND, and Mr. RUSH.
H.R. 3612: Mr. PRICE of North Carolina.
H.R. 3616: Mr. WOLF and Mr. ABERCROMBIE.
H.R. 3617: Mr. CASTLE, Mr. ALLEN, Mr. NEUGEBAUER, and Mr. BOEHLERT.
H.R. 3630: Mr. WELDON of Florida.
H.R. 3639: Mr. MEEHAN and Mr. INSLEE.
H.R. 3644: Mr. GERLACH, Mr. SIMMONS, Mr. MURPHY, Mr. ALLEN, Ms. LINDA T. SÁNCHEZ of California, and Mr. BROWN of Ohio.
H.R. 3666: Mr. SMITH of Washington.
H.R. 3670: Mr. SMITH of Washington.
H.R. 3680: Ms. HART and Mr. MATHESON.
H.R. 3685: Mr. CRAMER.
H.R. 3690: Mr. MICHAUD.
H.R. 3698: Mr. GRIJALVA and Ms. WASSERMAN SCHULTZ.
H.R. 3708: Mr. GONZALEZ, Mr. RUPPERSBERGER, Mr. HASTINGS of Florida, and Mrs. NAPOLITANO.
H.R. 3709: Mr. PITTS, Mr. HOSTETTLER, Mr. CULBERSON, Mr. TANCREDO, Mr. WILSON of South Carolina, Mr. KINGSTON, Mr. GOODE, Mr. GUTKNECHT, Mr. WAMP, Mr. FEENEY, Mr. BERMAN, Mr. UDALL of Colorado, and Mr. GRIJALVA.
H.R. 3727: Mr. SMITH of Washington.
H.R. 3737: Mr. BARTLETT of Maryland and Mr. GREEN of Wisconsin.
H.R. 3739: Mr. PUTNAM and Mr. PETERSON of Pennsylvania.
H.R. 3748: Mr. WEXLER, Ms. MCCOLLUM of Minnesota, Mr. HINCHEY, and Mr. PALLONE.
H.R. 3754: Mr. EVANS.
H.R. 3762: Mr. FARR, Mr. SANDERS, Mr. FRANK of Massachusetts, Mr. UDALL of Colorado, and Ms. MOORE of Wisconsin.
H.R. 3782: Mrs. LOWEY.
H.R. 3785: Mrs. DRAKE.
H.R. 3787: Mr. GRIJALVA.
H.R. 3811: Mr. MANZULLO and Mr. AKIN.
H.R. 3828: Mr. PAUL, Mr. ADERHOLT, Mr. JONES of North Carolina, Mr. GINGREY, Mr. WAMP, Mr. DOOLITTLE, and Mr. GOHMERT.
H.R. 3838: Ms. SCHWARTZ of Pennsylvania, Ms. MCCOLLUM of Minnesota, Mr. WYNN, Mr. HASTINGS of Florida, Mr. SANDERS, Mr. FILNER, Ms. MOORE of Wisconsin, and Mr. CARNAHAN.
H.R. 3842: Mr. KINGSTON.
H.R. 3843: Mr. BARRETT of South Carolina.
H.R. 3852: Ms. LORETTA SANCHEZ of California, Mr. RYAN of Ohio, Mr. EVANS, Mr. ALEXANDER, and Mr. ETHERIDGE.
H.R. 3854: Mr. MOORE of Kansas and Ms. SOLIS.
H.R. 3861: Mr. WEXLER, Mr. BERMAN, Mr. LANTOS, Mr. BERRY, Mr. MCGOVERN, Mr. GRIJALVA, Mr. SANDERS, Ms. LEE, Mr. OBERSTAR, Ms. SOLIS, Mrs. CAPPS, Mr. SHERMAN, Ms. MATSUI, and Ms. BALDWIN.
H.R. 3868: Mr. GARRETT of New Jersey and Mr. PAUL.
H.R. 3888: Mr. GONZALEZ, Mr. RUPPERSBERGER, Ms. MOORE of Wisconsin, and Mr. UPTON.
H.R. 3889: Mr. FITZPATRICK of Pennsylvania, Mr. OTTER, Mr. CARNAHAN, and Mr. BISHOP of Utah.
H.R. 3900: Mr. ALEXANDER.
H.R. 3903: Mr. RYUN of Kansas, Mr. PENCE, Ms. FOXX, Mr. HERGER, Mr. SHADEGG, Mrs. MUSGRAVE, Mr. FLAKE, Mr. LEWIS of Kentucky, Mr. BARTLETT of Maryland, Mr. BRADY of Texas, Mr. MCHENRY, and Mr. PRICE of Georgia.
H.R. 3904: Mr. RYUN of Kansas, Mr. PENCE, Ms. FOXX, Mr. HERGER, Mr. SHADEGG, Mrs. MUSGRAVE, Mr. FLAKE, Mr. LEWIS of Kentucky, Mr. BARTLETT of Maryland, Mr. BRADY of Texas, Mr. MCHENRY, and Mr. PRICE of Georgia.
H.R. 3905: Mrs. DRAKE, Ms. LINDA T. SÁNCHEZ of California, Ms. SCHAKOWSKY, and Mr. MCHUGH.
H.R. 3906: Mr. RYUN of Kansas, Mr. PENCE, Ms. FOXX, Mr. HERGER, Mr. SHADEGG, Mrs. MUSGRAVE, Mr. FLAKE, Mr. LEWIS of Kentucky, Mr. BARTLETT of Maryland, Mr. BRADY of Texas, Mr. MCHENRY, and Mr. PRICE of Georgia.

H.R. 3909: Mr. AL GREEN of Texas.

H.R. 3916: Ms. LEE, Ms. SCHAKOWSKY, Mr. SANDERS, and Mr. KUCINICH.

H.R. 3922: Mr. ALEXANDER, Mr. CUMMINGS, and Mr. LARSON of Connecticut.

H.R. 3925: Mr. VAN HOLLEN, Mr. CROWLEY, Ms. MCCOLLUM of Minnesota, Ms. SCHAKOWSKY, Mr. PALLONE, Mr. FILNER, and Mr. BERMAN.

H.R. 3929: Mr. ROYCE.

H.R. 3931: Mr. WAXMAN and Mr. BROWN of South Carolina.

H.R. 3937: Mr. OSBORNE.

H.R. 3938: Mrs. MILLER of Michigan and Mr. ALEXANDER.

H.R. 3944: Mr. SANDERS.

H.R. 3954: Mr. ABERCROMBIE, Ms. MCCOLLUM of Minnesota, Mr. MCGOVERN, Ms. LEE, and Mr. SANDERS.

H.J. Res. 54: Mr. WAXMAN.

H. Con. Res. 85: Mr. ANDREWS.

H. Con. Res. 173: Mr. RUSH, Mr. FORD, Mr. HINCHEY, Mr. POMEROY, and Mr. DAVIS of Illinois.

H. Con. Res. 184: Mr. REYES, Mr. PRICE of North Carolina, Mr. RYAN of Ohio, Ms. SCHWARTZ of Pennsylvania, Mr. FORD, Mr. BISHOP of New York, Mr. ETHERIDGE, Mr. TOWNS, Mr. MENENDEZ, Mr. ACKERMAN, and Mr. ISRAEL.

H. Con. Res. 197: Mr. NEAL of Massachusetts, Mr. MEEHAN, and Mr. CAPUANO.

H. Con. Res. 215: Mr. SHERMAN.

H. Con. Res. 222: Mr. MCGOVERN, Ms. HERSETH, and Mr. CONYERS.

H. Con. Res. 230: Mr. CANNON, Mr. BARRETT of South Carolina, Mr. SMITH of New Jersey, Mr. PUTNAM, and Mr. GERLACH.

H. Con. Res. 231: Mr. ABERCROMBIE, Ms. SCHAKOWSKY, and Mr. RANGEL.

H. Con. Res. 234: Mr. KUCINICH.

H. Con. Res. 238: Mr. KUCINICH.

H. Con. Res. 248: Ms. SCHWARTZ of Pennsylvania, Mrs. DRAKE, Mr. MCCAUL of Texas, Mr. SMITH of New Jersey, Mr. MENENDEZ, Mr. PAYNE, and Mr. LEVIN.

H. Con. Res. 252: Mr. WEXLER, Mr. TANCREDO, Mr. FORTUÑO, Mr. ISSA, Mr. SOUDER, Mr. FALEOMAVAEGA, Mr. MCCOTTER, Mr. PENCE, Mr. BRADY of Texas, Mr. CHABOT, Mr. MARCHANT, Mr. CUELLAR, Mr. FRANKS of Arizona, Mr. GALLEGLY, Mr. BUYER, Mr. BLUNT, Mr. WOLF, Mr. LEWIS of Kentucky, Mr. KING of New York, and Mr. LANTOS.

H. Res. 84: Mrs. BLACKBURN.

H. Res. 158: Mr. SANDERS.

H. Res. 192: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. OBERSTAR, Mr. LYNCH, Ms. LEE, Mr. SNYDER, Mr. PAYNE, Mr. RYAN of Ohio, Mr. MEEKS of New York, Mr. CARDOZA, Ms. MCCOLLUM of Minnesota, Mr. MARKEY, Mr. UDALL of Colorado, Mr. BERMAN, Mr. ENGEL, Mr. SHAYS, Mr. MICHAUD, Mrs. CHRISTENSEN, and Mr. WEXLER.

H. Res. 259: Mr. RUPPERSBERGER.

H. Res. 261: Mr. BOOZMAN.

H. Res. 276: Ms. HARMAN and Mr. CALVERT.

H. Res. 323: Mr. BEAUPREZ, Mr. CASTLE, and Mr. RUPPERSBERGER.

H. Res. 335: Mr. TIERNEY, Mr. WAXMAN, and Mr. MCGOVERN.

H. Res. 357: Mr. HALL.

H. Res. 368: Mr. LEACH and Mr. BARRETT of South Carolina.

H. Res. 374: Ms. WASSERMAN SCHULTZ.

H. Res. 409: Mr. UDALL of Colorado.

H. Res. 447: Ms. JACKSON-LEE of Texas.

H. Res. 457: Mr. GORDON, Mr. PASTOR, and Mr. MENENDEZ.

H. Res. 458: Ms. SCHWARTZ of Pennsylvania, Mr. FARR, Mr. RANGEL, Ms. LEE, Mr. GUTIERREZ, Mrs. CHRISTENSEN, Ms. SOLIS, Ms. DELAURO, Mr. GONZALEZ, Mr. STARK, and Mrs. NAPOLITANO.

H. Res. 471: Mr. RUPPERSBERGER, Mr. MCCOTTER, and Mr. DAVIS of Illinois.

H. Res. 472: Mr. CROWLEY, Mr. RANGEL, Ms. SLAUGHTER, Ms. MCKINNEY, Ms. KILPATRICK of Michigan, Ms. ESHOO, Mr. VAN HOLLEN, Mr. PAYNE, Mr. ENGEL, and Mr. MENENDEZ.