United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, THURSDAY, OCTOBER 6, 2005 No. 129

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

Printed on recycled paper.

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.

□ 1545

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.

□ 1600

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.

□ 1645

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.

He began with painstaking detective work in the War Crimes Section of the United States 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 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.

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 continuing 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, 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, 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.

□ 2315

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.

□ 2330

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.

□ 2345

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.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRST SESSION

Vol. 151 WASHINGTON, THURSDAY, OCTOBER 6, 2005 No. 129

Senate

The Senate met at 9:30 a.m. and was called to order by the PRESIDENT pro tempore (Mr. STEVENS).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Spirit of life, breathe Your grace in us. During this period of Rosh Hashanah and Ramadan, remind us about the blessing of having people touch our lives. Thank You for the people who live exemplary lives and show us what productive living should be. Thank You for the people who inspire us, who motivate us to strive for noble things. Thank You for the people who comfort us, who help ease life's hurts. Thank You for the people who strengthen us, who give us courage to tackle the difficult. Thank You for the people who enlighten us through the written word.

Thank You for our Senators, who work to keep us free. Give them the wisdom to keep their hearts pure, their minds clean, their words true, and their deeds kind.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, in just a few moments, we will resume negotiations on the Defense appropriations bill. Last night, we worked well into the evening and were able to make relative progress on the bill. The Senate voted overwhelmingly last night to invoke cloture. Therefore, today we will be proceeding with amendments that qualify under rule XXII.

I thank Members for their patience last night during our series of stacked votes. I particularly thank those Members—especially Senators STEVENS and INOUYE—who have worked so aggressively on the bill and who over the course of the day will continue to try to clear amendments on both sides of the aisle. We will have votes over the course of the day on those amendments.

We can and should push forward on this bill today and tonight and try to finish the bill. If necessary, we will be here tomorrow to complete our work for the week. There are a number of other issues that are currently being discussed, debated, and talked about, including the homeland security conference report as well as pensions legislation, which I have mentioned regularly.

I hope we will be able to proceed with the cooperation of all Senators over the course of the day as we seek final passage of the Defense appropriations bill. The time does expire early in the morning tomorrow. Thus, we should work toward completing that bill this afternoon and this evening.

HUNGARIAN PRIME MINISTER

Mr. FRIST. Mr. President, later this afternoon, several of my colleagues and I have the honor of hosting Hungarian Prime Minister Ferenc Gyurcsany in the U.S. Capitol.

The Prime Minister has served for just a little bit over 1 year. His country, as we all know, is a valued friend and ally of the United States. Hungary's transition to a Western-style parliamentary democracy was the first and smoothest of the countries formally under the dominion of the Soviet bloc.

In May of 1990, Hungary held its first free parliamentary election. In the intervening years, Hungary has made tremendous strides in strengthening its democratic foundation and becoming more integrated in the Euro-Atlantic institutions. It became a full NATO ally in March of 1999. Last spring, it earned full membership to the European Union, the EU.

Today, the United States and Hungary maintain a positive and a productive bilateral relationship. Our two countries work closely together and through international organizations such as the EU and NATO. In particular, Hungary has been a steadfast ally for the United States and NATO missions in Iraq, Afghanistan, and in the Balkans. It is a member of the coalition that liberated Iraq. It also contributed troops to Operation Enduring Freedom in Afghanistan and has played an important role in the training and equipping of the Afghan National Army. Recently, Hungary offered to lead one of the provincial reconstruction teams to help stabilize Afghanistan.

Hungary is a brave nation. Hungary is a proud nation. On behalf of the American people, I express my most sincere gratitude and respect for the invaluable contributions it has made to the war effort.

Hungary is also playing another invaluable role in the spread of democracy. As a nation only recently emerged from decades of tyranny, Hungary is sharing its unique lessons with today's emerging democracies. It has established an International Center for Democratic Transition to reach out and nurture the world's newest democracies. The center will act as a resource for countries in transition.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

There, they can gain insights into the obstacles and opportunities before them. I have no doubt that this new center will help democracy take root, to grow, and to flourish, and will help the world's newly emerging democracies succeed.

During our talks this afternoon, I look forward to discussing these and many other issues of mutual interest with the Prime Minister. The United States and Hungary have worked hard to build a close, cooperative relationship. I am confident that through continued exchanges and dialog, we can deepen and solidify our bond as champions and defenders of freedom.

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2005

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 2863.

The legislative clerk read as follows:

A bill (H.R. 2863) making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

Reed/Hagel amendment No. 1943, to transfer certain amounts from the supplemental authorizations of appropriations for Iraq, Afghanistan, and the Global War on Terrorism to amounts for Operation and Maintenance, Army, Operation and Maintenance, Marine Corps, Operation and Maintenance, Defense-wide activities, and Military Personnel in order to provide for increased personnel strengths for the Army and the Marine Corps for fiscal year 2006.

Coburn amendment No. 2005, to curtail waste under the Department of Defense web-based travel system.

Mr. FRIST. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDENT pro tempore. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I would like to speak as in morning business. If any other Senator comes and wants to speak about an amendment on the underlying bill, I would be pleased to wrap up my remarks.

The PRESIDENT pro tempore. Speaking in my capacity as a Senator from Alaska and manager of the bill, I would agree to the unanimous consent that the Senator may speak but would yield the floor in the event someone wishes to call up an amendment or speak on the bill. Is that agreed?

Ms. LANDRIEU. Yes, I would.

The PRESIDENT pro tempore. Without objection, it is so ordered. The Senator is recognized as in morning business.

Ms. LANDRIEU. Thank you, Mr. President.

Mr. President, I begin by thanking the Senator in the chair for his leadership in trying to help us move this Defense appropriations bill through the Congress. It is, of course, an extremely important bill, and it is a very difficult bill to manage because it is large and complicated and multidimensional and a great need. I thank the Senator from Alaska and the Senator from Hawaii for helping us to manage through this as we try to wrap up this week.

(Ms. MURKOWSKI assumed the Chair.)

HURRICANE KATRINA

Ms. LANDRIEU. Madam President, one of the reasons I come to the floor this morning is to speak about an issue that I brought up on the floor, now many times, and so has the other Senator from Louisiana and Members of our delegation, as well as Members from the Gulf Coast States that have been affected by Katrina, to try to see what we can do to get some aid to our States, directly into the hands of people who can actually put that money to good use, so we do not leave here this weekend without having done something very clearly and very specifically.

Now, this Congress has acted with dispatch over the last 4 weeks to allocate and appropriate money to FEMA, the Federal Emergency Management Agency, that is tasked with the responsibility of managing disasters such as this when they are of such a magnitude it is really impossible for individual cities or individual counties or individual parishes or even regions to handle them.

This storm was just that. It was a category 5 storm, with a surge of tide that had the highest recorded level at 29 feet of water—a tsunami basically of 30 feet, approximately—that slammed into the gulf coast about 32 days ago and devastated the energy coast of this Nation—or a large part of the energy coast.

Assessments are being done by insurance companies, corporations, multinational companies, small companies, law enforcement, cities, parishes, and counties to try to get a handle on the damage, but it is staggering.

This special edition, which I have been reviewing since I picked it up yesterday, is done by National Geographic. It is a special edition on Katrina and Rita. It was contributed to by the Times-Picayune, the Dallas Morning News, the New York Times, and it truly is remarkable work: ''Katrina, Why It Became a Man-Made Disaster'' and ''Where It Could Happen Next.'' It takes us through a series of not just the way the hurricane formed and how powerful and devastating it was, but how the levees could have been breached or how the levees might have collapsed, because that assessment is still being made about how many houses have been lost, about how many thousands of square miles were flooded in New Orleans, in Saint Bernard, in Saint Tammany Parish, in Plaquemines Parish, how the entire parish of Cameron, that had 10,000 structures 8 days ago, now has one structure standing; a courthouse that was built by the New Deal, the only structure standing in Cameron Parish.

It talks about how the combination of these two killer storms, and the neglect on the part of many—cost cutting that obviously did not pay off—how it has now wrecked this economic powerhouse. It says, actually, the economic power has been brought to its knees. The center of that powerhouse would be the State I represent in the Senate, the State of Louisiana, that is home to the Mississippi River, the greatest delta on the continent, the greatest river on the continent.

On that river are the largest ports in America. The eye of the first storm, Katrina, went right over the Port of New Orleans, the South Louisiana Port, and barely missed the other large port, which is the Port of Baton Rouge, which hosts the energy industry, the petrochemical industry, the refining industry, the agriculture industry, the commercial industry, the maritime industry—the bulk of it in the Nation. It was a direct hit to the heart of the energy coast.

Not only is Louisiana feeling this, with 2 million people along the gulf coast displaced—hundreds of thousands of people have lost their entire home, their entire business; the people of New Orleans, in large measure, and Saint Bernard and Plaquemines have lost their entire parish—but everyone in America is feeling this because of the higher price of goods, the higher price of gasoline, and the higher price of natural gas.

There are 9,000 miles of pipeline connecting oil and gas exploration in the Gulf of Mexico. We have been struggling to get those pipelines back up and running. The trade and commerce of the Port of South Louisiana, combined with the Port of New Orleans, dwarfs the Port of Houston, the Ports of New York and New Jersey, and the Port of Beaumont, TX, which was also hit and has some destruction from Rita—thank goodness, not the same level of destruction, thank goodness that we didn't lose the Port of Beaumont or the Port of Houston.

Our ports, from the Port of Lake Charles, from the western side, to the Port of Iberia, to the Port of Morgan City, to the ports along the Mississippi River, to the Port of Fourchon, which is the only deepwater energy port in the Nation right on the gulf, the damage has been extensive and tremendous. To this day, 30 days after—and we will be for months and perhaps even years—we are struggling to stand up that infrastructure.

The long-term building effort is going to be difficult and complicated. I am sorry to say this because we have been criticized for saying it, but it is going to be expensive. There is no cheap or easy way out of it. How we pay for it, what revenues we assign, whether we raise revenues to do it, use revenues we have, assess new approaches, borrow the money, in some

way the Federal Government and State governments and industry have to come up with the billions of dollars it is going to cost to restore the infrastructure and the marshland that protects this infrastructure, that services the economy of the Nation and the world.

Let me try to be as clear as I can on some of these points. There are only a few ways to get grain out of Kansas and the Midwest. You can put it on railroads, put it on trucks, or you can put it on big barges. It is a little slower on the barges, but it is a lot less expensive. You can move the grain that we supply and literally feed ourselves and the world with it, but it has to go through on barges, down some rivers, and the Mississippi River is the River that we primarily use, that the Missouri and the Ohio run into down the Mississippi for trade around the world. If this infrastructure is left vulnerable, as it has been by exposure to the hurricane, if we don't figure out a way to invest better and more wisely, the commerce of this whole Nation will be undermined, unless you want to put all the grain that comes from the Midwest and all the wheat and the corn on trucks and put thousands of more trucks on a highway system that is already overcrowded, where people are already wondering how are we going to survive the next few years on a highway system like this, with trucks stacked up one after another.

We better keep our river channels open. We better invest in our inner waterways. We better start investing in more sophisticated lock and dam systems along the Gulf of Mexico. If we are not going to, then the other alternative is to abandon the coast and move somewhere else. Maybe we should consider that. I think it is a foolish idea because you couldn't accomplish it anyway. I don't know where we would move all the refineries. We can't even get another State anywhere in the country, except maybe Arizona, to build a refinery. Nobody wants to build refineries. Everybody wants to put gas in their car and turn the electricity on, but we can't get anybody to lay a pipeline, build a refinery, put up a petrochemical plant. I don't know how Texas and Louisiana and Mississippi would lift 40 percent of the industry and relocate it somewhere in the United States, but if some people think that is a cost-effective way, maybe we should do that.

Having studied this issue for a pretty long time and represented this State for over 25 years, it is a foolish and foolhardy suggestion. I have a better one. The better one is a little bit of money every year, smartly invested, to protect this infrastructure, to restore our wetlands, to protect one of the greatest cities in the world and the region that surrounds it and the infrastructure that supports the commerce and trade for the entire Nation—if we just do a little bit well every year. Instead, we chose to do other things with our money.

This is a picture of the gulf. This is Mississippi. The title surge hit the gulf coast of Mississippi 30 feet high, cleared everything in its path for a half a mile back. We saw this kind of destruction with Camille. We hoped we would never see it again. But there are vulnerabilities living on the coast. When a hurricane hits you directly, this is what it looks like. Right here we had houses and casinos. We also had a major shipyard that was damaged pretty badly. You can't do a lot of shipbuilding inland. You have to have some waterways and build your ships in a place where they have access to water. Thank goodness we didn't have just one shipyard on the gulf coast. Thank goodness we had two because the hurricane hit one and not the other. Avondale is today up and running and building ships for our military and the private sector.

I don't know if you can see this, but the Presiding Officer knows because she is from Alaska and they do some oil and gas drilling for the Nation, we do most of it along the gulf coast. These are the pipelines that support that industry, as we send fuel and gas and electricity to Chicago, New York, California, the Midwest, and supply the energy necessary to keep this economy functioning. We have laid these pipelines for over 100 years. Maybe we could pick them all up and move them somewhere else, but I don't think that is going to happen. We can't even find the money to get a pipeline from Alaska—or figure out how to get a pipeline from Alaska. How are we going to take up all these pipelines and move them somewhere else? We don't have a choice.

We have to take some of our general fund dollars, more than we have. We need to, as I have said for over 10 years, redirect a portion of the offshore oil and gas revenues that Texas, Louisiana, Mississippi, and Alabama contribute to the tune of $5 billion, actually $6 billion a year last year, $155 billion since the 1950s, redirect some of that money into restoring our coast that protects this infrastructure and, working in partnership with industries, large and small, have more security around the energy infrastructure, whether it is pipelines, petrochemical plants, or refineries, not just for the protection of the industry but for the safety of the people who live and work in this region.

There is a beautiful series produced by Louisiana Public Television that I will submit for the RECORD. It is not in written form but in video form. I am hoping there is some way that I can submit that officially for the record. When Bienville and Niverville came and settled Louisiana and claimed it as a colony, they didn't come to sunbathe on the Mississippi River. They didn't come to put up condos. They came to secure the delta, the mouth of the greatest river in the country, for the strategic expansion and economic future of a nation. They asked people to come to Louisiana in hot, mosquito-ridden territory, not to sunbathe or to vacation. Who would vacation in a swamp with mosquitos? We leave the low-lying areas and leave the mosquitos when we want to vacation and go to the mountains. If you are lucky to be able to afford a tank of gas in your car, you don't stay in Louisiana to vacation. You go to Louisiana to work, even though a lot of people do come to New Orleans to enjoy themselves because it is a wonderful city. But down in the bayou, people fish, they trap, they hunt, they skin alligators, they drill for oil and gas, and they lay pipelines. They build ships, they fabricate so that we can produce jobs for people in America as well as ourselves.

For 300 years, we have been growing crops, growing sugarcane, growing cotton, growing soybeans, shipping goods around the world, drilling for oil and gas, building ships and pipelines, and asking for a little bit of money, just a little bit, to help us invest in an infrastructure that doesn't just save us from death and destruction but supports a nation's future. I have been on this floor so many times giving this speech that I am positive that every Senator could give this speech better than I because they have heard it a thousand times. And they have not just heard it from me. They heard it from Senator Breaux when he was here. They heard it from Russell Long when he was here. They have heard it from DAVID VITTER since he has been here. How much more clear can we be? They heard it from Billy Tauzin when he was chairman of the Energy Committee in the House. They heard it from CHARLIE MELANCON who represents this district now. They have heard it from GENE TAYLOR who has represented the gulf coast of Mississippi since he was a kid.

These are the kinds of people who live along the coast. They don't have a lot. But they do have their pride and their dignity. They have waited for 31 days now, but they have waited for decades actually for the Federal Government to recognize they are not in condos, having lunch at a club, sipping tea on a balcony, watching the waves. These people don't belong to a country club. They couldn't afford the monthly dues. They could barely afford gas in their automobile to get out when storms hit. Why do they live there? No. 1, because they love it; 2, because they work; 3, because the jobs are there; and 4, you can't move the jobs. Where would you put them?

Let me show you another picture of people. This is Charlene Veillon and her son Thearon. This is a sad picture to look at. This is a picture of them after being told that Charlene's daughter—I am assuming his sister—who had been driving from Tennessee to the gulf coast to try to help her family, when no one else would come to help them, this is when they learned that she died.

For a month and a half the people of the gulf coast have been crying for

help, asking for help. I know that we didn't do everything right every minute of every day. But I can tell you one thing our delegation has done: It has come down here year after year and laid the case. We are happy to host the oil and gas industry, we are happy to build refineries, we are happy to organize our ports to transport goods all over the world so everybody can benefit. We are even glad we don't have to take a lot of vacations—some of us couldn't afford to go—to those highrises in Florida, anyway. But all we want is a little bit of support of money that we generate to protect us and to protect the Nation from something such as this disaster.

I have to read news articles from some of the supposedly smartest magazines in the world telling me the reason this happened is because the levee board in New Orleans—I am not going to support everything the levee board did, but I have to read in some supposedly elite magazines the reason this happened is because the levee board took a few hundred thousand dollars and built a fountain when they should not have built a fountain, they should have been building a levee.

I don't know about the fountain, but I can promise you this: $100,000 or $200,000, or $300,000 for building a fountain when they should have put a few more sandbags on top of the levee would not have prevented this disaster. What would have prevented this disaster is better priorities in spending, smarter investments, and a better partnership between a Federal Government that has decided it has other things to do, such as building levees in Iraq, building schools in Iraq, and I cannot get 5 cents to build a school along the gulf coast.

Then I have to have magazines tell me the people in the South are not self-reliant; we don't know how to walk on our own two legs. I am going to show a picture of self-reliance. See this family. They may or may not be related. They are of different colors of skin. Some people are related who have different skin color, but I don't know. This is how people all over the gulf coast are living—helping each other out, sharing the two bedrooms they have, sharing the food they have, not complaining. But it is my job to complain. I represent them.

Before I keep talking about Louisiana, because people say the Senator only cares about her State, let me tell you what the last page of this magazine says, the National Geographic. It is the last page. Pick it up and read it.

The next Katrina? New Orleans was a hurricane tragedy waiting to happen.

It describes why this was inevitable. We knew it during Betsy. We knew it again at 9/11. We have known it for a long time. We didn't do what we needed to do. But according to NOAA—which is a very excellent organization, I must say, out of the Commerce Department for which I have a lot of respect—according to meteorologist Joe Golden, ''the five places in the U.S. at greatest risk for calamitous hurricanes are: Tampa Bay, Florida; Mobile, Alabama; Houston, Texas; New York City and Long Island, New York; and Miami, Florida.''

Wake up, delegations from these States. Many of these Senators have been helping. Many of these Senators understand the danger.

Why do we have to go through this again? Why do we have to go through it this time? You can't stop hurricanes, but you can protect yourself. You can set up a communications system so families who are trying to help each other will have their cell phones work. You can help your police officers by giving them radios that function. You can figure out how to have more redundancy so if your electricity goes down, somebody can get a message through.

The head of our National Guard from Alabama, during a CNN interview with me on this subject, said the Senator is right; we are sending runners in Alabama, as we did in the War of 1812, and it is 2005 and we do not have a communications system that protects Americans.

I know times are tough in Baghdad. Times are tough on the gulf coast.

This is a picture of a man named Pete. He is holding a 1950s picture of his grandparents' home in Empire, LA. I think Senator COCHRAN from Mississippi has fished off Empire. He knows it well. He fishes a great deal and respects the environment.

When Pete's grandparents moved here in the 1950s, this camp—which was in a vulnerable place even before the marsh eroded. It was vulnerable. I don't know if this was his grandparents' home where they lived or if they were shrimpers, trappers, or campers, or if this is a camp, as we call them, where you go on the weekend to try to relax and get out of the city. Anyway, what you can see beyond this camp is a lot of marsh. They didn't go out in the middle of the water and build this camp and come miles by boat to camp, although some do that, but very few. Most of these camps were attached to land, or they were in the 1950s. But 50 years later, there is no land around them because the saltwater has intruded because we channeled the Mississippi River, and the delta cannot replenish itself.

We laid 9,000 miles of pipeline, took all the oil and gas out of the ground, and did not give anything back to keep the land stable so that Pete could maybe have a place to take his grandchildren. Of course, the place is gone.

On page 57 of the National Geographic, there is a great article that begins ''How the Defenses Break Down.'' It talks about barrier islands. We have barrier islands all around the coast. We are losing them rapidly off the coast of South Carolina, North Carolina, Florida, Georgia, Alabama, and Dolphin Island because we don't take care of our barrier islands, we don't protect our barrier islands, we don't invest in coastal erosion projects. We let them wash away into the ocean. Then we wonder why, when hurricanes come, they destroy a whole region. Every time a storm comes, we throw a little sandbag on the islands and say we did something. We are not doing anything.

We used to have hundreds of miles of marshland between New Orleans and the ocean. Please don't insult the ancestors of my city to think that they would put a major metropolitan area right on the coast. If anybody would get the map of the Mississippi River, they had to go up over 100 miles from the mouth of the river, and they found the highest ground they could find, and they put the city of New Orleans there.

Amazingly, even in Katrina, Jackson Square did not flood. The cathedral is still there, and the statue of Jesus is still standing in front.

They did not put the city on low ground. Three hundred years ago, they went inland away from the coast to build a city to secure the westward expansion of the Nation. Thomas Jefferson had the sense to borrow money from the Treasury, not to spend it on tax cuts, but to invest it in the Louisiana Purchase at 3 cents an acre. Then Andrew Jackson went there in 1803 and fought the British again. Not once; we fought them twice because they knew when we beat them in 1776, they could come back and take New Orleans and take the country away, and we fought them again.

But we have a Federal Government for the last couple of years—I have made some mistakes since I have been here, so I am not the only one; I am not saying I have not made mistakes. But we have a Federal Government whose only answer to any problem we have had, whether it is a recession, depression, or irrational exuberance, a high stock market, a low stock market, a war or no war, is to give tax cuts.

Let me ask something: Could anybody describe to me how this woman could take advantage of any tax cut? What would she do? Do you think she has any money in her IRA she could borrow to help her rebuild her house? Do you think maybe she could call her accountant and see if he could figure out a strategy for her to save a few dollars on the next income tax check she pays? I don't think so.

This woman—I don't know her name, but she looks a lot like my grandmother before she died. There are grandmothers and grandfathers all over the gulf coast sitting in chairs just like one looking at total destruction, and they have to hear from this Congress that we are about ready to pass yet another tranche of tax cuts, but we cannot send somebody to help her pick up the debris.

And please don't tell me you are sending faith-based organizations. And I say that with the greatest respect. You know why? Because the church that used to be here does not exist any longer. I am certain some church could

come from New Jersey or come from New York or come from California, but this woman's church does not stand any longer.

In my State—this may be Mississippi, I don't know—but in the State of Louisiana, the Catholic Church, which is the largest church in New Orleans, is basically telling me and our delegation and any leaders who will listen that they may have to lay off thousands of workers at the archdiocese because their churches are destroyed and their schools are destroyed. But yet we have a Government that wants to say: Let the faith-based organizations do it. They are faith-based organizations. They are the Catholic Church. They need help.

We have a bill we have been asking for—and the President has asked for it as well—and we cannot get this Congress to move to give some help to some of the children who were in Catholic schools so they can get through this school year—70,000 of them. We cannot move that bill.

That is why I am on the floor today to talk about a lot of issues. As Senators come, they may want to talk about the Defense bill, but our war is right here at home. Our war is right here in the gulf coast. This debate is about the protection we seek, our security, our way of life. Millions of people from the gulf coast have given their lives for this country in war after war, in crisis after crisis, and now we ask for help and we get $63 billion to FEMA, which cannot seem to function well enough to get anybody help. So I have come to the floor to say: OK, let's catch a breath. FEMA is not working that well. Let's not worry about why now, let's try to fix the problem and take $10 billion of the $43 billion FEMA has that is sitting there, not getting to any of the people I showed, take it, and give it through whatever accountability mechanisms we can come up with, to give people health care they desperately need, to give relief to our schools that are about to stagger and collapse—elementary, secondary, and our universities that are also our major employers, that also have the brain power that is going to help us rebuild this region; they are about ready to close their doors—to give direct aid to our sheriffs, our police, and our firefighters who are desperately trying to keep the doors open on the cities and counties and communities, large and small, throughout the gulf coast. Give us a few of those billion dollars we have given to FEMA, which cannot function, and let us use that money. And if FEMA needs more money down the line, we can always give them some more.

But we cannot do that. All we can do is pass a Defense bill, argue about Defense authorization, take care of the war in Iraq, rebuild Iraq, but we cannot even focus on rebuilding the gulf coast where Americans have paid taxes their whole life and cannot get the Federal Government to act effectively.

I compliment the Senator from Alaska for moving our Defense appropriations bill. It is an extremely important bill for our Nation, and he has been very gracious to allow me this time. I am looking to see if another Senator shows up. I will be happy to end my remarks and take some time later today. We are on the Defense bill, and we have to move this bill and, of course, under the rules we only have 30 more hours of debate and we have to vote on that bill.

The bottom line, I guess, is this: We have been in negotiations with the White House and with the Republican leadership to pass something before we leave, something that is substantive but also in some ways symbolic, that somebody in Washington is hearing what people from the gulf coast are saying, which is, We know FEMA was funded, but we need help now.

FEMA is not well led, even though we have a new leader and he is doing a better job than the former one. It is not well resourced. It is not well organized, and it is not being that well coordinated at home. We can fix that, I am confident, over time. I am certain we have learned some of the mistakes that we have made with FEMA, and we can fix it; FEMA can be fixed, and we will have some time to do that. But right now, we need to get help to the people of Louisiana and the gulf coast.

We have asked for $1.5 billion for our State and local governments so that they can keep their doors open, not lay off their core workforce, either their police, their fire, their permitting offices, the support that a city or county needs to function, so that over the next few months and few years, we can actually rebuild our towns.

Last night, from what I understand, the White House offered $300 million, but $300 million is not enough to help the towns that are about to have to close their doors, including the city of New Orleans, which is struggling to stay open and to track people back to the third or fourth of the city that can function that is out of water.

The mayor announced yesterday that he has to lay off 3,000 people. We do not need to be laying off people. We need to be hiring people. There is enough work to be done. Just imagine 90,000 square miles of destruction. Does anybody doubt that there is not a lot of work that could be done? We do not need to be laying off public employees and laying off people in the private sector. We need to be stabilizing those who are working now and then be smart, strategic, wise, careful, and accountable as we hire help to stand up a region that is not just for the people who live there but for the whole Nation. Does anyone doubt that there is enough work to be done?

Let me show a picture of New Orleans. This is what parts of it looked like only a few weeks ago. It goes on for miles and miles, water standing 6 feet, 8 feet, 10 feet, interstates underwater. Does anybody doubt that there is a lot of work to be done? Why are we laying off people anywhere? I will say why—because sales taxes cannot be collected from empty buildings. Sales taxes cannot be collected from people who no longer live in their house and there is not a WalMart or a mom-and-pop store to shop within miles. How does a city with a $40 million monthly payroll exist for more than a month or two?

If somebody says, Well, they can borrow the money, let me talk about that for a minute because I was a State treasurer. I know a little bit about this issue. The constitution of the State of Louisiana smartly does not allow the State to borrow for operating expenses. Isn't that unique. We can only borrow money to build highways and invest in capital infrastructure. It is a very smart and wise restriction because if there are not restrictions like that, we end up being like the U.S. Government, which borrows to give tax cuts to people who did not even ask for them.

I am sorry we cannot organize a constitutional referendum in the next 30 days. Even if we could organize a constitutional referendum in the next 30 days, there are no polling places for people to vote, and if we tried to find our voters, we could not find them. So I am a little confused about how we would do that.

The State of Mississippi does not have that same restriction. I understand they have borrowed $500 million. So this woman right here, who I am pretty sure is from Mississippi—and I am not criticizing Mississippi. They have their own plans, and maybe they are great. But this woman will have to pay that $500 million back. I do not believe that is a great idea. I do not think she has enough money to put food on her table the next couple of months. If that is what they want to do, I do not know how they are going to pay this $500 million back, but I promise they are either going to cut programs this woman benefits from or she is going to get charged directly for it. That might be a good plan. I would not support something like that.

My State cannot borrow the money, and even if we could, we have a billion-dollar shortfall at the Federal level because the income is not coming in. The oil wells are not producing, so we do not get our severance taxes. The ports are crippled, so we are not getting that revenue. The sales taxes are way down, and the expenses are way up.

I have listened to the Washington Post, the New York Times, and the Wall Street Journal tell me the people of Louisiana are not self-reliant. Why can't we just fix our own problem? First, it is not our problem, it is the Nation's problem. The last time I looked, we were the United States of America. I am not sure we are anymore, but that is what we were the last time I said the Pledge of Allegiance.

Either people want me to keep talking or they do not have anything to say because nobody else is on the floor, so I will talk for a few more minutes and then I am going to sit down and just

hold my time. I will talk more about the general subject, but I wish to be clear about why I am standing here and what we have asked for. We have asked for some help, just anything that we can take home before we leave so that people will have some hope that somebody up here is listening to them.

I have asked to pull up the Grassley-Baucus bill, which has been unanimously approved by Republicans and Democrats in the Senate, not a Democratic bill—thank God led by a great Senator, a Republican from Iowa who is the chairman of the Finance Committee. He understands, even though he is not from Louisiana, how much people are suffering, and he wants to help. So he and Senator BAUCUS, leaders that they are, 3 weeks ago, with the help of Senator LINCOLN from Arkansas, put a good bill together. It cost about $13 billion. If there were some things eliminated, we could scale it back to about $6 billion or $7 billion. When I say eliminated, there is some help for all the States. Maybe we just eliminate helping everyone else and help ourselves. We are trying to be generous. If other Senators want to try to help their States, who am I to say they cannot help their States. But if the Senate agrees to just help Louisiana, Mississippi, Alabama, and Texas, fine with me. They put a bill together, we passed it unanimously, and we cannot get any action on that bill. So we have asked for that.

We have asked for some education money to keep our schools open. We are trying not to ask too much because every time we ask for something, we are told we are greedy, we are looters, we are not self-reliant, how dare we ask on behalf of the people who have nothing for a little money out of the treasury, from their own money that they put in the treasury, how dare we ask for it. I am not going to stop asking, and I do not care how many editorials are written about me and my State at this point. Just go ahead and keep writing them.

Mr. DURBIN. Will the Senator from Louisiana yield for a question?

Ms. LANDRIEU. I would be happy to.

Mr. DURBIN. At the outset, I would like to say that I left the floor last night, about 12 hours ago, around 11. Senator LANDRIEU of Louisiana was on the floor last night. As I left, I said that she has shown such a passion and commitment to the poor people of her State of Louisiana who have been through this hurricane. I know she has tried to work within the system, she has tried to work within the Senate, and she has tried to move things along in a peaceful, bipartisan way. I sensed in her appearance last night and her appearance on the floor now that she is reaching a level of frustration and concern that this Senate is going to go home tonight or tomorrow and be gone for 10 days having done nothing to address the important issues she is raising.

What the Senator has brought to our attention is the fact that we have a bipartisan proposal. Senator GRASSLEY, a Republican of Iowa, and Senator BAUCUS, a Democrat of Montana, on the Finance Committee, have come up with a proposal to provide basic health care for the evacuees and survivors of Hurricane Katrina and Hurricane Rita, basic health care. The Senator has come to the Chamber repeatedly—I have seen it—trying to at least bring this to a vote. That is all she is asking for, bring it to a vote.

It is my understanding that at this moment in time, she has no commitment from the Republican leadership in the Senate to even bring this matter for a vote before we go home for 10 days on a break. I ask the Senator from Louisiana if she could in the most general terms tell us what kind of health care she is trying to provide to these people. Some have characterized it as luxurious, over-the-top health care for people who do not really need it. In fact, I heard on the floor last night one of the Senators say: Well, they do not really need this.

Could the Senator from Louisiana spell out for us what she is looking to achieve, what this bipartisan proposal would mean to the poor people who have lost their homes, lost their worldly possessions, seen their families torn apart, and are living in shelters somewhere around that part of our country?

Ms. LANDRIEU. I would be happy to, and I thank the Senator for his leadership because the Grassley-Baucus bill does a couple of important things that are essential for the rebuilding and emergency needs of a population—not just the poor but the middle income and those who had private insurance the day before Katrina hit. The Baucus-Grassley bill allows the States to know that they are going to be reimbursed for the care they are providing to people who have virtually no insurance. For a State such as Louisiana, whose legislature may be meeting in the next few weeks, with a billion-dollar shortfall looming, I say to Senator DURBIN, it is critical that the States of Louisiana and Mississippi and Alabama and Texas have some idea now about what the Federal Government is going to do regarding their insurance. We share it 70/30. The State cannot put up a 30-percent match. This bill waives that match so that our States can start making good budget decisions at a very difficult time, in addition to providing health care for those who are 200 percent or below of poverty—which in our State is only $18,000 or $20,000—to make sure that people have health insurance.

But for middle-income families, working families, and even wealthy families that had health insurance, this bill allows them—even if their employers have gone under or taken bankruptcy or closed their doors and laid them off—to keep their health insurance for a few months, for 6 months or 12 months, depending on their category.

A Senator said on the floor, Senator DURBIN, that people can get health insurance, they can get health care. Yes, in some way; they can go to an emergency room and wait for 3 days. But if they want to go to their doctor's office to whom they have been going for their whole life, and take their child to their pediatrician and they now don't have health insurance, unless we pass this bill, they can't go knock on the door of their pediatrician, for example, unless they give them a credit card or cash because there is no health insurance without the Baucus-Grassley bill. People who don't have a home, don't have a church or don't have a school now do not even have health care because we have to go home on a 10-day break and leave them wondering where they are going to get their medicine. That is what the bill does, I say to Senator DURBIN.

Mr. DURBIN. I would like to ask the Senator from Louisiana, through the Chair, we have been through disasters before in America. We faced 9/11, that terrible day in our history when 3,000 Americans lost their lives. I would like to ask the Senator from Louisiana, if I am not mistaken, didn't we say we were going to come in and help those families who may have been in the same circumstance, where their place of employment just exploded and disappeared? Also, I would ask the Senator from Louisiana, when we had an earthquake in California, in Northridge, didn't we step in and say we are going to provide housing vouchers to people displaced because of earthquakes?

I ask this of the Senator because I don't quite understand this double standard. Why, if the worst natural disaster in modern memory occurred a few weeks ago, are we in the midst of debating the most basic things people need in crisis: health care, housing, cash so they can buy the basic necessities of life? Why are we facing this double standard, when America's heart was broken by the scenes we saw day after day and night after night on the television screen, coming from your hometown, your neighbors and their suffering?

Ms. LANDRIEU. I do not know, I say to Senator DURBIN. That is a puzzlement for us. I do not have a good answer for that. All I can say is there are 2 million people displaced, many towns are destroyed, many communities, both urban and suburban, rural as well as highly dense. Neighborhoods of black and white, Hispanic and Asian, poor and middle-income are wondering the same thing.

Why does Congress keep giving money to FEMA? FEMA is not functioning very well. So when our Governors and our mayors and our sheriffs ask for a little bit of help with health insurance and education and the basics to turn running water on—we have had enough bottled water. Please don't send us any more bottled water. We have plenty.

We need to turn the faucets on so water will come out so a small business

that wants to operate can actually function with some water. You cannot have a business operating without water. That is what we need.

We have asked for these emergency things, to be told we do not have the money. I am going to sit down. In this amendment, we are asking for four or five things, for education, for health care, for immediate needs, for help for some hospitals that stayed up. Three hospitals stayed up the whole time in the region. If we do not help them, these hospitals will close, employees will be laid off, and whatever modest health care system we have for the region will basically be dysfunctional.

But what we really want—we want those things, but what we want is some action taken before we leave. We can vote on these individually. We did get a commitment from the administration that they will do more than $300 million. Because if we do not get more than $300 million before we leave here, the city of New Orleans, the Archdiocesan—the Catholic Diocese—or St. Tammany Parish, or some parts of it, or Plaquemines or St. Bernard or any number of other places, I say to Senator DURBIN, will have to lay off workers who then will lose their health insurance, lose whatever means they have of keeping themselves and their families intact, and the situation will be spiraling downward, not spiraling upward.

The Senator has been very gracious. I am going to reserve the remainder of whatever time I have, but that is what we are asking for, and I hope we can get something done before we leave for this week-and-a-half break.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Madam President, we now have the preliminary scanning of the amendments that have been passed by the Parliamentarian. We would be pleased to share that information with any Senator who has an amendment. The Senator from Louisiana does have the floor until someone is ready to offer an amendment or speak on the bill. We urge Members to come and start the process. We are prepared to handle amendments. On some amendments we will make a point of order as to germaneness, but we are trying to be as broad as possible in consideration of Members' amendments so we can finish late today, if possible.

Mr. DURBIN. Madam President, I ask unanimous consent to yield to Senator LANDRIEU at a later moment when she comes to the floor, 30 minutes or more of the hour—30 minutes, I will yield to Senator LANDRIEU, postcloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I thank the Chair.

The PRESIDING OFFICER (Mr. ENSIGN). The Senator from Washington.

TRANSPORTATION, TREASURY, HUD, AND GENERAL GOVERNMENT APPROPRIATIONS

Mrs. MURRAY. Mr. President, I rise today to urge the Senate leadership to call up H.R. 3058, the Transportation, Treasury, HUD, and General Government appropriations bill for fiscal year 2006, once the Department of Defense appropriations bill is done.

We all want to make our country strong again. We all want to make our communities strong again. One way to do that is to invest in our transportation infrastructure, in public housing, and in the other priorities that are part of that important bill.

Every day we go without a Transportation-Treasury bill is a day that we fall short of making the investments we need to make to strengthen this country. We are not talking about our physical infrastructure, we are talking about our own safety. As I will show in a moment, the failure of the Senate to bring up the Transportation-Treasury bill could actually be threatening the safety of every American who flies on a commercial air carrier.

A floor debate on the Transportation-Treasury bill is long overdue. The House of Representatives passed this bill more than 3 months ago. The Senate Appropriations Committee reported this bill almost 2½ months ago. Today we are almost a full week into fiscal year 2006, and still the Senate has been denied an opportunity to consider and debate and pass this important bill. The Senate needs to debate and pass this bill so we can avoid the unruly and unfair process of funding the Government through another Omnibus appropriations bill. The Senate needs to debate and pass this bill so all of the Senators, not just those on the Appropriations Committee, can have an opportunity to consider and, if necessary, amend that bill. The Senate needs to debate and pass this bill so we can urgently address the critical needs of our transportation and public housing sectors, including the pressing need to protect the safety of all of our citizens.

Mr. President, 2002 was the most recent year in which the Transportation appropriations bill was sent to the President as a freestanding measure. I was chair of the subcommittee at that time. Ever since then, the funding for the agencies under the subcommittee's jurisdiction has been enacted as part of a series of unwieldy Omnibus appropriations bills. The process by which these bills were put together did not reflect well on the Senate. It did not reflect well on the Congress as a whole.

Last year's process was the worst of all. Last year, the Transportation, Treasury, and General Government appropriations bill for fiscal year 2005 was never even debated in the Senate. Once the appropriations bill was reported by the Appropriations committee, the bill languished for months before Congress went home for an election. Then, just before Thanksgiving, Congress reconvened and tried, in 3 days, to assemble a final conference report for dozens of major Federal agencies, even though the Senate had never even passed many of the appropriations bills that funded those agencies.

I think Members of all political stripes in both the House and in the Senate recognized how poorly the public and the Congress were served by that process. In January, everyone said we will not do that again. We heard it from the leadership of both the House and the Senate and from the new leadership of the House and the Senate appropriations committees. I am glad they said it back in January. But from where I sit as the ranking member of the Transportation-Treasury Subcommittee, it sure looks to me as though we are now heading toward another Omnibus appropriations bill.

The bottom line is this. The Transportation-Treasury bill has been sitting on this calendar, ready to be called up, for almost 2½ months. If we want to avoid another Omnibus appropriations bill, we need to call up and pass that bill as soon as we are done with this Defense bill.

This process of sending bills approved by the Appropriations Committee directly to conference without appropriate debate on the Senate floor is not just grossly unfair to Democratic Senators, it is grossly unfair to all of the 72 Senators who do not sit on the Appropriations Committee. The appropriations bill that Senator BOND and I are recommending to the Senate was approved unanimously by the Appropriations Committee back in mid-July. It proposes to spend over $137 billion.

These are not just tax dollars that were collected in Missouri or collected in Washington or collected in States represented by members of the Appropriations Committee, these are tax dollars that were collected from all Americans. Since that is true, every Senator should have the opportunity to debate this bill and pass judgment on our recommendations. Every Senator should be given an opportunity to amend that bill.

We need to avoid another Omnibus to ensure a fair process. There are also some very practical programmatic reasons why we must call up and, importantly, pass this Transportation-Treasury bill as soon as possible. Now the Government is functioning under a continuing resolution. Under the requirements of that resolution, programs that are funded in the Transportation-Treasury bill are all operating at either the lower of the funding levels passed by the House of Representatives back in June or at the level the program was funded in fiscal year 2005. Some observers have speculated we could be operating under this continuing resolution until Christmas.

It would take hours for me to list all the programs and national needs that will suffer if they are required to operate for any length of time under the funding restrictions of this continuing resolution. If we do not get agreement soon to debate the Transportation-Treasury bill, I may well take up a lot of the Senate floor time to explain each and every one of them.

But today I want to focus on one topic and that is the topic of aviation

safety and what our failure to move this Transportation-Treasury appropriations bill means for millions of Americans who travel by air in this country today. Over the last few years, our national aviation enterprise—our airlines, our airports, and the FAA—have been under an unprecedented amount of financial pressure. We now have no fewer than six airlines in bankruptcy. If jet fuel prices do not start declining soon, that number could grow even higher.

In the interests of cutting costs, airlines on which you and I travel have been cutting back on staff, have been renouncing their pension plans, and have been outsourcing an increasing percentage of their aircraft maintenance.

I know many other Senators, including myself, travel home almost every weekend, and we have all noticed the changes in the service the airlines offer. Staffing is leaner than ever and we have a lot of flight delays. Mechanical problems are on the rise. One important area of cost cutting has been the airlines' continuing efforts to contract out their aircraft maintenance activities to third parties, including, you all should know, overseas vendors known as foreign repair stations.

In the past, airlines maintained their planes with experienced veteran unionized mechanics. Today, they outsource more than 50 percent, more than half of their maintenance work, to independent operators. Airlines such as Northwest send some of their aircraft as far as Singapore and Hong Kong for heavy maintenance.

We have one major carrier, Jet Blue, that sends a large portion of their Airbus fleet to be maintained in El Salvador, Central America. That is where their planes are maintained.

America West Airlines, now merged with U.S. Airways, does the same thing.

Many of us watched in fear a few weeks ago when a Jet Blue A–320 was required to make an emergency landing at the Los Angeles International Airport. As we all watched on television, we saw its front landing gear facing sideways, at 90 degrees. That was not the first time the landing gear didn't engage correctly. In fact, it was not the 5th time, it was not even the 10th time, it was the 14th time that the FAA learned of the front landing gear of an A–320 aircraft not engaging correctly.

According to the FAA, these 14 dangerous and frightening mishaps have occurred as a result of 5 separate and distinct causes.

It is the job of the FAA inspectors to find out why these problems happen and to force the plane's manufacturer to fix that problem. We cannot afford to have an understaffed or an overwhelmed FAA safety office.

Our airlines are going through a period of dramatic and rapid change. That puts an extraordinary amount of stress on the aircraft inspection function of the Federal Aviation Administration.

We have received a disturbing series of reports from the DOT Inspector General, from the Government Accounting Office, and the National Transportation Safety Board citing deficiencies with the FAA's inspection effort.

In 2004, the NTSB found that deficient maintenance by an outside contractor and inadequate oversight by the airline and the FAA contributed to the 2003 crash of a commuter flight to Charlotte, NC. That crash killed 21 people.

The DOT Inspector General first identified serious deficiencies with the FAA's inspection efforts back in 2002. Just this past June, the IG reported that many of those deficiencies have still not been adequately addressed.

The IG found that the FAA focused too much attention on the airline's dwindling in-house maintenance function and not enough attention on the outsourced maintenance activities of their foreign contractors.

The IG found that the FAA inspectors were spending too much time inspecting maintenance facilities during the day, while a majority of the maintenance activities are actually conducted at night.

The IG found the FAA was doing an insufficient job of its surveillance of financially distressed or rapidly growing airlines. And the IG found the FAA was not able to meet its own standards for frequent inspections because it was short staffed.

In just the last few weeks, the FAA staffing shortage has become even more critical. As these airlines enter bankruptcy, the FAA is automatically required to step up its inspections of bankrupt carriers.

Today, the FAA must give heightened scrutiny to the six bankrupt carriers, as well as four other carriers that are in merger proceedings.

Following the liquidation of Eastern Airlines several years ago, a number of dramatic and horrifying revelations came out regarding the maintenance shortcuts that Eastern took in the interest of conserving cash in its waning days. The entire aviation community vowed that there would not ever be a repeat of the Eastern Airlines experience.

I would think with the external recommendations and the record that I have just cited, the FAA would now be rapidly hiring more inspectors to keep up with its growing and challenging workload. Unfortunately, over the course of the last year, the exact opposite has been the case.

Despite the fact that the Congress granted the FAA's inspections office every penny that was sought in the President's budget for fiscal year 2005, the office has been required to downsize by roughly 300 inspectors over the course of just this last year. That is right. As the requirements on our FAA inspectors to maintain safety in our skies has increased dramatically, the FAA has been downsizing its inspection force each and every month.

This unacceptable situation is one that Senator BOND and I pursued as part of our hearings with Secretary Mineta this year—and the House Appropriations Committee did the same. I am proud to say that on a bipartisan and bicameral basis, both the Transportation-Treasury bill passed by the House and the bill that has been reported by the Senate Appropriations Committee seeks to rectify the situation.

The House Appropriations Committee provided this office with an increase of $4 million over the President's budget request and committed those funds to the hiring of additional inspectors.

The Senate provided an increase of $8 million over the President's request, and we directed that funding be used to restore safety inspector staffing reductions that occurred during fiscal year 2005.

Personally, I still question whether we should be doing more in this area since we have now had two more airlines in bankruptcy since we marked up that appropriations bill.

But still, these actions on the part of the House and Senate committees indicate that Congress, on a bipartisan and a bicameral basis, is prepared to address this glaring safety vulnerability, even if the administration is not.

With that said, we can't make any progress in tackling this problem if we do not call up and pass the Transportation-Treasury appropriations bill.

Under the current continuing resolution, the agency can make no progress in restoring the necessary FAA inspectors to a level that could better protect us.

As I said, this was just one of several reasons it is imperative for the Senate leadership to call up the Transportation-Treasury bill.

I again implore the Senate Republican leadership to call up the Transportation-Treasury bill immediately upon the completion of this Defense appropriations bill.

We have to have the opportunity to debate this bill, not just for the fairness of our colleagues and to maintain the integrity of the Senate, but we must debate this bill and pass it so we can ensure the safety of our citizens.

VAWA REAUTHORIZATION

Mr. President, I rise today to speak about tbe Violence Against Women Act, which the Senate this week passed by unanimous consent.

For the last few months, we have been talking about reauthorizing the Violence Against Women Act, or VAWA, as it is better known.

Back in 1994, through this historic legislation, we created a national strategy for dealing with domestic violence, establishing a community-wide response. Since we took that historical step, VAWA has been a great success in coordinating victims' advocates, social service providers, and law enforcement

professionals to meet the immediate challenges of combating domestic violence. We can clearly see that VAWA has been tremendously effective.

But there is still work to be done to protect victims of domestic violence—particularly when it comes to helping victims break the cycle of violence. And that is what I am here to talk about today—breaking the cycle of violence.

Financial insecurity is a major factor in ongoing domestic violence.

Too often, victims who are not economically self sufficient are forced to choose between protecting themselves and their children on one hand, and keeping a roof over their head on the other hand. It is critical that we help guarantee the economic security of victims of domestic or sexual violence who cannot pay the rent without their abusive partner, or who have been forced to leave their job because of abuse. Without our help, economic dependency will continue to force these victims to stay in abusive relationships.

The purpose of the Violence Against Women Act is to reduce domestic violence. The reauthorization legislation addresses several new issues that will help prevent and reduce domestic violence. One such—way as I already mentioned—is a national health care strategy. But the legislation as introduced contained another important tool to helping reduce domestic violence—it contained provisions that would have allowed victims to take up to 10 days of unpaid leave per year to address domestic violence.

Over 40 percent of American workers get no paid time off. They can't use vacation time to address their abuse, and missing work puts them in danger of losing their job.

This provision would have allowed these victims, and many others, to take unpaid leave to get a protective order, see a doctor, or make a safety plan to address their abuse. But sadly, amidst opposition and complaints of jurisdictional issues, these provisions were stripped from the bill during consideration in the Judiciary Committee.

The legislation that was reported out of committee—which the Senate just passed by unanimous consent—does not contain any economic protections for victims.

I did not give up on these protections easily. After the leave provisions were dropped, I asked the managers of this bill to include another economic security provision, unemployment insurance. Specifically, I asked them to provide victims of domestic violence, dating violence, sexual assault, or stalking with unemployment insurance if they have to leave their job or are fired because of abuse.

We know that a job is often the only way for victims to build up resources for themselves to eventually leave a violent relationship, but abuse and stalking can make it impossible for a victim to keep a job.

We know of cases where abusers will deliberately sabotage a victim's ability to work, placing harassing phone calls, cutting off their transportation, showing up at the workplace and threatening employees.

When a victim loses a job because of violence, that victim should have access to unemployment insurance compensation benefits.

Are you aware that a woman is eligible for unemployment benefits if she has to leave her job because her husband had to relocate? But in many States, if a woman has to leave her job because she is fleeing a dangerous situation, she cannot receive the same benefits. That is unacceptable.

Currently, 28 States plus the District of Columbia already provide some type of unemployment insurance assistance for victims of domestic violence. We can offer that same protection to victims in every State, and we have an obligation to do it. But, since this provision is not included in VAWA either, we need to do it here and now.

It is important to recognize that this violence goes far beyond the home, too often following victims into the workplace, where it doesn't just hurt victims—it hurts their employers, too.

In fact, from decreased workplace productivity to increased health insurance cost, the data shows that domestic violence is bad for business. It has real and painful costs on employers. So for those Members who want to weigh this measure against its economic merits, the facts are clear.

Providing the tools that will allow abused women to escape abusive relationships can help offset billions of dollars in costs that domestic violence imposes on businesses.

As many of my colleagues know, I have been working on the issue of economic security for victims for many years. I have spoken with victims and their advocates, and employers. In fact, just this past Tuesday in my State of Washington, I held a roundtable discussion to meet with stakeholders. I heard from an employer—and owner of a small business in Snohomish County—who talked about the importance of flexible schedules and leave policies that allow employees to address their abuse. He said that helping them address their situations helps his bottom line.

I also heard from someone who works at the employment security department, who said that the numbers do not suggest that women are abusing unemployment insurance. And I heard from a survivor, who shared her story and talked about the crucial importance of these economic protections.

These are the voices we must hear. And these are the stories we must learn from and let guide our work here in the Senate.

I am going to keep coming to the Senate as many times as it takes, and I will tell these stories until my colleagues realize this is an issue that needs to be addressed. We need to provide these victims with the economic tools to help escape their dangerous situation.

For a long time, violence against women was considered a private matter. That attitude hurt women. Today, stopping domestic violence is everyone's business. That is in large part due to the Violence Against Women Act which I was very proud to work on and help pass. For the first time, the Violence Against Women Act recognized domestic violence as a violent crime and a national public health crisis.

Economic protections are the next logical step in the progress we have been making in fighting domestic violence. Unfortunately, many of my colleagues have not realized the critical importance of providing these economic protections. I brought this issue up last year when the Senate was considering the Unborn Victims of Violence Act. I tried to amend that bill with my Security and Financial Empowerment, SAFE, Act, which contains all the economic protections I have talked about today. I was told then it wasn't the right time to address preventing violence against women. My amendment was defeated on a party-line vote. I am here again talking about how the Senate is failing to address this issue and failing to help prevent domestic violence by overlooking these economic provisions.

I reiterate to my colleagues that I will continue to come to the Senate and talk about how critical this issue is in helping victims get out of abusive relationships. I will continue to introduce legislation and offer amendments providing economic protections to victims. I will continue to ask whether the Senators in this Chamber are serious about talking about the next crucial step to help victims of abuse. I urge the conferees on the Violence Against Women Act to send the powerful message to victims that they understand how important these economic protections are by including them in the conference report on VAWA.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, is the Coburn amendment the pending amendment?

The PRESIDING OFFICER. It is.

Mr. STEVENS. Mr. President, I ask unanimous consent that the vote on the Coburn amendment commence at noon and prior thereto there be a period of 10 minutes equally divided with no second-degree amendments in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, in the interim, if any Senator wishes to discuss an amendment, we are pleased to

proceed. We will accommodate any Senator with regard to amendments they wish to discuss. We discussed this matter last night with Senator COBURN, and he agreed we could initiate a vote on his amendment sometime around noon. We would like to proceed on that basis.

I once again urge Senators to present their amendments or work with us with regard to the package we are now discussing on amendments which will be accepted without debate.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I wish to announce to the Senate my intention to move to make a point of order against all amendments that have been indicated by the Parliamentarian to be not germane commencing at 2 o'clock. So if any Senator wishes to discuss that category of amendments, we would be pleased to discuss them either prior to this vote or after the vote. We would like to have a decision made, if possible, as to how many more amendments we will deal with today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1943, AS MODIFIED; AND 1997, EN BLOC

Mr. STEVENS. Mr. President, I send to the desk the first managers' package for the day. I will present it now. We offer, for Senator REED of Rhode Island, amendment No. 1943, a sense of the Senate on increased personnel end strengths, and it has been modified; for Senator MIKULSKI, amendment No. 1997, for laser marksmanship training. I ask unanimous consent that these amendments be considered en bloc.

Mr. INOUYE. No objection.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the amendments be agreed to en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered. The amendments are agreed to en bloc.

The amendments were agreed to en bloc, as follows:

AMENDMENT NO. 1943, AS MODIFIED

(Purpose: To express the sense of the Senate on the transfer of amounts for increased personnel strengths for the Army and the Marine Corps from Additional War-Related Appropriations to the recurring appropriations for fiscal year 2006)

At the appropriate place, insert the following:

SEC. ___. SENSE OF SENATE ON TRANSFER OF FUNDS FOR INCREASED PERSONNEL STRENGTHS FOR THE ARMY AND MARINE CORPS.

(a) FINDINGS.—The Senate makes the following findings:

(1) A long-term increase in the personnel end strengths for active duty personnel of the Army and the Marine Corps is necessary in order to carry out the current missions of the Army and the Marine Corps and to relieve current strains on Army and Marine Corps forces.

(2) The cost of the increase in such end strengths is foreseeable and should be included in the annual budget of the President for each fiscal year, as submitted to Congress pursuant to section 1105 of title 31, United States Code, in order to provide a full and honest accounting to the American people of the personnel costs of the Army and the Marine Corps.

(3) The inclusion in the annual budget of the President for each fiscal year of the costs of an increase in such end strengths will permit the Army and Marine Corps to plan for and accommodate the additional troops contemplated by such increased end strengths without reducing other important programs.

(b) SENSE OF SENATE.—It is the sense of the Senate that the additional amounts to be required for increases in the personnel end strengths for active duty personnel of the Army and the Marine Corps for fiscal year 2006 should be transferred from amounts appropriated by title IX for the Military Personnel, Army, Military Personnel, Marine Corps, Operation and Maintenance, Army, and Operation and Maintenance, Marine Corps, and Operation and Maintenance, Defense-Wide, accounts to the amounts appropriated for the applicable accounts in titles I and II.

AMENDMENT NO. 1997

(Purpose: To provide that, of the amount made available under title III for the Air Force for other procurement, up to $3,000,000 may be made available for the Laser Marksmanship Training System)

On page 220, after line 25, add the following:

SEC. 8116. Of the amount appropriated by title III under the heading ''OTHER PROCUREMENT, AIR FORCE'', up to $3,000,000 may be made available for the Laser Marksmanship Training System.

Mr. STEVENS. I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT NO. 2005

Mr. WARNER. Mr. President, Senator LEVIN and I are currently conducting a hearing of the Armed Services Committee. Both of us believed it was imperative to come to the Chamber and express to the Senate our strong objection to the amendment offered by our distinguished colleague, Senator COBURN. I give this by way of background.

The Committee on Armed Services for some time has been, frankly, encouraging the Department to take steps to try to put in place a system that would revise the older means by which travel was accommodated for members of the Department and others. It is a very extensive number of individuals who are affected. The Department did put in place a program, albeit rather slowly. Nevertheless, it is now in place.

Congress, through the years, has criticized the Department for not providing better business practices, specifically for the inadequate oversight of their travel programs. Criticism centered around a growing number of separate, nonintegrated travel systems which did not provide the information required for DOD or congressional oversight. Therefore, the Defense Travel System was created by the DOD to address these criticisms and the desperate need to make this system work more cost-effectively.

Comparing the Defense Travel System to the legacy systems is inappropriate because the Defense Travel System performs different functions. The legacy systems are travel reservation systems. The DTS, as it is known, reengineers these legacy systems into a travel and financial management system which links 30 defense data and financial processing systems with the consequent lower transaction and processing fees and lower personnel costs. DTS is saving both people and money. A return to the legacy systems will require additional people, which is not funded. As DTS is further implemented, additional savings will be achieved.

Our joint plea is to allow DTS to remain in place and give it a reasonable chance to function and prove its goals. According to the GAO, the ''continued use of the existing legacy travel systems results in underutilization of DTS and affects the savings that DTS was planned to achieve.'' This includes paying higher processing costs through the legacy systems' manual travel vouchers as opposed to the processing of the travel vouchers electronically through DTS.

The GAO and the Department of Defense have briefed the Armed Services Committee staff that they believe DTS should be given a reasonable opportunity to continue to resolve the Department's travel programs.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank the Senator from Virginia for his comments.

This amendment does not eliminate DTS. It says that instead of continuing to pay $40 or $50 million a year for the 5.6 million travelers who travel, we will pay a fee based on DTS's operations. The Federal Government doesn't own this program. In fact, anybody who looks at the development of this program will say it is way too expensive

to have been accomplished in the way it was accomplished. That is another issue. That is contracting within the DOD, and there are problems with that.

I remind the most distinguished Senator from Virginia, this doesn't eliminate DTS. It allows it to continue to function. But what it says is we are not going to continue to pay money for a program we don't own, and we will start paying it on a per-travel basis.

What are the facts around it? Three hundred and seventy-five thousand out of 5.6 million travel vouchers last year went through the DTS system. That is $1,500 per episode, not including the travel. So what we actually have is a system way more expensive than any system that has been developed in the private sector.

I am not against using the DTS system. I am all for giving it a chance to save us money. We have invested in it. What this amendment says is that we don't eliminate DTS; we just start paying on a per-travel basis and a per-utilization basis. That way, we don't continue to spend $50 million a year for a program we don't own. We should own it for what we pay for it, and there shouldn't be any cost.

I would be happy to modify my amendment to what would meet with the needs of the Senator from Virginia, but I don't believe we should continue to spend, in the contracting sequence this has gone through, the same amount of money. If we allow DTS to continue to be out there and utilize the reporting capability of it but pay it on a per-ticket use rather than a blank check for a contract, the taxpayer will get much more benefit from it. If it performs, the contractor will make more money. If it doesn't perform, we will save a ton of money for the country. That is the purpose of the amendment.

Mr. STEVENS. Will the Senator yield for a moment?

The PRESIDING OFFICER. The Senator from Oklahoma has the floor.

Mr. COBURN. I am happy to yield.

Mr. STEVENS. We entered a time limit to have this vote occur at 12. In view of the exchange that is going on—and another Senator also wants to talk—I ask unanimous consent that the vote take place at 12:10 and the time between now and then be divided between Senator COBURN and anyone who wishes to speak on this amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. Mr. President, I must say, I am impressed with the thoroughness with which our colleague has researched this issue and the fervor with which he speaks. But I pose this question: The Department of Defense estimates it will cause a 3-year delay and cost some $65 million to change the contract structure. I reiterate my strong opposition to the amendment because I don't think the Department has had the time operating DTS to adequately prove the principles and the goals they wished to achieve.

I recognize other colleagues wish to speak. I thank my colleague for the opportunity to have a colloquy.

Mr. COBURN. Mr. President, 3 more years? We have spent 7 years and $500 million on this system. That is a half a billion dollars. That is $2 for every man, woman, and child in this country for a travel system that you could have bought off the shelf for $150 million in 2 or 3 years. The contracting issue is a different issue. If it is going to take 3 more years at $50 million a year, that means we are going to be at $650 million for this travel system. That is unacceptable. I believe we ought to say perform or don't perform and put it at a per-unit cost. Why is it that only 370,000 out of 5.6 million travel episodes were used on this system at the end of 7 years?

We have a structural problem in contracting through the Defense Department, as well as many other departments in our Government. What started out to be a $60 million project is now going to end up being $650 million. It is the same issue we face with FEMA today in terms of being efficient.

I ask my colleagues to think about how this will still continue if we do it on a per-travel basis. First, it will increase the stimulus to get the job done and completed because there will be more revenue, the more people who use it. Two, it will limit the total amount of money the taxpayers are going to end up having to pay for this system. Three, it will send a message to the contract officers at the Pentagon that creep in terms of contracting is not acceptable. There are some real questions on whether this process violated the contracting laws at the Pentagon. I assure my fellow Senators, through the Federal Financial Oversight Committee, if this continues, we are going to have some hearings to look at the issue of violation of the contracting laws at the Pentagon. We should not have to do that.

Let's limit the exposure of the American people to the cost. I am not upset at the contractor who is doing this. The problem is, it is a big task, but it has cost way too much. Let's provide some stimulus to finish the job and make sure the job is done well rather than continue to throw money at it.

With that, I yield the floor at this time.

The PRESIDING OFFICER. Who yields time?

The Senator from Virginia.

Mr. ALLEN. Mr. President, I very much respect the Senator from Oklahoma. He is a man who is a watchdog on the taxpayers' money, and so am I. I know he is very conversant on a variety of issues. It is one of those occasions I must rise in opposition to the Senator's amendment.

Congress, several years ago, authorized the Defense Travel System with the aim of saving taxpayers' dollars, and that makes a great deal of sense to make sure that travel administration by the Department of Defense has greater scrutiny. In fact, as I understand it, they have found by doing it this way—and it is only being field tested; it is not fully implemented—those who are traveling at first-class and tickets being paid for where travel wasn't used. This system is actually helping save the taxpayers money and also identifying when Government workers are flying at a higher cost than they ought to.

I am told that it is now used at a little bit more than half of the Department of Defense 11,000 sites by nearly 700,000 uniformed and civilian personnel. It appears, from what I have looked at, that DTS has not only met but exceeded its original objectives. It is not fully put in place. It is being field tested. As a practical matter, we would like another year or so to see it fully implemented. I am told that it has handled more than a million transactions, and it is well on its way to saving the projected $56 million a year for the American taxpayers.

As to efficiency and savings, any GSA solution will strip away what are planned savings and actually increase operations costs. This is the information I have been trying to gather on this since Senator COBURN offered the amendment. It would actually increase operation costs from $40 to $60 million annually. Senator WARNER used the figure of $65 million. Regardless, there would be an added cost.

One thing the Senator from Oklahoma mentioned is that the Department of Defense does not actually own this software system and that what the Department of Defense, though, has done is it has appropriate license rights to the DTS software system in accordance with Federal acquisition regulations. While there are these allegations from outside parties that criticize the DTS program on the basis that the Government failed to obtain title to the DTS software, what is ignored is that the Federal acquisitions regulations provide that in the vast majority of Federal contracts, the Government does not take title, but instead it is given a license to the software. And the Department of Defense has secured appropriate license rights to all the developed software and third-party software products used by DTS.

The Senator from Oklahoma stated that this contract may violate the very laws that were put on the books to try to maintain competition in contracting. I don't know whether it was an assertion or a conclusion.

I respectfully disagree. The legality of the restructuring of the DTS contract has been challenged in court. From what our research has shown, no court has found that the entire restructured contract was illegal. It simply stated no part of the contract, as currently configured, has been found by any court to be illegal. Maybe it will be in the future, and we will see.

Mr. COBURN. Will the Senator yield for a question?

Mr. ALLEN. Let me finish and then the Senator can respond. I say to my

friend from Oklahoma, I do have a great deal of respect for him. He is truly a steward of the taxpayers' money. I pride myself, also, in being a good steward of the taxpayers' dollars. I know there have been hearings on this DTS program. We need to continue to examine this issue and, in fact, a lot of others. To cut funding right now for this program would be a hasty action and, from all the information I have been able to glean, would actually increase the cost to the taxpayers.

The Department of Defense does oppose this amendment. They called my office a short time ago expressing this opposition. They promised to review the GAO report as soon as possible. I do think the more prudent approach is to, of course, commend the Senator from Oklahoma for any kind of scrutiny. No spending should not be under the watchful eye of us as stewards of the taxpayers' dollars. But because of a lack of understanding on the part of the Senators on the floor and this amendment, this should continue to be studied.

I will oppose this amendment and work, such as all of us, to study this issue further. I hope my colleagues will oppose the amendment.

Mr. STEVENS. Will the Senator yield?

Mr. ALLEN. I yield to the Senator from Alaska.

Mr. STEVENS. I underestimated the amount of time needed. Senator LEVIN wishes to speak. I ask unanimous consent that the vote take place at 12:15 p.m. and that the additional time be divided between the Senator from Oklahoma, Mr. COBURN, and the Senator from Michigan, Mr. LEVIN.

The PRESIDING OFFICER (Mr. GRAHAM). Without objection, it is so ordered.

Mr. ALLEN. I yield the floor.

Mr. COBURN. Will the Senator yield?

Mr. ALLEN. Yes, I yield to the Senator from Oklahoma.

Mr. COBURN. I don't have any problems in putting a lid on this contract, but let's have a little history. The reason the judge could not find a violation in the Competition in Contracting Act was because the Pentagon did not own the software. By design, they cannot have it if they do not own it.

It was interesting, before the hearing last week, the contractor offered to give the property rights to the Pentagon. In the testimony last week, it was noted that DTS performs less effectively than almost every other civilian e-travel system.

We are 7 years into it. We are going to spend another $150 million. Also, in the history of the contract, this is another no-bid contract that I know Senator LEVIN is very interested in. It is a cost plus—$43.7 million in the first year, that was not in the contract, and we went on and paid it for anyway.

Based on what is happening with the contracting and how we are getting around the Competition in Contracting Act, I believe we need some real sunshine on this.

The fact is, we are going to spend another $150 million. If the Defense Department would guarantee me that we are not going to spend more than another $100 million to get a travel system that we own, not licensed, but we own, since we are going to pay $650 million for something that should have cost $150 million, then I would be happy to withdraw this amendment. But you cannot get an assurance out of the Pentagon what the cost is going to be because there is not any end in sight in the cost.

We don't own it. They have offered to because of that, but once the Pentagon owns the contract and the rights to this, then the Competition in Contracting Act goes into force, and then there is a basis for the violation.

So the reason the judge ruled the way he ruled was because we did not have ownership to the property. So, therefore, there was no basis for the claim. I understand that, but that is the reason that was not given to the Pentagon, that the Competition in Contracting Act could not be enforced.

I am happy to drop this issue if somebody will stand up and say there is a limit to how much we are going to spend. We have already spent four times what the public should have spent on any system. No private business would have spent this amount of money for this system. Nobody would have.

We ought to look at it very hard. Give me the assurance that there is an end to this and that it is more efficient than anything we could have done otherwise, and I will drop my look at it.

I believe the way to stimulate responsibility in this contract is to put it on a per-issue basis now to make it work.

I yield the floor.

Mr. ALLEN. Mr. President, I reclaim my time and then I will yield. I also share with my colleagues that the judge who reviewed this case did not find a violation, for whatever technical reasons Senator COBURN may say, but the adjudication was there is no violation. The judge also said that to start over would be a mistake.

I yield the floor.

Mr. COBURN. Will the Senator yield for one comment?

Mr. LEVIN. Mr. President, how much time is remaining on our side?

The PRESIDING OFFICER. The opposition has 6 minutes. The Senator from Oklahoma has 3 minutes 21 seconds.

Mr. COBURN. I will be happy to claim my time.

Mr. LEVIN. If the Senator is seeking recognition on his time, I have no objection.

Mr. COBURN. I will be happy to.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, are we going to have a judge decide on the basis of economics whether we start over? What does that have to do with adjudication? He is making an economic decision for us. That is our job. That is not the judge's job. It doesn't matter whether he says it will be more expensive; that is not his role. That is part of our problem in the judiciary today. That is not his role. That is our role.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I rise in opposition to the amendment of the Senator from Oklahoma. I do so with some reluctance, actually, because I have great admiration for the Senator from Oklahoma and his efforts to curtail waste in the Government. I have joined him on a number of those efforts. As a matter of fact, I very much admire his efforts and the efforts of the subcommittee he chairs to go after waste. I think he is going too far in this particular case, and he is going after an effort to try to integrate the thousands—literally thousands—of financial management systems in the Department of Defense.

We had a chart a few years back with a box for each financial management system in the Department of Defense, perhaps half the size of the curtain behind the Presiding Officer. There were thousands of boxes on that chart. We told the Department of Defense: You have to get your house in order; you have to get some financial management in the Department of Defense so that we can tell whether your expenditures—so that you can tell and then we, as oversight people, can tell—are those expenditures authorized; do your managers know how much you are spending on what; is the payment automatic when these expenditures are made?

For instance, for travel, when a ticket is purchased, is that ticket paid for automatically the way it should be by a computer if it is authorized or is there going to have to be someone, as the status quo provides, cutting a check for the travel? That costs money. It may not appear in the cost of the ticket of the one transaction that may be the ''cheapest'' transaction, according to some system, but there is a cost to pay for that transaction.

We want the payment to be automatic when the transaction is authorized. We want the ability of managers to know what is being spent, is the travel authorized, can you go back and track the travel automatically?

Now we have thousands of systems out there, with thousands of managers, not integrated into a system, where the kind of management that is so essential in the Pentagon can occur.

That is the problem with the amendment. It goes back to a focus on individual transactions to purchase tickets rather than to make a system to buy the travel part of an integrated management system.

Look, we put a lot of pressure on the Pentagon. We have put a huge amount of pressure on it to come up with some

financial management capability. They have been a failure at it. Now they are trying to do it—they have not succeeded, by the way. This system has plenty of bugs in it. As the Senator from Oklahoma properly points out, there are bugs in this system. But we don't kill the effort to try to get integrated financial management so there is some accountability for the funds that are spent by the Pentagon.

We do not want to go back to ground zero. We want to try to make this work. And the problem with this amendment is that it goes too far because it says:

None of the funds appropriated by this Act may be obligated or expended for further development, deployment, or operation of any web-based, end-to-end travel management system, or services under any contract for such travel services that provides for payment by the Department of Defense to the service provider—

Except for a fixed-fee transaction payment.

That puts us back to millions of individual transactions which are unaccountable and for which we cannot have proper oversight. That is the problem.

I admire the Senator's goal in trying to come up with a system which is better than the one we are now proceeding to acquire. We are going to work out the bugs, hopefully, in that system. But I disagree to going back to ground zero because we have to get some integrated financial management at the Pentagon. That is the purpose of this DTS system.

It has not yet been achieved. I agree with the Senator from Oklahoma, it has not been achieved, but I don't think we ought to blow up the effort and go back to ground zero.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank the Senator from Michigan for his comments. This does not go back to ground zero. This leaves the DTS system intact. What it says is we are going to pay a fee for every transaction you do. We have spent $500 million on this and, as the Senator from Virginia said, we are up to $600,000 out of the 3.6 million transactions.

I can think of no better incentive to have the bugs worked out of it by the contractor than to get more of the 3.6 million transactions. It does not eliminate this. It does not take us back to ground zero. It leaves DTS intact. It says the way we are going to pay for it, from now on, is on a per-transaction basis, rather than a fixed amount or $50 million plus cost that is going to run, which we see now is at least 3 years, at least another $150 million.

We have 3.6 million transactions per year that are going to go through there. It does not do what the Senator claims. It does not eliminate DTS. It does not cause any change in the implementation of the program, other than pay for it on a per-transaction basis. The taxpayers ought to be willing to say: Hey, if it is going to work, it is going to work, and we will pay for it as it works now. We have spent half a billion dollars.

I reserve my time.

Mr. LEVIN. Mr. President, how much time is remaining?

The PRESIDING OFFICER. There is 1 minute 22 seconds remaining.

Mr. LEVIN. Mr. President, again, I thank my friend from Oklahoma. This is a prohibition on spending any additional money to operate any Web-based, end-to-end management system. That is what is in the language. It says you cannot spend any more money. We can't get the bugs out, which is what we should do if you can't spend any more money to improve this system.

The Senator from Oklahoma goes back to an individual transaction system which does not provide the ability to determine whether travel is authorized, does not permit the people who are responsible to pay for the travel to know whether it is authorized and to pay for it by computer automatically. We have millions of transactions that are going to have to be paid for individually instead of part of the end-to-end system.

So if the Senator had allowed for the correction of this system to work out the bugs, that would be one thing. But it does not. This says you cannot spend any more money on a Web-based system, and that is the mistake of this amendment. That is why it goes too far, although it is well intended.

Mr. COLEMAN. Mr. President, will my colleague from Michigan yield time? I wish to speak on this issue in support of it.

The PRESIDING OFFICER. The Senator has no more time to yield. The Senator from Oklahoma has 1 minute 20 seconds.

Mr. COBURN. Mr. President, I will speak for a short time and then give my colleague from Minnesota a chance to finish, even though he opposes my amendment.

The Pentagon has the ability to set that transaction fee on a per basis. They will be able to still fund it. If there ends up being a million people this next year and they charge $30 per fund, they will get $30 million out of it.

The point is, the Pentagon has the flexibility to do it that way.

I yield the remainder of my time to the Senator from Minnesota.

Mr. COLEMAN. Mr. President, I support the intent of what my colleague from Oklahoma wants to do. He wants to clean up this system. We had a hearing on this issue last week. The Permanent Subcommittee on Investigations had a hearing on this issue, and we have questions out to the DOD, out to the GAO, and we have a commitment from the Under Secretary of Defense to work with us.

I have said if we cannot get the right answers we should pull the plug, but now is not the time to pull the plug. We do oversight for a reason. We are in the process of oversight. Let us get answers to the questions, but clearly then we want to have the right kind of system. So I agree with the intent of what my colleague is trying to accomplish, but this is not the way to do it or the time to do it. Let us finish our investigative work. Let us get the answers, and then we can bring this issue up at another time.

The PRESIDING OFFICER. All time has expired.

The Senator from Alaska.

Mr. STEVENS. On behalf of Senator INOUYE and myself, I move to table the amendment of the Senator from Oklahoma and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Colorado (Mr. ALLARD), and the Senator from Utah (Mr. HATCH).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) was necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 65, nays 32, as follows:

[Rollcall Vote No. 253 Leg.]

YEAS—65

Akaka	Dorgan	Mikulski
Alexander	Ensign	Murkowski
Allen	Enzi	Murray
Baucus	Feinstein	Nelson (NE)
Bennett	Frist	Pryor
Biden	Hagel	Reed
Bond	Harkin	Reid
Bunning	Hutchison	Roberts
Burns	Inouye	Rockefeller
Carper	Isakson	Salazar
Chafee	Jeffords	Santorum
Chambliss	Johnson	Sarbanes
Clinton	Kennedy	Schumer
Cochran	Landrieu	Shelby
Coleman	Lautenberg	Smith
Collins	Leahy	Specter
Conrad	Levin	Stevens
Cornyn	Lieberman	Talent
Craig	Lott	Vitter
Crapo	Lugar	Voinovich
DeWine	Martinez	Warner
Domenici	McConnell	

NAYS—32

Bayh	Dole	McCain
Bingaman	Durbin	Nelson (FL)
Boxer	Feingold	Obama
Brownback	Graham	Sessions
Burr	Grassley	Snowe
Byrd	Gregg	Stabenow
Cantwell	Inhofe	Sununu
Coburn	Kerry	Thomas
Dayton	Kohl	Thune
DeMint	Kyl	Wyden
Dodd	Lincoln	

NOT VOTING—3

Allard	Corzine	Hatch

The motion was agreed to.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 1896

Mr. STEVENS. Mr. President, I ask unanimous consent that we now call up the Dayton amendment, No. 1896.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The bill clerk read as follows:

The Senator from Minnesota [Mr. DAYTON] proposes an amendment numbered 1896.

Mr. STEVENS. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment is as follows:

(Purpose: To appropriate, with an offset, an additional $120,000,000 for Operation and Maintenance, Defense-Wide, for certain child and family assistance benefits for members of the Armed Forces)

At the appropriate place, insert the following:

SEC. ____. (a) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, DEFENSE-WIDE.—The amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' is hereby increased by $120,000,000.

(b) AVAILABILITY FOR CHILD AND FAMILY ASSISTANCE BENEFITS.—Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', as increased by subsection (a), $120,000,000 may be available as follows:

(1) $100,000,000 may be available for childcare services for families of members of the Armed Forces.

(2) $20,000,000 may be available for family assistance centers that primarily serve members of the Armed Forces and their families.

(c) OFFSET.—

(1) IN GENERAL.—Subject to paragraph (2), the amount appropriated or otherwise made available by this Act for the Missile Defense Agency is hereby reduced by $120,000,000.

(2) LIMITATION.—The reduction in paragraph (1) shall not be derived from amounts appropriated or otherwise made available by this Act for the Missile Defense Agency and available for missile defense programs and activities of the Army.

Mr. STEVENS. Mr. President, I ask unanimous consent that the time between 2 p.m. and 2:15 be equally divided between the sponsor and the managers of the amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. And that there be no second-degree amendments but any motion in relation to this amendment be in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENTS NOS. 1929, 2000, AND 1924, EN BLOC

Mr. STEVENS. Mr. President, I have a managers' package. I send it to the desk. In this package is an amendment for Senator LEVIN, No. 1929, for the medium tactical vehicle modifications; Senator LEVIN, No. 2000, pertaining to Indian tribes; and, Senator KENNEDY, No. 1924, for humvee integrated starters.

I ask unanimous consent that these three amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I ask for consideration of those amendments.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the amendments en bloc.

The amendments were agreed to en bloc, as follows:

AMENDMENT NO. 1929

(Purpose: To make available $5,000,000 from Research, Development, Test, and Evaluation, Army, for Medium Tactical Vehicle Modifications)

At the appropriate place, insert the following:

SEC. ____. Of the amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'', up to $5,000,000 may be used for Medium Tactical Vehicle Modifications.

AMENDMENT NO. 2000

(Purpose: To provide that the governments of Indian tribes be treated as State and local governments for purposes of the disposition of real property recommended for closure in the report to the President from the Defense Base Closure and Realignment Commission, July 1993)

On page 220, after line 25, insert the following:

SEC. 8116. Section 8013 of the Department of Defense Appropriations Act, 1994 (Public Law 103–139; 107 Stat. 1440) is amended by striking ''the report to the President from the Defense Base Closure and Realignment Commission, July 1991'' and inserting ''the reports to the President from the Defense Base Closure and Realignment Commission, July 1991 and July 1993''.

AMENDMENT NO. 1924

(Purpose: To make available $1,000,000 from Research, Development, Test, and Evaluation, Army, for Integrated Starter/Alternator for Up-Armored High Mobility Multi-Wheeled Vehicles)

At the appropriate place, insert the following:

SEC. ____. Of the amount appropriated by title IV under the heading ''RESEARCH, DEVELOPMENT, TEST, AND EVALUATION, ARMY'', up to $1,000,000 may be used for Integrated Starter/Alternator for Up-Armored High Mobility Multi-Wheeled Vehicles.

Mr. STEVENS. Mr. President, I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, we are going to try to work through this bill. The bill is open to debate. I will be pleased to take up any other amendments Senators might bring before us.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MARTINEZ). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. STEVENS. Mr. President, I ask unanimous consent the time continue to run but that the Senate stand in temporary recess until 2 p.m.

There being no objection, the Senate, at 12:56 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. ALEXANDER).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006—Continued

AMENDMENT NO. 1896

The PRESIDING OFFICER. The time between now and 2:15 is evenly divided on the Dayton amendment.

Who yields time?

Mr. STEVENS. Mr. President, the time is equally divided on this amendment. This amendment would add $100 million to childcare services and $20 million for family assistance centers.

I will speak in response to the Senator's explanation of this amendment when he is finished.

The PRESIDING OFFICER. The Senator from Minnesota.

AMENDMENT NO. 1896, AS MODIFIED

Mr. DAYTON. Mr. President, I send a modification of my amendment to the desk, and I ask unanimous consent it be so modified.

Mr. STEVENS. We would like to see the modification before it is accepted.

Mr. DAYTON. The staff is working on slight adjustments to the amendment so it meets the concerns of the chairman. I thank the chairman for his willingness to consider the amendment as part of the managers' amendment as modified. It needs to be further modified to conform to the desire of the chairman to have the language read up to the particular amounts which are $40 million for the increased antinarcotics efforts of the National Guard, $50 million for increased funding for childcare, and $10 million for increased funding for family assistance centers.

If it is agreeable to the chairman, I will spend about 5 minutes discussing the amendment at this time, and I will proceed on that basis and recognize the amendment itself is still subject to further discussions.

Mr. STEVENS. We have no objection to the modification.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 1896), as modified, is as follows:

At the appropriate place, insert the following:

SEC. ____. (a) CHILD AND FAMILY ASSISTANCE BENEFITS FOR MEMBERS OF THE ARMED FORCES.—

(1) ADDITIONAL AMOUNT FOR OPERATION AND MAINTENANCE, DEFENSE-WIDE.—The amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'' is hereby increased by $60,000,000.

(2) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', as increased by paragraph (1), not less than $60,000,000 shall be made available as follows:

(A) Not less than $50,000,000 shall be made available for childcare services for families of members of the Armed Forces.

(B) Not less than $10,000,000 shall be made available for family assistance centers that primarily serve members of the Armed Forces and their families.

(b) NATIONAL GUARD COUNTERDRUG SUPPORT ACTIVITIES.—

(1) ADDITIONAL AMOUNT FOR DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES.—The

amount appropriated by title VI under the heading ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES'' is hereby increased by $40,000,000.

(2) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title VI under the heading ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES'', as increased by paragraph (1), $40,000,000 shall be available for the purpose of National Guard counterdrug support activities.

(3) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (2) for the purpose specified in that paragraph is in addition to any other amounts available under title VI for that purpose.

Mr. DAYTON. I thank Senator STEVENS for his support and assistance in this matter. I thank him and the ranking member and members of the committee and acknowledge in every one of these three areas the Senate Committee on Appropriations has added funding already above the President's recommendation. I recognize, also, that the committee is dealing with the budget constraints that were imposed upon it by the Senate budget, but conditions in the real world do not always conform to those constraints. This funding is essential to address these critical areas, beginning with an additional $40 million for the National Guard counterdrug efforts which would enable State coordinators to increase their border security, to increase reconnaissance, and to expand their effort to interdict the flood of illegal drugs into our country.

These National Guard antidrug efforts are under the control of the Governors and Adjutant Generals so they do not violate Federal passe comitatus laws. Yet they are essential to our national security.

Other than international terrorism, there is no greater threat to the safety, the health, and the well-being of our citizens than the increasing flow of illegal drugs into our country, into our neighborhoods, into our schools, and into our homes. They are destroying lives, they are destroying families, and they are destroying communities.

In my home State of Minnesota I am told by local law enforcement leaders there are direct pipelines of illegal drugs now, especially methamphetamine from Mexico, right into the State of Minnesota.

Border security is not just a Southern State crisis or a Northern State problem. Homeland Security is not just a Federal agency with increased priorities.

As I listen to local law enforcement officials throughout Minnesota, they say we are losing the war against these narcotics terrorists. We are losing because our resources are being overwhelmed by their resources. These are battles that are going on not halfway around the world but right here at home, right within our own country, every day and every night.

These are narcotics terrorists. They are drug-dealing gangs. They are dangerous predators. They are preying on Americans, young and old, rich and poor. They are pouring highly dangerous, very addictive, and corrosively expensive drugs into our country and our citizens' lives, and we are letting then get away with it.

In many cases they get away with it entirely scot-free and leave the country with millions and millions of our dollars. These are very dangerous, destructive, evil people who are winning the war on drugs in this country because we—all of us, collectively, all of us Americans collectively—do not have enough good guys out there on our behalf who are fighting them. My amendment brings more money for the good guys to win this terribly destructive battle.

Second, $50 million would go to increase the childcare services for military families. Again, I commend the committee, Chairman STEVENS, for increasing the President's recommendation in this critical area. My amendment would add another $50 million because the Office of the Secretary of Defense currently estimates that 38,000 children of Active-Duty military families are not able to access military childcare because of the lack of spaces and facilities. This is especially critical because so many of these family members are being deployed for 12 or 18 months, leaving their spouses as single parents, financially strapped, needing to work and therefore needing quality childcare even more than before.

Finally, my amendment adds $10 million for family assistance centers and personnel who are responding to the increased needs of military families—Active-Duty, Reserves, and National Guard, whose families are being seriously and severely impacted by the increased number of deployments for extended periods of time.

The stresses of those long separations, the constant anxieties and uncertainties about the well-being of their loved ones abroad, the financial pressures, the difficulties emotionally of single parenting all add up and have put additional needs for these family assistance centers and their personnel for families while their loved ones are serving and after they have returned. And some wounded and seriously maimed are causing enormous family stress and strains for the next number of years.

I thank, again, the chairman, and I thank the ranking member for his willingness to consider taking this amendment into the managers' package. I commend them for their leadership in these very important areas. I hope this amendment will be seen as constructive to that, and I hope the conference committee will see fit to include these increases because I can assure all the Members that it will be very much needed and very well used.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. STEVENS. What is the situation with regard to when we vote on this amendment?

The PRESIDING OFFICER. The vote is scheduled to occur at 2:15.

Mr. STEVENS. I ask unanimous consent that time be changed to 2:30 with no amendments in the second degree in order.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is the Senator suggesting the additional time be equally divided?

Mr. STEVENS. Now I address the Senator, the sponsor of the amendment. Senator MIKULSKI wants 15 minutes between now and 2:30. Does Senator DAYTON have any objection to that?

Mr. DAYTON. No, I have no objection.

Mr. STEVENS. I will take a few minutes before that time, and Senator MIKULSKI would have from 2:15 until 2:30.

Ms. MIKULSKI. Yes.

Mr. STEVENS. Mr. President, we have provided $25 million to respond in this bill for the National Guard counterdrug program. We already have $20 million for childcare, $20 million for family counseling, $18 million for National Guard and assistance centers, for a total of $58.6 million.

The Senator's amendment adds $60 million for childcare and $20 million for family assistance centers but, as he said, we have already gone in excess of the President's request. We have tried to balance the requirement to fight the war on global terrorism and maintenance for our technological advantage against potential rivals and the care of our servicemembers and their families.

We have worked closely with the Department of Defense to identify these requirements. We believe the Senator's amendment is subject to a point of order.

We raise a point of order under section 302(f) of the Congressional Budget Act that the amendment provides for spending in excess of the 302(b) allocations under the fiscal year 2006 concurrent resolution on the budget.

Having raised that, does the Senator wish to waive that point of order?

Mr. DAYTON. I do.

Mr. STEVENS. The Senator moves to waive the point of order. I ask for the yeas and nays on the motion to waive the point of order that I have submitted.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The vote will occur at 2:30 on the motion to waive.

Mr. STEVENS. For the information of Members, we hope we will have another amendment ready to be considered at 3 o'clock. Senator HATCH has asked for 30 minutes beginning at 2:30 to speak on a matter that is not pertinent to this bill, but he has that right to speak under his allocation of time.

I ask unanimous consent Senator HATCH have 30 minutes from 2:30 to 3 o'clock. He has had a terrible disaster in his office. One of his close personal friends on his staff has passed away. He wishes to speak about that person for

30 minutes starting at 2:30. We want to put the vote to 3 o'clock. So I move we move the vote to 3 o'clock so Senator HATCH can speak at 2:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. I yield the floor to Senator MIKULSKI.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Mr. President, as I noted under the request made by the chairman of the Senate Defense appropriations, I have time at 2:30. I know it is a minute or two earlier, but I ask for the ability to proceed.

The PRESIDING OFFICER. The Senator may proceed.

GAS PRICES

Ms. MIKULSKI. Mr. President, I know we are considering the Defense appropriations bill, and we congratulate the leadership of the subcommittee of which I am a proud member. Senators STEVENS and INOUYE have brought an excellent appropriations bill to the Senate.

I rise about another security issue which is the high price of gasoline. I rise today to urge President Bush to convene a White House jawboning session of the American oil and gas companies to urge them to be good corporate citizens and lower the price of gasoline, home heating oil, and natural gas.

I think it is swell the President is agreeing that conservation is an important goal. But it is very little and very late. Yes, we do need conservation. But wearing sweaters just will not be enough. The President needs to call on CEOs of the oil and gas companies to be patriots. It is time for the oil and gas company CEOs to be looking at the ways they can help the American people, not only their profits.

These sky-high prices have created a crisis for American families and businesses—from families that must commute to work, to small businesses that deliver flowers, to truckers that deliver food, and watermen in the Chesapeake Bay who are paying $4 a gallon to take their boats out. This is going to have a tremendous inflationary pressure on our economy. We in Maryland are feeling it very severely. Maryland has the third highest gas prices in the country, at more than $3 per gallon. It has been a 30-percent increase in little more than 1 month.

Maryland is not the only State affected. The national price for a gallon of gas is now as high as it has been in 20 years. Some are saying: Well, gas prices are going down. Well, they have been going down a penny or two, but they are still very high.

As people go to the gasoline pump, they feel this great anxiety. People are nervous about getting gas. As for what that means to families, I have seen on our local TV a soccer mom filling up her minivan, and seeing that it cost $90, she just put her head down on the window crying about what her family was going to do?

That is why I have asked the President today to convene a White House ''jawbone'' session. There is precedent for this. Forty years ago, Jack Kennedy felt that big steel was really pushing up the prices. Some called it price gouging. He called in the CEOs of the steel industry to the White House. He made the case for the American people. He said the steel industry action was unjustified and irresponsible and not in the public interest. President Kennedy publicly pressed them hard. Guess what happened? Roger Blough and the steel industry decreased their prices.

I am asking President Bush to follow President Kennedy's example and call in these oil and gas CEOs. He has called in the oil and gas CEOs before to help write the energy policy. Well, now we need a new energy policy. We need one based on conservation. We need one based on innovation, to come up with new ideas on alternative fuel supplies. We need a new energy policy to look at what we can do to rebuild the gulf. And we understand oil and gas has suffered some damage there. But we also need them to take a look at the prices they are charging and the consequences to our economy. So we feel if they could write a national policy a few years ago, they can come in and write a new national policy.

So I have sent this letter to the President, signed by many Senators. I would hope the President would think about how we can engage the private sector to come to grips with what is happening here. He should also reach out to get their advice on innovation, to get their advice on boosting our supplies, to get their advice on what to do about having more refining capacity and, at the same time, meet some of our environmental constraints.

We understand we are at a crossroads in this country. Now is the time to bring them together, but bring them together as patriots. I believe they will be able to make profits and be patriots at the same time.

Mr. President, I ask unanimous consent that the letter to the President, dated October 6, 2005, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, October 6, 2005.

President GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: Sky high gas prices have created a crisis for American families and businesses. As Americans struggle to fill their gas tanks, the oil and gas companies are filling their pockets with historic profits. Bold and decisive Presidential leadership is required. We urge you to convene immediately a summit at the White House of oil and gas company CEOs to call on them to be good corporate citizens by reducing their prices.

The price for a gallon of gas is now the highest it has been in more than twenty years. It jumped 12 cents in just the last week and now averages almost $3 a gallon, with many Americans paying as much as $3.50 for just one gallon of gas. These prices are hurting everyone, from families getting children to school and commuting to work to small businesses like the florist delivering flowers and our larger employers trying to get goods to their stores. Meanwhile, the oil and gas company profits continue to soar, with projected earnings growth for 2005 ranging from 50% to more than 100%.

This all comes at a time when America is facing a crisis caused by Hurricanes Katrina and Rita. In response, we have seen an outpouring of generosity and selflessness throughout the nation. Many families and companies are putting the needs of hurricane victims first and opening their hearts, homes and wallets.

In times of national crisis, corporations have been called upon to act in the national interest. In 1962, as our country faced an economic crisis at home and foreign policy crises abroad from Berlin to Vietnam, the steel industry jacked up prices. President Kennedy called the CEOs of the steel industry to the White House. He forcefully made the case for the American people: he said the steel industry action was ''wholly unjustified and an irresponsible defiance of the public interest.'' President Kennedy publicly pressed them hard—and prices decreased.

We urge you to follow President Kennedy's example. Call in the oil and gas CEOs and tell them to cut their prices. Tell them that profiteering at a time of national need is unacceptable.

We have never before had a President, Vice President or Administration as close to the oil, gas and energy industry as yours is. This was demonstrated when, at the beginning of your administration, you convened a White House energy task force to draft a national energy policy. As we now know, large parts of that policy were drafted by your friends, allies and supporters in the oil, gas and energy industries.

Mr. President, if you can call on the oil, gas and energy industries to write national policy that benefits them, then you can certainly call them to the White House on behalf of the American people at this time of national need. America needs your leadership to prevail upon them to reduce gas prices and other fuel prices now.

Sincerely,

BARBARA A. MIKULSKI.

Ms. MIKULSKI. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, are we in morning business?

The PRESIDING OFFICER. We are not.

Mr. BIDEN. Mr. President, may I proceed for 7 or 8 minutes as in morning business between now and the time Senator HATCH comes at 2:30?

Mr. STEVENS. We have no objection to that. The Senator is entitled to speak on any matter he wishes, using his own time. But we have time set for Senator HATCH to begin at 2:30.

Mr. BIDEN. I thank the Senator.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Delaware is recognized.

PRESIDENT BUSH'S SPEECH TO THE NATIONAL ENDOWMENT FOR DEMOCRACY

Mr. BIDEN. Mr. President, today, in his speech to the National Endowment for Democracy, President Bush gave a vivid and, I believe, compelling description of the threat to America and to

freedom from radical Islamic fundamentalism. He made, in my view, a powerful case for what is at stake for every American.

Simply put, the radical fundamentalists seek to kill our citizens in great numbers, to disrupt our economy, and to reshape the international order. They would take the world backwards, replacing freedom with fear and hope with hatred. If they were to acquire a nuclear weapon, the threat they would pose to America would be literally existential.

The President said it well. The President is right that we cannot and will not retreat. We will defend ourselves and defeat the enemies of freedom and progress. But in order to know where we are going to go from here, we have to understand, in my view, how we got to this point in the fight. Unfortunately, the many fundamental mistakes this administration has made over the past 4 years have dug us into a hole that is making it harder for us to get out.

First, the administration took our eye off the ball in Afghanistan and diverted our attention and resources to Iraq prematurely. As a result, while we made progress in Afghanistan, violence in Afghanistan is now worse than it has been since the war, and the Taliban, al-Qaida, and the warlords are, once again, on the move in Afghanistan.

Meanwhile, we have captured some al-Qaida leaders, but many others have risen to take their place, and the terrorist threat has literally metastasized to many other countries. Around the world, terrorist attacks are on the rise, not decline.

Second, this administration turned unilateral military preemption from the option it has always been into a one-size-fits-all doctrine in the war on terror. We forgot that the power of our example is as important as the example of our power, that our ideas and our ideals are among our greatest assets. We forgot to draw on the totality of America's strength in order to be able to deal with the hearts and minds of 1.2 billion Muslims around the world.

Third, once we decided to focus on Iraq, we went to war too soon. We went without the rest of the world, and we went under false premises.

This administration told us we would be greeted with open arms, that we had enough troops to stabilize the country, that Iraqi oil would pay for the reconstruction. They were wrong on each of these counts and many more.

The result is a terrible irony. Iraq now risks becoming what it was not before the war: a haven for the very radical Islamic fundamentalists who would do us such harm.

But today the President of the United States seemed to recognize some of this self-inflicted damage. That is a good thing, and I applaud him for it. He said: ''the terrorists have now set their sights on Iraq''—finally acknowledging that they did not before the war.

He said that in the broader fight against the radical fundamentalists and in Iraq itself, we can't succeed alone, that we need partners—finally acknowledging what many of us on both sides of the aisle have been saying for years.

He implied that while our military might is essential, it is not sufficient—finally acknowledging that we can and must call on the totality of America's strength, including our economic and political might and the power of our example.

He said that the fight for freedom is long term and that democracy can't be imposed by force—finally acknowledging that we can't simply topple tyrants and leave, that we have to work day in and day out to support moderates and modernizers and build the institutions of democracy.

And he said that much more sacrifice will be required—finally acknowledging the difficulty of the challenge and the burden every American must bear.

So the President said some very important things today. But there are also a lot of things he did not say that leaves me, and I suspect many others, feeling frustrated. He told us broadly what we have to do, but he said virtually nothing about how he plans to go about doing it and what the American people can expect.

Consider what he said, and what he did not say, on Iraq.

Yes, we have to train Iraqi forces, as he said. But we still do not know how many of those forces must be capable of operating on their own or with minimal U.S. support before we can begin to reduce our military presence in Iraq. And we do not have any idea when those numbers might be reached.

Yes, we have to support the creation of a strong Iraqi political system that enjoys legitimacy with all the major groups, as the President said. But we still do not know what the plan is to overcome deep Sunni hostility to the constitution and to reconcile the growing sectarian differences that threaten to divide Iraq, not unite it.

Yes, we have to engage the international community to stabilize Iraq, as the President has said. But we still do not know what concrete actions the administration is taking to do just that. We still do not know why it will not organize a contact group of leading nations to show a united international front. We still do not know the plans for getting Iraq's neighbors to act responsibly, as we did in the Balkans and in Afghanistan.

Yes, we have to continue to help the Iraqis rebuild, as the President said. But we still do not know what the administration is going to do to actually deliver more electricity, to clean up the sewage, to get the oil flowing.

My colleagues remember, right after we went in, Mr. Bremer laid out a game plan. He said: By August we will have X number of megawatts and pump Y numbers of barrels of oil; and by December we will have—and there were goals. If you notice, we have not heard a thing, not a single thing about any of that. We have no idea what the administration's timetables or goals are, other than generically to help them rebuild.

What do we need to do to turn the tide on delivering basic services? And when can we expect them to succeed? Because in each of these areas, Iraqis today, as I speak, are worse off than they were before the war.

The President today was eloquent, and he was determined. But eloquence and determination, although necessary, are not sufficient.

The American people need—and our troops deserve—a clear plan for the way forward in Iraq, which has now become the central front in the war against radical Islamic fundamentalism.

As I have said many times before, the American people need this administration to speak openly and forthrightly about its plan for success in Iraq, for no foreign policy can be sustained—as we are noticing by the numbers—without the informed consent of the American people. They must be informed.

The American people also need—and our troops deserve—not the assertion that we finally have a comprehensive strategy in the fight against the fundamentalists but a detailed explanation of what that strategy is and the steps the administration is taking to build it.

It is precisely because all of us recognize what is at stake for our generation and those who follow that we will continue to speak out and insist that our Government act not only with determination but with effectiveness, not only with conviction but with wisdom.

Finally, though I continue to have differences with the President about how he has gone about prosecuting the war on terror—and I have spoken out as forcefully as I know how—let our enemies make no mistake—make no mistake at all—Americans are united in the struggle for freedom. We stand together in our determination with the President to fight the forces of tyranny and terrorism. In this right, America will prevail.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I say to the Senator from Delaware, if he wishes to speak further, we will be happy to extend him more time, if he wishes.

Mr. BIDEN. No, I am fine. I thank the Senator.

AMENDMENT NO. 1896, AS FURTHER MODIFIED

Mr. STEVENS. Mr. President, I send to the desk a modification to Senator DAYTON's amendment.

The PRESIDING OFFICER. Is there objection to the modification?

Without objection, it is so ordered.

The amendment, as further modified, is as follows:

At the appropriate place, insert the following:

(1) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title II under the heading ''OPERATION AND MAINTENANCE, DEFENSE-WIDE'', up to $60,000,000 may be made available as follows:

(A) Up to $50,000,000 may be made available for childcare services for families of members of the Armed Forces.

(B) Up to $10,000,000 may be made available for family assistance centers that primarily serve members of the Armed Forces and their families.

(b) NATIONAL GUARD COUNTERDRUG SUPPORT ACTIVITIES.—

(1) AVAILABILITY OF AMOUNT.—Of the amount appropriated by title VI under the heading ''DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES'', up to $40,000,000 may be available for the purpose of National Guard counterdrug support activities.

(2) SUPPLEMENT NOT SUPPLANT.—The amount available under paragraph (2) for the purpose specified in that paragraph is in addition to any other amounts available under title VI for that purpose.

Mr. STEVENS. Mr. President, I ask unanimous consent that the modified amendment be considered and that it be adopted.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1896), as further modified, was agreed to.

Mr. STEVENS. I move to reconsider the vote and to lay the motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. That cancels the vote for 2:30, correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. STEVENS. The bill is still subject to amendment. No other Senator has asked us to consider an amendment.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SUNUNU). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

IRAQ

Mr. DURBIN. Mr. President, the much awaited speech by President Bush this morning about the challenges we face in Iraq and Afghanistan was promised to be a new perspective. It was promised to offer the possibility that at least we would be considering a new approach.

I was disappointed. The President has offered the American people a false choice between resolve and retreat. The real choice should be between a strategy of accountability and the vague generalities which we continue to hear from this administration. We have to move beyond the policies of fear to a plan of forceful commitment to protecting America and our values.

The most telling line in President Bush's speech this morning about the threat of terrorism was this:

There is no alternative.

Once again, the President tells us there is no alternative but to stay the course in Iraq. But he fails to answer the most basic questions that more and more Americans are asking every single day: How do we know that progress is being made? How do we measure success? How much longer will America, with its best and bravest men and women in uniform, be facing this insurgency, killing, and the terrible conditions which we find in Iraq? Most importantly, what is President Bush's plan to ensure that our troop commitment in Iraq does not compromise our safety here at home? The White House promised us new details in this speech. We did not receive them, just old generalities.

All Americans are committed to our troops, make no mistake about that. When we take a look at the appropriations bills that come before this Congress to provide the resources for the troops in Iraq, one could not pick out which Senators voted for or against Iraq in terms of the invasion. All Senators—Democrats and Republicans—regardless of their feeling about the wisdom of this strategy are committed to our troops and committed to the resources they need to come home safely. That is not the question. The question is, What is President Bush's plan to achieve the goals that he states over and over? He failed to answer that question today.

Once again, we are presented with false connections between why we are in Iraq and why we were attacked on September 11. The implication is distorting. It is false. The 9/11 Commission put that allegation to rest. They found no operational relationship between Iraq and what happened in America on September 11, 2001.

But now, 2½ years into Iraq, the war has not made us safer from terrorism. It has altered the strategic environment to our disadvantage. Today we have fewer allies in Iraq than we did when this war began. We have less credibility.

The search for Osama bin Laden has been diverted. The President quoted Osama bin Laden today. I think it is time to capture Osama bin Laden, as we have been promised so many times would happen.

We have fewer options dealing with Iran and North Korea, and the administration knows it. Our army is strong and brave and resilient, but it is being pushed to the limit. Our National Guard and Reserves and their families are loyal and courageous Americans. They have carried an extraordinary burden in this war in Iraq, and there is no end in sight.

The President gave a rousing speech, but we learned nothing about how we will either win the war in Iraq or the war on terror. The choice in Iraq is not to stay the course or withdraw tomorrow. That is a false choice. We don't want or need to retreat and allow that part of the world to descend into chaos politically. We need to implement a strategy that gives the Iraqis a chance to build a government that stands on its own. That is the only government that can succeed in Iraq.

This morning, the Department of Defense reported that we have 148,810 soldiers in Iraq; 1,945 Americans have died since our invasion; 14,902 have been wounded. How many innocent civilian Iraqis have been killed? It is anyone's estimate at this point, but some say between 20,000 and 40,000 Iraqis have lost their lives since the invasion.

We owe it to our men and women in uniform, we owe it to those who believe in America to let them know what our path for success will be. And we certainly owe it to America's taxpayers who are spending $1.5 billion a week in Iraq to let them know what our strategy will be.

Last week in Washington, a piece of information came out that had been protected and classified for a long period of time. I had heard about it, but we were not allowed to speak about it. Then Generals Casey and Abizaid came to testify in an open and public hearing and conceded the fact that out of over 100 battalions of the Iraqi Army in that country, only 1 out of the 100 were battle ready; 1 out of 100 prepared for battle to stand and fight on their own. That is a shocking disclosure—the billions of dollars we have put into Iraq, the amount we have invested in the premise that once the Iraqi Army was up and ready to fight, we could come home, and then to learn after all of this time that only one battalion stands ready to fight.

This week, we addressed a letter to the President—some 40 Democratic Senators joined together—and asked the President critical questions which we think need to be answered, questions which were not answered today. Here are the questions:

How many Iraqi forces must be capable of operating without U.S. assistance or with minimal U.S. support before we can begin reducing our military presence? When will that number be reached? When can we start bringing American soldiers home?

The next question: What specific measures does the administration plan to take before and after this critical October 15 constitutional referendum to forge the necessary political consensus and reconcile the growing differences, sectarian and religious, in the nation of Iraq? If such consensus is not reached, what policy changes will be required?

Just 2 weeks ago, the President of Iraq came to visit us in the Capitol. He is a man of Kurdish ethnic origin. It was interesting because his entire delegation he brought with him was Kurds. His closest aide and his security detail were all Kurdish. The interesting thing about that is, we are talking about an Iraq where all factions are coming together, and yet it appears their leaders are traveling in these little enclaves that represent their sect, their ethnic background. There is not an indication

that Iraq is viewing the prospect of nationhood in the way these top officials are conducting their public lives. How are we dealing with that?

Another question the President and the administration must face: What efforts have they made or will they make to obtain broader international support, including engaging Iraq's neighbors and other nations, particularly Muslim nations, in an effort to stabilize Iraq?

There is no question that many in Iraq resent our presence. They view us as an occupying force. When the generals brief us, they tell us bluntly: We cannot defeat the insurgency. It will take political and economic forces. We cannot do this militarily. And yet our force is there. Our sons and daughters, those in uniform whom we love, are there with their lives at risk every single day.

What is this administration doing to change the face of that force that stabilizes Iraq until they can control their own fate and their own future? What are they doing, if anything, to bring in troops from Muslim nations so that we no longer face the criticism that we are somehow invading this Muslim country? It is an important question to be answered.

How should the American people, we ask the President, assess the progress in reconstituting Iraq, in reconstructing it? What are the tangible results of the billions of dollars America has provided for Iraq's reconstruction? Does the administration have a plan to ensure that those who misuse taxpayers' funds will be held accountable? How much more will taxpayers be asked to contribute to Iraq's reconstruction? What steps is the administration taking to ensure that future investment will not be misused?

We continue to hear that when it comes to the basics of life, there is less electricity today for the families and people of Iraq than there was before the invasion. We know they are struggling with the basics of life—water, sewage, safety in the streets, safety for children to go to school.

What we are saying at this point is this administration—every administration—must be held accountable for its policies. We must be able to measure whether progress is being made and whether staying the course will result in the kind of success the President is looking for.

None of these questions were answered today. We have no clearer picture of where we go from here than we did yesterday. At this point, the President has a special responsibility to the American people—not to convince us of the danger of global terrorism; we are convinced. We lived through 9/11. We know that these people who are engaged in that terrorism are looking for an opportunity to strike again. But the President has a responsibility to explain to the American people why Iraq, which was not the testing grounds for terrorism before our invasion, has become that, why it has become a magnet for these terrorists to come from all over the Middle East and around the world to detonate car bombs and to attack our troops, and what we are doing to bring it to an end.

Those are the questions the American people still face. I know why the President held this press conference. He knows as well as I do, when you speak to people across this country, they have serious misgivings, not about the bravery of our troops, not about the need to make America strong, but that this strategy this administration is pursuing will bring us to a conclusion where America and its values are truly protected.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COLEMAN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DORGAN. Mr. President, because we are at this point postcloture, I want to speak on a subject unrelated to the bill. I ask unanimous consent to do that.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE PRICE OF ENERGY

Mr. DORGAN. Mr. President, I want to speak about the price of oil and gasoline. I know there are a lot of discussions around this country about many issues of public interest. The American people are concerned and interested about a lot of challenges we face. We have the biggest budget deficit in the history of this country. I know people say it is getting better. The fact is, it is not. They show a little smaller budget deficit by using the Social Security surpluses to make it look smaller. We also have the largest trade deficit in the history of the country. The trade deficit and the budget deficit combined are over $1 trillion this year. We have challenges there.

We have challenges in Iraq dealing with foreign policy. We have our men and women wearing America's uniform in harm's way. Our hearts go out to them and our prayers are with them.

We have a lot of issues. The gulf coast was hit by a devastating natural disaster, by Hurricane Katrina followed by Hurricane Rita. Hundreds of thousands of Americans have lost their homes. Many of them have lost everything, living still today in shelters with a bleak prospect ahead. And our country is coming together to try to say to them, You are not alone. We face some challenges.

Let me speak about one other challenge; that is, the challenge of the people who drive up to the gas pump this afternoon and buy 15, 16, or 18 gallons of gas, put it in their tanks, and discover it costs over $50. There are a whole lot of families in this country who cannot afford that. While people drive to the gas pump and put in 15 or 18 gallons and have a $50 bill to pay, the major integrated oil companies in the country have reaped the highest profits in their history. These major integrated oil companies are bigger, stronger, more powerful and muscular than they have ever been.

Thanks to megamergers that have occurred in recent years, all these oil companies fell in love with each other, started dating, got hitched, and now, instead of two companies, it is one company. It is ExxonMobil. It used to be Exxon and Mobil, but it is now ExxonMobil. The list goes on. So we have bigger, stronger, and more powerful companies that have more impact in the marketplace, and they are more profitable than ever in their history.

Let me use a few statistics.

In January of last year, the average price of oil was $34.5 a barrel in this country. At that rate, the major integrated oil companies made the largest profits in their history—Exxon earned $25 billion. What did they do with it? Nearly $10 billion went to buy back their stock another story I will talk about in a moment. At $34.5 a barrel, the integrated oil companies had the highest profits in their history. Add $30 a barrel to that. Then ask yourself, What are the profits going to be this year? You have the answer. Profits are windfall, excess profits far above anything justified.

We use 21 million barrels of oil a day in this country. The world uses 84 million barrels of oil every single day. We use a fourth of it. Think about that. We use a fourth of the oil pumped out of the ground every day in this country. Sixty percent of it we buy from other countries, and 40 percent we produce in this country.

People say—well, those who support the oil industry; there are plenty of them here—it is fine for them to be making $60 or $65 or $70 a barrel. That gives them a chance to invest in more production and refineries. Let me show you what was printed in Business Week in June of last year entitled ''Why Isn't Big Oil Drilling More?''

> Rather than developing new fields, oil giants have preferred to buy rivals—''drilling for oil on Wall Street.''

There ain't no oil on Wall Street. Wall Street is about big finance, high finance, buying and selling. There is no oil.

''Why Isn't Big Oil Drilling More?''

> Oil has been over $20 a barrel almost continuously since mid-1999. That should have been ample incentive for companies to open new fields, since new projects are designed to be profitable with prices as low as the mid-teens. Nevertheless, drilling has lagged.

This is Business Week. This isn't some liberal rag. This is Business Week, a conservative business journal.

> Far from raising money to pursue opportunities, oil companies are paying down debt, buying back shares, and hoarding cash.

While the American people pull up to the gas pumps to pay $50 for gas, where

it is going? Is it going into the ground to look for more oil or build refineries? No, it is not. The pain of the person at the gas pump is the gain of the treasury of the major integrated oil companies. It is a fat treasury on the one hand and enormous pain on the other.

Katrina and Rita hit this country, and we have people here who say that is what is causing this angst about the price of gasoline and oil. Not true. The fact is, oil was in the mid-60s a barrel before Hurricane Katrina was bearing down on the gulf coast. The price of oil was well above $60 a barrel. This isn't about the hurricane.

Others of my colleagues say this is a free market in oil.

I was on one television program—I think a CNBC segment—and the moderator, a real thoughtful gentleman he was, said: You are a socialist because you want to take the windfall profits that exist and tax them and use that money to give a rebate to consumers. This is socialism, he said. I was tempted to say: Grow up. But he was a television commentator, so I didn't do that. But the point is, there is no free market in oil. There is no free market. Some OPEC oil officials that sit around the table and make decisions about supply and price to some extent can influence it.

Then what you have are the now giant integrated oil companies that have been made larger by blockbuster mergers in recent years. In addition to that, you have the futures market which is supposed to provide liquidity for trading which has become an unbelievable bazaar of speculation. So those are the elements that tell me there is no free market here.

You have a market in which the price of a gallon of gasoline is delivered. In fact, nobody ever sees it. It shows up at the gasoline pumps, you pump it into the tank of your car, and the money goes from your wallet. There are a lot of hard-working families in this country and low-income people who can't afford it—from their wallet into the treasury of the major integrated oil companies.

Then the question is, Why isn't big oil drilling more? I made a proposition. I introduced a piece of legislation, along with my colleague, Senator DODD, and others, to say anything above $40 a barrel—incidentally, $40 a barrel is the price at which the oil companies had the largest profits in their history by far—if you are not using it to drill for more oil or build more refineries, you get hit with a 50-percent excise tax on those windfall profits, and all of that money is used to give rebates to consumers. It is not money for the Federal Treasury. It takes the money back from the oil companies that are soaking people at the gas pump and returns it to consumers. There is a huge cry about that—interfering with the market, we are told.

Let me refer to this article from the New York Times. This is February of this year. This goes back 8 months or so.

> . . . the worlds 10 biggest oil companies earned more than $100 billion in 2004, a windfall greater than the economic output of Malaysia. . . .Their sales are expected to exceed $1 trillion for 2004, which is more than Canada's gross domestic product.
>
> Exxon Mobil, the world's largest publicly traded oil company, earned more than $25 billion last year and spent $9.95 billion to buy back its own stock; Royal Dutch/Shell Group . . . pledged to hand out at least $10 billion as dividends to shareholders this year.
>
> Last year, the largest integrated oil companies spent 24 percent of their cash on dividends, 12 percent on share buy-backs, and 12 percent on paring debt . . . As a share of exploration and production expenses, spending on exploration has declined over the last decade, and now accounts for 20 percent of the total.

There was an interesting piece in a newspaper just days ago. Most people know what AAA is, the American Automobile Association—headline:

> Finger-pointing Begins After Gas Prices Jump 24 Cents in 24 Hours; Exxon Dealers—

These are the gas station dealers—

> —Say They Are Chafing Under Higher Prices Decreed From Atop.
>
> A growing chorus of Exxon dealers in the Washington metro area are raising their voices and accusing the world's largest oil company, Exxon Mobil, of profiting from the exorbitant prices at the pump in the wake of Hurricane Katrina . . . In candid conversations with AAA Mid-Atlantic, a handful of local dealers accused the oil giant of raising their wholesale price to service stations by 24 cents in a 24-hour period.
>
> The disgruntled dealers say the steep price increases put them on the horns of a dilemma . . . By raising their prices, they risk losing their loyal customer base, which has taken them years to build. By raising their voices against Exxon Mobil's practices, they risk losing their contracts.

Question: What is happening here? What is going on? It is really an interesting dilemma. The inclination, I suspect, of most people here in the Congress is to do nothing. Go to ''parade rest'' is the most comfortable position for politicians. It has always been and perhaps always will be. But we not only see prices at the gas pumps coming from the price of a barrel of oil, now $30 above last year's prices and record profits, we are now heading into a winter season where folks from my home State, the State of North Dakota, folks from the home State of the Presiding Officer, the State of Minnesota, and others will be paying 70 percent more for natural gas.

We had a vote yesterday on the low-income home heating assistance program. We lost that vote. We will come back and have it again. We will eventually have that vote. We don't have a choice. Low-income folks have to heat their homes, and heating a home in winter is not a luxury.

But this is not just about them. What about the other folks, the folks who are in the middle-income ranges who are still trying to figure out how to make ends meet? How do we buy school clothes for our kids and pay for gas for our car and pay our mortgage, buy the groceries each week, and do all the things we need to do for our family, and then pay a 70-percent increase in the cost of heating our homes for winter? What about those people? Does anybody here care, or are we just content to thumb our suspenders and light our cigar under the glare of klieg lights? God bless the free market. Let it all go. What utter, sheer nonsense.

There is no free market in oil. I know people with suits that cost a whole lot more than mine are going to be cranky about this statement. There is no free market. They will say: Of course there is a free spot market. There are people trading right now as you speak, Senator DORGAN. There are people trading back and forth, and of course there is a market.

Totally absurd. There are the OPEC ministers, there are the larger and more powerful through blockbuster mergers integrated oil companies, and then there is rampant speculation in the futures market. They are combined to make a pretty interesting dance, but there is no free market.

There is substantial pain in this country at the price of gasoline, substantial pain that will occur this winter with a 70-percent increase in natural gas prices, a 40-percent increase in home heating fuel prices, and people are going to ask the question, Why is this happening? Who is on my side? Why do we have a circumstance where the biggest in this country, the largest economic enterprises, make record profits and smile all the way to the bank while all the rest of the folks are bearing the pain?

I have often spoken about the Texas Playboys, a band from the 1930s that had the refrain in their song, ''Little bees suck the blossom, but the big bee gets the honey. The little guy picks the cotton, and the big guy gets the money.'' If ever those lyrics meant something, it means something now in this circumstance with respect to the pain and the gain in this energy policy.

So I introduced a piece of legislation. It is very simple. It says that at oil prices above $40 a barrel, if the windfall profits accrued from those prices are not being used to explore for more oil and natural gas and if they are not being used to build refineries and add capacity, then they shall be taxed at 50 percent, and all of the proceeds will be used to provide rebates to American consumers. It is a form of revenue sharing from the oil companies that are experiencing windfall profits to the folks who are pulling up to the gas pumps and the folks who are going to try to pay a heating bill that is exorbitant.

I don't have any idea whether this Senate will act on this legislation. It is more likely the Senate will do what it usually does in areas of controversy: it will stand with those who have the most economic clout. The question of whose side are you on, regrettably, at least in recent years, the Senate has

demonstrated that it is not on your side. It is not on the side of the little guy, that is for sure. We can pretend and act as if we have our hands over our eyes for some months and say it just didn't work out that we could do anything, really. So the market system works. If it costs $50 to fill your tank, that is the way the market is. God bless you. See you tomorrow. Good luck, by the way.

Or when you find the 70-percent increase in your home heating fuel and it is 30 below zero and the wind is blowing 40 miles per hour—and yes, it does in some parts of our country—and you are cranking up the furnace to make sure there is enough heat in the house for you, the family, and the kids, so you can go to bed and not freeze, and those who say this is just the free market, good for you, God bless you, keep that furnace high, but you have to make it a priority to pay the heating bill. It is not our fault the heating bill is so high. Congress decided not to do anything.

By the way, now it is December and the Congress is not in session anymore, and it is, you know, good luck to you. God bless you. Go back and forth to the post office and visit a little bit about how high the prices are, but nobody is going to help you much.

I don't believe we are a country that can do without oil. We produce oil in my State. I support the oil industry in many areas. I believe we ought to produce more in this country. I believe we are dangerously addicted to foreign oil. It is unusual, to say the least, that one-fourth of the world's oil is consumed in this country every day. We share this globe with 6.5 billion people, and in this country alone we have a claim on one-fourth of all the oil that is consumed.

It is a peculiar thing that somehow given how this planet is put together, there is this little area halfway around the world covered with sand where most of the oil deposits exist, and the largest deposits are in countries called Saudi Arabia, Iran, and Iraq. That is a curious and strange thing and one that is also dangerous for us.

We have become so dependent on that supply of oil—and now I am not talking about the price and windfall profits of domestic companies; I am talking about the dangerous addiction we have to foreign oil. If we do not as a country decide we will try to find a way to break this addiction—I am not suggesting we will not always dig and drill—but if our energy policy is just digging and drilling, that is a ''yesterday forever'' policy and it is one that is destined for failure.

We have to become independent in terms of our energy needs, particularly of those troubled countries in the Middle East. I find it fascinating we have such a relationship with the Saudis. The Saudis have the largest reserves of oil in the world. Under their sands exist the world's largest oil reserves. Because of that, even our foreign policy is altered.

I have spoken in the Senate many times about the 28 redacted pages in the 2002 December report about the September 11 terrorist attack in this country. Fifteen of the 19 terrorists were Saudi citizens. The combined Intelligence Committees of the House and the Senate did this first investigation of September 11. They sent it to the White House. The White House published the book, but 28 pages were redacted. What were they? Twenty-eight pages, according to published reports and according to my colleague Senator GRAHAM, in his book, had to do with the Saudis. Why? Because all that we do with the Saudis, all we do with them in foreign policy, even with respect to this issue of terrorist attacks, has to do with our incredible dependence on Saudi oil and on Middle East oil.

This is dangerous for our country. We have to remove ourselves from that, remove that addiction. How do we do that? There is a wide range of things. We passed energy legislation in this Congress. It is not great, but it is not bad. I voted for it. It moves us in the right direction. That is the immediate term. In the short term, we are confronted with this unusual price for a barrel of oil which converts to an unusual price for a gallon of gasoline. Every American driving up to the gas pump today understands the shock value of having to pay these prices. Every American trying to heat their home this winter will understand the same shock value.

They will and should ask the question, Is anybody doing anything about this, or is this an appropriate form of a new market system we do not understand? The answer is, the Congress should do something about it. Again, let me say there are all kinds of reasons and excuses and especially distortions that are moved around on these subjects. Let me give an example of one.

We have people who say, look, the reason we did not have more oil flowing, which would relate to supply and demand, with the supply-demand curve, if you have more supply going in against a fixed demand or an increasing demand, a greater supply means lower price. The reason we do not have that is because of the eggheaded environmentalists, they would claim. They have prevented oil companies from building refineries, so shame on them, that is the problem today. We do not have enough refineries.

We hear that in the Senate and the House and all political debate, over and over. It is a branding technique, the notion if you say it often enough, people will start believing it: 150 refineries have been closed in the past 25 years and no new refineries have been sited in the same period.

The fact is most of the evidence points to the oil companies themselves as making the decisions about closing refineries. They have decided to shut down existing refineries and decrease output as a business matter. They do that following big mergers and also restructuring. The big integrated oil companies control a majority of the Nation's refined oil and gas products. In many cases, they control this process from the point of pulling oil from the ground to pumping it into your gas tank.

The fact is, there is an interesting amount of evidence about this issue of refineries. We had an Energy Committee hearing about this. We had three experts who knew about all this. Why are there not more refineries being built? Because the margins are not higher, is why. That is from the experts. It has nothing do with environmentalists. The margins are not higher. So when oil companies restructure and merge, they close refineries because they want to. The fact is there is a wealth of information about this refinery issue that suggests this is not about environmentalists; it is about the oil companies deciding in their own interests how much refining capacity they want and what kind of margins they want from refining.

My point is very simple. We have a serious problem in this country with an energy crisis. It is not getting better. We have a dislocation, terrible pain, for a lot of working folks, a lot of low-income people, not just to drive their cars but also to heat their homes as we approach this winter. And they will ask the question, and should, is anyone going to care about this? Will somebody do something about it? Will someone be on our side and stand for us?

We will have some people say this is the free market and if you do not like it, tough luck, we do not intend to intervene in a free market.

Then there are others, such as me, who say that is nonsense, this is not a free market, this is not fair competition. A free market economy is about competition. Easy entry, easy exit, competition around price. There is no free market here. We have OPEC, oil companies, and rampant speculation. They have created a distortion of so-called market prices.

The American people deserve a Senate that will stand in at times when oil prices reach $60 and $70 a barrel and we have profits that represent the biggest profits in the history of corporate America. The American people deserve a Senate that will stand up and say, We are on your side and we will do something about it when the market system does not work.

America can do better. The fact is we can do better on energy policy. We can do better on policy I just described. We owe it to people to intervene in circumstances where we must intervene. The Senate should make it a priority to consider this kind of legislation.

We have meandered our way through this year. There has been no discernible pattern, no discernible journey that makes much sense to me. But in this Congress we have wandered

around, place to place. We did not pass our appropriations bills, intervened in a whole range of issues, including the Terri Schiavo case. I could go on and on and on. We intervened in all the other issues.

The key things most people are concerned about in their daily lives, that they talk about at the supper table when they sit around and have something to eat together—this is one of those key issues. What is the price of energy? Can we afford it? If not, what do we do?

The proposal I have offered with some of my colleagues for a windfall profits recapture would not injure any major integrated oil company under any set of circumstances because they would not have to pay it. They would choose not to pay it if, in fact, they are using their windfall profit to explore for more oil and build more refineries; and if not, they would choose to repay part of that profit in a form of rebate back to their consumers.

My hope remains in these coming days as the Congress lurches toward the end of this year, that Congress and the Senate, particularly, will find time to do what is the bull's eye, the agenda the American people want, to deal with things that affect them every day in a very significant way.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPEAL LAW

Mr. DORGAN. Last Friday I was in the Senate briefly and indicated we were introducing legislation that repeals the law that was passed in the emergency response to Hurricane Katrina that took the limitation on the credit cards carried by Federal employees from $2,500 to $250,000. That is right, the bill that responded with emergency funding for Katrina also included a provision that increased the limit on Federal credit cards that are carried by some 300,000 Federal workers, increased the top limit from $2,500 per purchase for $250,000 per purchase.

When I discovered that, I thought, that is not right, that cannot be believable. It, in fact, was. I discovered the White House had requested that increase in the limit on Federal credit cards be provided.

In fact, the person who came down to brief the Congress on that was Mr. Safavian, top procurement officer at the Office of Management and Budget, who was arrested 2 weeks later by the FBI and now has been indicted. But all this happened some weeks ago. The credit card limit went from $2,500 to $250,000 on the credit card that is carried by a Federal worker, and there are 390,000 or so around.

I introduced with my colleague Senator WYDEN a bill that would restore it back to the $2,500 limit. My point was, this is nuts. It is goofy to put a $250,000 limit on a credit card. It is unbelievable. I pointed out the Inspector General's reports and also the GAO reports about abuse of credit cards by some Federal employees.

One Federal employee put breast enlargements for his girlfriend on a Federal credit card. Buying liquor, trips, guns, unbelievable expenditures in the abuse found by the GAO, and we will increase the top limit on the credit cards to $250,000?

I introduced that legislation and I am pleased to say on Monday of this week the Office of Management and Budget and the White House announced they support the legislation to take this back to $2,500. So it is actually $2,500 plus an emergency $15,000 post September 11, that happened after September 11, which is what we would take this back to. The White House has said they want to rescind the $250,000 and take it back to $2,500.

That is the legislation I have introduced with my colleague Senator WYDEN. My hope is at the first opportunity, given the support of the White House, that I can offer this as an amendment, perhaps not to this bill, because I think we are limited in amendments and we are probably on auto pilot with respect to the amendments. The very next piece of legislation, it would be my intention to offer that.

As I said, that will have the support of the White House. Without it, of course, the law still exists. It was put in law at the request of the White House to take the top limit from $2,500 to $250,000. I want to take it back. The White House says they want it back. So let's decide here in the Senate to put it on a bill and get it to conference and get this sort of thing done.

Let me also say to OMB and the White House, I appreciate their candor and their willingness to do the right thing. Everyone understood what was requested was a mistake. It should not have been requested. The decision now is to change the law and to make it where it ought to be, a $2,500 limit on the credit cards.

Yes, we have to respond in a significant way to Hurricane Katrina. Sometimes that might encourage somebody or require somebody in certain circumstances to have a larger purchase, but there are plenty of ways to accommodate that without risking the waste, fraud, and abuse that will go with having credit cards with $250,000 limits.

Our legislation is pending. I make the point I appreciate the administration deciding to do a U-turn on this policy. We will offer this legislation in the Senate as soon as we are eligible to offer it on perhaps the next piece of legislation brought to the floor.

I yield the floor and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senator from South Dakota be entitled to introduce a bill and have time as though in morning business, with the clock on cloture continuing to run.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. THUNE pertaining to the introduction of S. 1840 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

Mr. THUNE. Mr. President, I yield back the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. STEVENS. Mr. President, the hour is now almost 4:30 p.m. We have waited and waited and waited for Senators to bring their amendments. No further amendments have been noticed to either side.

AMENDMENTS NOS. 1981, 2053, 2054, 2055, EN BLOC

Mr. STEVENS. Mr. President, I have a managers' package which I send to the desk for Senator CHAMBLISS, amendment No. 1981, literacy on military installations; an amendment for myself on advisers for the Joint Chiefs of Staff; an amendment for Senator FRIST on certain youth organizations; and an amendment for Senator BYRD regarding Hurricane Katrina relief.

I ask these items be considered en bloc.

The PRESIDING OFFICER. Without objection, the Senate will consider the amendments en bloc.

Mr. STEVENS. Mr. President, I ask that the Senate consider the amendments and adopt them en bloc.

The PRESIDING OFFICER. Without objection, the amendments are agreed to, en bloc.

The amendment (No. 1981) was agreed to.

(The amendment is printed in the RECORD of Monday, October 3, 2005, under ''Text of Amendments.'')

The amendments were agreed to, en bloc, as follows:

AMENDMENT NO. 2053

(Purpose: To increase the rate of basic pay for the enlisted member serving as the Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff)

At the appropriate place, insert the following:

SEC. ___. INCREASE IN RATE OF BASIC PAY OF THE ENLISTED MEMBER SERVING AS THE SENIOR ENLISTED ADVISOR FOR THE CHAIRMAN OF THE JOINT CHIEFS OF STAFF.

(a) INCREASE.—Footnote 2 to the table on Enlisted Members in section 601(b) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 37 U.S.C. 1009 note) is amended by striking ''or Master Chief Petty Officer of the Coast Guard'' and inserting ''Master Chief Petty Officer of the Coast Guard, or Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff''.

(b) PERSONAL MONEY ALLOWANCE.—

(1) ENTITLEMENT.—Section 414(c) of title 37, United States Code, is amended by striking ''or the Master Chief Petty Officer of the Coast Guard'' and inserting ''the Master Chief Petty Officer of the Coast Guard, or the Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on April 1, 2005.

AMENDMENT NO. 2054

(Purpose: To support certain youth organizations, including the Boy Scouts of America and Girl Scouts of America, and for other purposes)

At the appropriate place, insert the following:

SEC. ___. SUPPORT FOR YOUTH ORGANIZATIONS.

(a) SHORT TITLE.—This Act may be cited as the ''Support Our Scouts Act of 2005''.

(b) SUPPORT FOR YOUTH ORGANIZATIONS.—

(1) DEFINITIONS.—In this subsection—

(A) the term ''Federal agency'' means each department, agency, instrumentality, or other entity of the United States Government; and

(B) the term ''youth organization''—

(i) means any organization that is designated by the President as an organization that is primarily intended to—

(I) serve individuals under the age of 21 years;

(II) provide training in citizenship, leadership, physical fitness, service to community, and teamwork; and

(III) promote the development of character and ethical and moral values; and

(ii) shall include—

(I) the Boy Scouts of America;

(II) the Girl Scouts of the United States of America;

(III) the Boys Clubs of America;

(IV) the Girls Clubs of America;

(V) the Young Men's Christian Association;

(VI) the Young Women's Christian Association;

(VII) the Civil Air Patrol;

(VIII) the United States Olympic Committee;

(IX) the Special Olympics;

(X) Campfire USA;

(XI) the Young Marines;

(XII) the Naval Sea Cadets Corps;

(XIII) 4-H Clubs;

(XIV) the Police Athletic League;

(XV) Big Brothers—Big Sisters of America; and

(XVI) National Guard Youth Challenge.

(2) IN GENERAL.—

(A) SUPPORT FOR YOUTH ORGANIZATIONS.—

(i) SUPPORT.—No Federal law (including any rule, regulation, directive, instruction, or order) shall be construed to limit any Federal agency from providing any form of support for a youth organization (including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America) that would result in that Federal agency providing less support to that youth organization (or any similar organization chartered under the chapter of title 36, United States Code, relating to that youth organization) than was provided during the preceding fiscal year. This clause shall be subject to the availability of appropriations.

(ii) YOUTH ORGANIZATIONS THAT CEASE TO EXIST.—Clause (i) shall not apply to any youth organization that ceases to exist.

(iii) WAIVERS.—The head of a Federal agency may waive the application of clause (i) to any youth organization with respect to each conviction or investigation described under subclause (I) or (II) for a period of not more than 2 fiscal years if—

(I) any senior officer (including any member of the board of directors) of the youth organization is convicted of a criminal offense relating to the official duties of that officer or the youth organization is convicted of a criminal offense; or

(II) the youth organization is the subject of a criminal investigation relating to fraudulent use or waste of Federal funds.

(B) TYPES OF SUPPORT.—Support described under this paragraph shall include—

(i) holding meetings, camping events, or other activities on Federal property;

(ii) hosting any official event of such organization;

(iii) loaning equipment; and

(iv) providing personnel services and logistical support.

(c) SUPPORT FOR SCOUT JAMBOREES.—

(1) FINDINGS.—Congress makes the following findings:

(A) Section 8 of article I of the Constitution of the United States commits exclusively to Congress the powers to raise and support armies, provide and maintain a Navy, and make rules for the government and regulation of the land and naval forces.

(B) Under those powers conferred by section 8 of article I of the Constitution of the United States to provide, support, and maintain the Armed Forces, it lies within the discretion of Congress to provide opportunities to train the Armed Forces.

(C) The primary purpose of the Armed Forces is to defend our national security and prepare for combat should the need arise.

(D) One of the most critical elements in defending the Nation and preparing for combat is training in conditions that simulate the preparation, logistics, and leadership required for defense and combat.

(E) Support for youth organization events simulates the preparation, logistics, and leadership required for defending our national security and preparing for combat.

(F) For example, Boy Scouts of America's National Scout Jamboree is a unique training event for the Armed Forces, as it requires the construction, maintenance, and disassembly of a ''tent city'' capable of supporting tens of thousands of people for a week or longer. Camporees at the United States Military Academy for Girl Scouts and Boy Scouts provide similar training opportunities on a smaller scale.

(2) SUPPORT.—Section 2554 of title 10, United States Code, is amended by adding at the end the following:

''(i)(1) The Secretary of Defense shall provide at least the same level of support under this section for a national or world Boy Scout Jamboree as was provided under this section for the preceding national or world Boy Scout Jamboree.

''(2) The Secretary of Defense may waive paragraph (1), if the Secretary—

''(A) determines that providing the support subject to paragraph (1) would be detrimental to the national security of the United States; and

''(B) reports such a determination to the Congress in a timely manner, and before such support is not provided.''.

(d) EQUAL ACCESS FOR YOUTH ORGANIZATIONS.—Section 109 of the Housing and Community Development Act of 1974 (42 U.S.C. 5309) is amended—

(1) in the first sentence of subsection (b) by inserting ''or (e)'' after ''subsection (a)''; and

(2) by adding at the end the following:

''(e) EQUAL ACCESS.—

''(1) DEFINITION.—In this subsection, the term 'youth organization' means any organization described under part B of subtitle II of title 36, United States Code, that is intended to serve individuals under the age of 21 years.

''(2) IN GENERAL.—No State or unit of general local government that has a designated open forum, limited public forum, or nonpublic forum and that is a recipient of assistance under this chapter shall deny equal access or a fair opportunity to meet to, or discriminate against, any youth organization, including the Boy Scouts of America or any group officially affiliated with the Boy Scouts of America, that wishes to conduct a meeting or otherwise participate in that designated open forum, limited public forum, or nonpublic forum.''.

AMENDMENT NO. 2055

(Purpose: To make appropriations for certain activities related to Hurricane Katrina relief)

At the appropriate place, insert the following:

TITLE ___.

SEC. 101.

(a) There are appropriated out of the Employment Security Administration Account of the Unemployment Trust Fund, $14,000,000 for authorized administrative expenses.

(b) From the money in the Treasury not otherwise obligated or appropriated, there are appropriated to the Office of the Inspector General of the Department of Health and Human Services $5,000,000 for oversight activities related to Hurricane Katrina.

(c) The amounts appropriated under subsection (a) and (b)

(1) are designated as an emergency requirements pursuant to section 402 of H. Con. Res. 95 (109th Congress); and

(2) shall remain available until expended.

Mr. CHAMBLISS. Mr President, I rise today in favor of the amendment I am offering to H.R. 2863 that will establish pilot projects regarding pediatric early literacy on military installations.

Reach Out and Read, ROR, is a program that trains doctors and nurses to advise parents about the importance of reading aloud to their children. The program provides books for all children from the age of 6 months to 5 years receiving a check up at participating pediatric centers. From the start, the purpose of ROR was to encourage parents to read to their children and provide them with the tools to do so. This premise is the basis for the ROR model utilized by 2,337 program sites across the United States today.

Currently, the program sites are all located at clinics, hospitals, office practices and other primary care sites serving more than 2 million children distributing more than 3.2 million books annually. While I am pleased that the program has a strong presence in Georgia, with over forty participating sites, I am also aware that none of the participating sites are on any of our thirteen military installations.

It is important that the children growing up on our Nation's military installations are allowed the option to

participate in the same federally funded programs that are offered to nonmilitary families and children. Initially, Reach Out and Read began as a collaboration between pediatricians and early childhood educators. By working together, these two groups found that pediatricians and nurse practitioners were in a unique position to promote early literacy because they enjoyed and had regular contact with young children and their parents through well-child check-ups. Reach Out and Read builds on the unique relationships between medical providers and parents, and helps families and communities encourage early literacy skills so that children will enter school better prepared for success in reading.

ROR plans to launch 300 new program sites per year for the next 5 years, which will double the number of children receiving books and guidance. My amendment will establish Reach Out and Read pilot programs on a limited number of military bases across the country. I ask for support of this amendment.

Mr. STEVENS. I move to reconsider the vote.

Mr. INOUYE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. STEVENS. Mr. President, again I say, we have told our colleagues time and time again we were waiting for amendments. No amendments have been noticed on either side.

I ask for third reading.

The PRESIDING OFFICER. The question is on the engrossment of the amendments and third reading of the bill.

Ms. LANDRIEU. I object. I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator may debate.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARPER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. Mr. President, I ask unanimous consent that my 1 hour of time of debate be yielded to Senator LANDRIEU from Louisiana.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CARPER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I ask to speak for as much time as I may consume. I understand there will be other amendments that may be offered. We are trying to debate and pass the Defense appropriations bill. I thank the Senator from Alaska and the Senator from Hawaii for their good work in trying to move this bill through because they have done an outstanding job.

I find myself in a very unusual position because, of course, I voted for cloture because I want to pass this bill. We absolutely have to pass a Defense appropriations bill. Unfortunately, we have had 48 soldiers from Louisiana die, many more wounded. Families are still mourning those losses and we have to figure out a way to get the job done over there, and get it done right and get our soldiers home.

We need to move on with this bill. As my colleagues know, at about 4:30 this morning this bill will pass under the cloture rules and we are going to go on. But I have decided to take some time until 4:30 this morning to talk about a war that is going on at home and that is a war we are fighting on the gulf coast to stay alive, to protect our way of life, to keep the American flag flying over Louisiana, Mississippi, and Alabama.

Mr. STEVENS. Mr. President, may I inquire how much time does the Senator have?

The PRESIDING OFFICER. Does the Senator from Louisiana yield for a parliamentary inquiry?

Ms. LANDRIEU. Yes.

Mr. STEVENS. How much time does the Senator from Louisiana have remaining?

The PRESIDING OFFICER. There is 94 minutes.

Ms. LANDRIEU. Mr. President, I probably will not take all 94 minutes at this moment, but I will probably take that and even some more as we move through the evening trying to get some closure on a subject we have now been talking about, unfortunately, it seems, with no end in sight, or no resolution on the horizon to try to get some real money—not photo ops, not promises, not press conferences, not visits, but some real money to some real people in Louisiana who need help, our cities that were devastated, our parishes that have been crippled, our law enforcement that has been set back on its heels. Three hospitals stayed open the entire time in the New Orleans metropolitan area to provide desperately needed emergency health care in a region of almost 1.5 million people. Heroically, they stayed up, and because they did, one of those hospitals cannot claim insurance because the only way they can claim it is if they closed down. They stayed open so they may lose their hospital if we do not try to get some money.

The reason I do not feel the least bit guilty standing here asking for it on this bill is because the underlying Defense bill—if the staff will bring me the final numbers of this bill—has a tremendous amount of money we are spending in Iraq for our defense and for the standing up of Iraq. While I have questions about some of the things we are doing, some of the things we have done, and how we are going to get ourselves back home after stabilizing it, I have to say when I went on the Web site today, it was hard to actually read. The people of Louisiana, Mississippi, and Alabama are going to be quite surprised if they go on this U.S. Army Corps of Engineers Web site and pull up this gulf region division because they might think this is about the gulf region right here in the United States. But it is not. It is about the gulf region in Iraq.

In the underlying bill we are passing, and we need to pass, I am trying to get the administration—the leadership here to at least agree to take $1 billion of the FEMA money we have already allocated, $62 billion, and send to Louisiana to begin some construction projects and some standing up of some critical programs to keep cities, parishes, and law enforcement whole as we begin our rebuilding program from the largest natural disaster that ever occurred. That is all we are trying to do is give $1 billion to the cities and parishes so they can hold heart and soul together, so as we pass additional help, whether it comes from levee construction, or whether it comes from small business, or whether it comes from health care, the entities of the government, the parish presidents, the cities, the sheriffs, the police officers, and the fire departments are there to help us build a region.

I was surprised to see on the Web page that this is the goal we have in Iraq: to establish a government, provide security, enhance basic services to the Government of Iraq. It sounds like something we are trying to do in Louisiana, Mississippi, and Alabama—provide security, enhance basic services, and keep our cities, our police forces, our fire departments operating through the worst and largest natural disaster in the history of the United States.

We are getting ready to send billions of dollars to Iraq, finance billions of tax cuts for other people, finance billions for programs. We have already given $62 billion to FEMA that everyone says does not work, and I can personally testify to that, having been in the State now almost every day since this hurricane. We cannot seem to get an agreement to get $1 billion for the people of the gulf coast to keep their security open, their basic services operating, their electricity running, and their water turned on.

We have been working for weeks diligently on these 815 projects in Iraq for ports of entry, military facilities, police facilities, fire facilities, prisons, and courts. The last time I checked the New Orleans court system, we did not even have a court operating. The last time I checked, the supreme court had moved to Zachary. The supreme court used to be operating in New Orleans until Katrina came. The whole supreme court went to Zachary, LA. They do not even have a court building to operate in.

I am all for this bill. To my knowledge, I have never voted against a Defense appropriations bill and do not intend to tonight, but because Senator VITTER and I have been asking for some money directly, not even new money, not even money out of this bill, for the House of Representatives to send us a commitment, for the President to send us a commitment of $1 billion to our sheriffs, to our police force, to our firefighters for 3 months, to keep them operating, is it any surprise that I cannot sit in my chair and smile while we are sending all of this money to stand up public works in Iraq—354 planned projects in water treatment, sewer projects, buildings for health and education; 1,091 projects, including schools, primary health care centers, hospitals, and public buildings?

This is what my city looks like. Actually, this is not New Orleans. This is probably Waveland or Bay St. Louis, but it could be New Orleans. It could be Slidell.

This is what the gulf coast of the United States looks like today. Most of it is gone. These are the cities Senator VITTER and I and our delegation have been trying to get help to. I do not see any houses here, but maybe someone does. I do not know how we collect ad valorem taxes to pay for police and fire protection. There are no stores people can shop in to generate the sales tax necessary to keep the mayor and city hall functioning. When we pass tax credits, which we might want to do and have already done to entice businesses to come back, where would they go to get a permit? When they file their plans for construction, who would review them? When they have to file their plan to meet the EPA standards that would be required before they could build here, who would be there to take their application?

This photo is what my constituents look like. I wouldn't be surprised if this man was in the Army or the Navy. Maybe he is a Reserve officer. I wouldn't be surprised at all because I have thousands of them who put the uniform on and went to Iraq and came back, and this is what they have come back to. I have an administration that is going to pass this Defense bill to put electricity in Baghdad, build schools in Baghdad, and will not give the Louisiana delegation $1 billion—out of $62 billion that has already been allocated so it wouldn't cost anybody a penny—to help keep the lights on in the cities that were destroyed.

This is what my people look like. I don't know how many times they have to cry. I am sorry she doesn't have a lobbyist to send to Washington. I happen to be her lobbyist.

Here is one for the books. ''Here lies Vera. God help us.'' I think this grave is in New Orleans. I am not certain. But neighbors in the middle of the flood, when no one would come to get them, took this 65-year-old woman who was killed in the flood and built a grave for her and wrote ''Here lies Vera. God help us,'' before they left.

This is a picture of a woman who the news media does not think a lot of—not all of them, but a lot of them don't think she is self-reliant. We don't have self-reliant people in Louisiana because we have the nerve to come up here and ask for money. That is our money that we put in the Treasury. We don't have self-reliant people, one of the newspapers said, in Louisiana.

Our people put money in the Federal Treasury thinking they belonged to the United States of America, so when one county or one parish or one State is hurt, the other 49 might come to their aid. That is what the United States is about.

This woman looks pretty self-reliant to me. She does not have much, but you know what. She has her two children in her arms. And if she had three, I am sure she would have figured out how to bring the other one on her back. She brought them to safety.

This woman may be complaining, but I can tell you I have seen a lot of people who have been through a lot of stuff, and they still come up to me and say: Senator, we appreciate everything everybody is doing for us. I just wish you would hurry up.

Not everybody is complaining. But let me put it down right now: I am complaining. This Senator is complaining about the treatment that our people have received.

I tried to be patient. I tried to say: Fine, FEMA is not working. I understand it. We all made a mistake. We all messed up. We put it where it can't work. We put someone in charge who didn't know what he was doing. We gave them money, they can't spend it, so let me just have $1 billion of the $62 billion that they have. There is $43 billion sitting there they cannot even use. Let me just please get it to my firemen, to my police officers, to the mayors to let them operate for 3 more months.

I have to be told: Senator, I am sorry. We want to go home on a break. You know what. We are not leaving until 4:30 in the morning. We might go home on a break, but it will be 4:30 tonight.

Right after the storm, a lot of people didn't have electricity. After hurricanes you don't have a lot of electricity, so people are used to it. After about a week or 2 weeks, the electricity comes on, but of course a lot of things are ruined in your house. But I still have places with no electricity. How do you get businesses to come back if they don't have electricity? I still have places that don't have running water.

Please stop sending us bottled water. We have enough. It is not the bottles we need, it is the faucets that need to get turned on. But we are going to stand here and pass a bill delivering on power for Iraq.

A total of 2,760 megawatts of power have been added to the grid in Iraq to service more than 5 million Iraqi homes, and I can't get $1 billion to help keep electrical workers on the ground in New Orleans turning on the power in Louisiana, Mississippi, or Alabama.

We never have any money for anything, but here in the Corps of Engineers budget here is $4.3 billion allocated from supplemental appropriations for general system improvements for electricity. The World Bank estimates the total necessity to be $12 billion, so I am sure we are going to come up with the other $8 billion to turn the lights on in Iraq. But the people who produce the electricity in the United States of America to turn on lights everywhere in the country, from Chicago to New York to California, can't get the lights turned on in their own backyard because nobody around here can find $1 billion to give to us.

They say: Senator, how do you know FEMA is not working? I have been home just about every day and have been to most of the shelters, talked to most of my mayors, talked to my sheriffs, talked to everybody at home, trying to be patient, understanding they are working little kinks out. But let me tell you what comes into our office on a daily basis.

Phone calls to my office:

> The attached pages are records of some [underline some] of the calls received in the last few days. Nearly all of them from constituents who have not received any assistance from the Federal Government or Red Cross.
>
> Some of the first calls were for search and rescue, and in the 35 days since Hurricane Katrina made landfall, countless Louisianans are in no better shape than they were on the day the hurricane hit.

I am sure Senator VITTER has a stack at least this thick, if not thicker, as has every member of our congressional delegation, and even some of our neighbors from the neighboring States. They have calls recorded—names, phone numbers.

When people say, Senator, how do you know FEMA is not working, I do have an idea it might not be working very well. So we could take $1 billion from FEMA, send it through an already existing program called the Community Disaster Loan Program that worked in New York, that worked in Puerto Rico, that has worked everywhere in the country when disasters strike, and transfer some of that money there and just give it to our cities, our sheriffs, our law enforcement, and the three hospitals that stood up. Not the 21 other hospitals that are closed, not all the other needs that we have, from levees to environment to housing to education to health care—none of that. We can wait for that until we get back. Just keep us operating while we are on vacation.

We have yet to hear from the White House, from the House of Representatives. I know the Senate would pass such a proposal, but the reason I cannot accept the passage from the Senate is because all that would be is a Senate-passed bill.

I am sure the Senate would pass it unanimously, but it would pass and it

would sit and no one in Louisiana or Mississippi would get help because until the House of Representatives acts, until the President says that he will do this, it cannot be done.

I know the President wants to help. He has been down to the State. He recognizes that FEMA is having some problems. He has said he wants to help. But we just cannot keep waiting. So I am going to stay here through the evening. I am going to continue to negotiate. I am going to continue to talk with the Senators handling this bill. I am going to continue to have telephone calls and meetings with anybody who would like to talk about this subject and see what we can do to get this money committed, in real dollars, in any bill in any way for this one community disaster assistance program.

Then we need a commitment when we get back to have a vote on Grassley-Baucus, a bill that gives emergency health care that this Senate has already approved in a bipartisan way, and three amendments to that bill. They would cover some emergency education for elementary and secondary grades and emergency education for our universities that are teetering on the brink of collapse—all of them, public and private, and historically black colleges included. If we can have a vote when we come back—the Senate can vote no, the House can vote no, or you know what—the President can veto the bills. But at least I will think I did everything I could to try to get people help. If the President wants to veto the bills, fine. If the Senate wants to vote them down, fine. If the House wants to vote them down, fine. But at least we can get a commitment to get votes on those bills, get the $1 billion now, and we will come back.

I assure you we will be working on this not for weeks but for months, for perhaps years—until we stand up this region.

I am not one who doesn't believe in nation building. Some people don't think we should be engaged in it. I happen to be inspired by the idea that maybe the United States has some things we could share in a positive way and help countries to achieve what we have achieved, which is remarkable in the history of the world. But I have to tell you, the first nation we need to be building is our own. We have had the largest natural disaster in the history of the country, Katrina, followed by Rita, which was a vicious and very tough storm, and in between those things a disastrous collapsing of a levee system that put the Nation's energy coast underwater—or a large segment of it. It put 10 feet of water in a major American city and virtually has shut it down and shut down the surrounding areas.

I have to walk around the Senate for 31 days pretending. Are people saying to me, What can we do to help? We have laid down many things that can help. Many committees have responded. Yet the only thing that has happened for 31 days is that we have given FEMA money, and they can't seem to get it out. So we need to try something a little different. We need to try something a little different.

I wish FEMA was the way it used to be, and maybe it will be again. But it is not today, and it won't be next week, and it won't be next month. We can't keep waiting for FEMA to organize itself. We are the Congress of the United States. We are Senators. We understand these things. We have been through them before. And to just keep doing the same old thing and expecting different results is crazy. It doesn't make any sense. It is not right.

Let us figure out a way to take $1 billion out of FEMA, transfer it either through this bill or through another vehicle, and send the money to our parishes, to our cities, to our police, to our fire for 3 months of operation, which is already authorized in the law. But the reason it can't be done administratively is because there is a legislative cap of $5 million. The budget for the city of New Orleans alone, salaries only, is $20 million a month. Why would anybody think that a program that only allows you to borrow $5 million would help them? We have to find $1 billion, approximately, to keep these entities up and running, or by the time we get back in 10 days they might have already had to lay off police, fire, and critical personnel. How do you start building up again once you have closed down your city hall, shut down your fire department, shut down your police department, and people have had to go out and search for jobs elsewhere? How do you recruit them to come back? How do you get them back after you have broken their spirits and laid them off is beyond me.

Let me correct myself. No matter what Congress does, having represented this State for a long time, I want to say that you are not going to break our spirit. It has been around a long time. We are a pretty old place. We were here before the country and are worth saving. We will figure it out.

But people in Louisiana are having a hard time figuring out how we can spend weeks on the Defense appropriations bill, which is doing more than supporting our troops, which is building up Iraq, actually, with a gulf coast region. I want to repeat, gulf region division. We don't even have a gulf region division of the Corps of Engineers in the United States of America today. We have a New Orleans district which covers the southern part of Louisiana. We don't even have a gulf coast region. That would be an advancement. But we have one in Iraq. Meanwhile, the gulf coast of this United States, the heart of the energy industry, looks something like this with the water down.

As I said many times, while there is a lot of vacationing that goes on in the gulf coast, particularly along the coast of Mississippi, we have enjoyed that beautiful coastline for years, and we have enjoyed the beautiful sandy beaches in Alabama. Most of the people in the coast of Louisiana and many in Mississippi and Alabama work at the ports. They work at shipbuilding. They are shipbuilders or they are commercial fishermen who put food on the table that everybody in America eats, and around the world. They light up Chicago, and they are proud of it.

Do you know what the National Geographic said about it? I think this is a very reputable publication, and it is written, I am very proud to say, with the help of the Times-Picayune, our newspaper which has been in the city I think as long as the city has been there, evacuated itself. They are writing the paper in Baton Rouge and printing it in Houma. We don't even have a newspaper in the city of New Orleans, not the major newspaper. We have several other good publications, and they are all struggling to stay in business. But with nobody in the city, where would you deliver your paper and to whom would you sell the advertising? There are no businesses in the city that are operating very well. But our newspaper, thank goodness, is still working. They collaborated with the National Geographic and the Dallas Morning News and put together this amazing report on Hurricane Katrina, ''Why It Became a Manmade Disaster and Where It Could Happen Next.'' I highly recommend it for reading here and around the country.

On page 49, it talks about an economic powerhouse brought to its knees. We are not a charity case in Louisiana. We are an economic powerhouse, and we have been so for over 350 years. I reminded my colleagues today, thank God for President's like Thomas Jefferson who understood borrowing money and what you borrow it for. He borrowed money from the Treasury and bought the Louisiana Purchase for 3 cents an acre because he knew that this country could not grow and meet its destiny, that western expansion and getting to the West was impossible without the Mississippi River.

Andrew Jackson went down there after he fought one war and defended it again. Why? Because after he won the first war, the British tried to come and take New Orleans because if they could take New Orleans, we could never be the country we are. Thank God Andrew Jackson knew about it, and thank goodness the storm didn't topple his statue, which is still in Jackson Square.

An economic powerhouse brought to its knees. Eight hundred manned and thousands of unmanned platforms are in the Gulf of Mexico. The largest platform, Mars, is teetering on its side. They cannot produce oil and gas. We are trying to get it stood up again.

If anybody wants to know why the price is going up, it is because this monster hurricane hit the heart of the oil and gas industry. Despite our best efforts to protect these infrastructures, despite begging for decades—decade after decade after decade—to restore

our marsh, to protect the investment this country has made, for 200 years we have been turned down time and time again. So now it is time to pay the piper. And I am sorry if it is going to cost $40 billion. I am sorry that is what it is going to cost over the next 10 to 20 years to stand this powerhouse up again. If anybody wants to check the figures, just come to the Hart Building on the 7th floor, and I will go over every single dollar with you.

Do you know what the biggest ports are in America? It is not New York, it is not Seattle, and it is not Houston. It is the Port of South Louisiana, the Port of New Orleans and the Port of Baton Rouge. We dwarf the other ports. We dwarf them. Our port comes up here and asks for some money, and they get told they are a charity case. They have been taking grain out of Kansas for 200 years. We have been draining the whole continental United States for 200 years. We have been shipping everything—goods—all over the world for 200 years. And I have to hear that when our port comes here for help, maybe not even a grant, just a loan to get them through the next 3 or 4 months until they can get back up on their feet, that there is something un-American about them, they need to be more self-reliant.

Over 9,000 miles of pipeline connect the gulf with the Eastern United States. We have laid pipelines. No one in America wants them, but we have been laying them down for a long time. Why? Because we have oil and gas. We believe in energy, energy independence. We don't think we should get everything from Saudi Arabia. We would like America to be more independent, so we produce some oil and gas, and we make no apologies for it. But when you lay these pipelines and do not invest in the marsh in which you lay them down and you let it erode and the saltwater comes in and you levee your rivers for channelization and you don't invest in the technology and science that we know would protect our marsh, catastrophes happen.

Unfortunately, as in every case, the poor have suffered the worst. But they are not the only ones who have suffered. Middle-class families, very successful, money in the bank, house paid for, children through college, looking forward to the next 10 or 15 years, 20 years maybe, and they deserve it; they have worked hard all of their lives, they have paid their taxes, they have kept up with their interests, they go to church every week, and this is what they look like today. They are told to be more self-reliant? I do not know how much more self-reliant people can be.

I will continue to explain why our region is an economic powerhouse, why it needs to be so again, why we need to rebuild it, and why, unfortunately, it is going be more expensive than it should have been because of the things we should have been doing for the last 40 years and haven't, the investments the Federal Government should have made and didn't, even when they knew that this was inevitable. Yet there are some things that we didn't do at our State level. And yes, there are some things we didn't do at our city level.

But again, this river does not serve only the 4.5 million people who live in Louisiana, it serves the 300 million people who live in this Nation and the billions of people who live in this world and depend on trade for prosperity and for commerce and for peace, because the more we trade with each other, the more we know each other, the more we can rely on each other in a mutually respectful way, the greatest chance we have for peace.

These levees do not just protect the people who live in the neighborhoods around them. They protect billions and billions of dollars in investment made by this country over a long period of time. And a levee system failed. We have struggled to keep the levees up. We have spent a lot of money keeping them up. But we needed more help from the Federal Government. We could have been more efficient on our end as well. We could have taxed our people more. But it gets hard on all of those fronts. People want tax relief. They don't really want to face the expense of what we have to do. We are not always disciplined about the way we build.

But again, it is not impossible if we make some decisions now to get some emergency money to our cities, to our sheriffs, to our law enforcement officers, and to our very basic health care in the region. This is not just New Orleans, this is all through south Louisiana and Mississippi and Alabama. This would cover all of them. Under current law, that is no help to them right now—or very little help. We can cover some places in Texas if they need help. I don't know if they need as much help as we do in Louisiana or as we do along the gulf coast in Mississippi which I am more familiar with than I am the coast of Texas, although of course I have been there. I really grew up on the coast of Mississippi, as well as on the coast of Louisiana, so I am more familiar with it. But I can tell you that these cities that look a lot like this throughout the gulf coast are going to have a hard time meeting payroll.

Some cities have money in the bank, but the needs are so great and so overwhelming and FEMA has not been, as I said, very efficient. If we can't get them just a bridge loan, if you will, for 3 months a lot of our cities won't operate.

Now, I understand—and this is a Mississippi coast. You can tell because they have white beaches. We don't have beaches. Our coastline is marshy. I am pretty sure this is Mississippi. In Mississippi, I understand their legislature has borrowed $500 million so their cities could get some money, and that might be a solution for them. The problem with Louisiana is that our Constitution prevents us from borrowing money for operating expenses. And that is, in my view as a former State treasurer and current Appropriations Committee member, not a bad rule, if you will. You don't want to borrow money for operating expenses. If you are going to borrow money and have people have to pay it back, you want to invest it in that which will return to you something in the future. So you borrow money to build ports, to build highways, for capital improvements. So our State cannot borrow money at the legislative level to give out to our cities for operating expenses or to our firefighters and police. The FEMA law today only allows the payment of overtime. So while we can get overtime paid, we can't get straight time paid. We can't get regular time paid. Even if we would, they can't lend them more than $5 million. And as I said, the operating budget in the city of New Orleans is $20 million a month, so $5 million will not do us very much good. If I thought we could organize a constitutional amendment in 30 days and have a vote, I might suggest that. But the polling places have been washed away, and I am not sure how we would find all of our people to vote since there are people in all 50 States, and we have no mechanism right now to do that, to my knowledge.

So we cannot borrow money at the State level to help them. The cities can't go to the capital market. We are restricted by the Constitution. FEMA has $63 billion, with $43 billion sitting there, and Senator VITTER and I and our delegation have asked for $1 billion to keep the lifeline until we get back from our vacation, and we are told we can't afford it, but we are going to stay here and pass a bill to stand up the country of Iraq by building schools, health care facilities, electric grid, sewer and water, water treatment plants.

Well, I can understand, you all can understand why the people of my State would want me to stand here and try to make this case. So we will be standing here, I will be standing here until 4:30 in the morning until we get a resolution on what we are asking for. I am asking for $1 billion of real money anyway, outside of FEMA or take the $1 billion from FEMA. Let us keep our lifeline going until we get back, and when we get back have a vote on Grassley-Baucus, which this Senate has put together in a bipartisan way, with three amendments for emergency funding for our schools and our universities, for health care, and housing.

I reserve the remainder of my time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SANTORUM. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER Without objection, it is so ordered.

VOTE CORRECTION

Mr. SANTORUM. Mr. President, on rollcall vote 252, I voted ''yea.'' The official record has me ''absent.'' Therefore, I ask unanimous consent that the official record be corrected to accurately reflect my vote. This will in no way change the outcome of the vote.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SANTORUM. I thank the Chair.

Mr. LEAHY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BYRD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I understand that the distinguished Senator from Louisiana, Ms. LANDRIEU, wishes to continue her speech. I ask unanimous consent that I may speak briefly for not to exceed 10 minutes and that she then be recognized to continue her speech.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. I would object to that. The Senator from Louisiana has not asked for time. The Senator does not have to ask for time. He is entitled to an hour right now at his own request. So we do not have to have any consent. But I do not object to the Senator speaking as long as he wishes. But I do object that only the Senator from Louisiana can be recognized when he is finished. And Senator HATCH, by the way, is here. He had a very sad thing occur in his office, and he wants to speak when the Senator is finished.

Mr. HATCH. If I could.

The PRESIDING OFFICER. Objection is heard.

Mr. BYRD. I thank the distinguished Senator from Alaska, and I thank the distinguished Senator from Utah.

Mr. President, last night, in a closely divided vote, the Senate rejected an attempt to add much of the Defense authorization bill to the Defense appropriations bill. Each of these bills is vitally important to the men and women of the U.S. Armed Forces but for different reasons. Inasmuch as I am a member of both the Senate Appropriations Committee and the Senate Armed Services Committee, the importance of each of these bills is very clear to me.

The Defense appropriations bill contains the funds that are needed to keep our military running. This bill contains $440 billion that is required to, among other things, pay, train, and equip our troops for the next 12 months. It is often said that our troops are the best trained, the best equipped, and the most capable military force in the world. In large part, this is true because Congress has appropriated the moneys that are needed to create this outstanding fighting force. That, in a nutshell, is the importance of the Defense appropriations bill.

The Defense authorization bill also has an important purpose. That bill is intended to establish in law critical defense policies. The Defense authorization bill contains provisions that relate, among other things, to the setting forth of the number of military personnel that the United States is to maintain; expanding health care options for our troops and their families; and increasing pay and compensation for active-duty, National Guard, and retired servicemembers. The bill also includes many complex technical provisions, such as changes to military acquisitions policy. The authorization bill is important to our troops, but it is a very different bill from the Defense appropriations bill.

Last night, I opposed the effort to fuse these two bills into one. That move, had it been approved, would have resulted in a delay in our troops getting the appropriations that they require. It also would have resulted in less attention to the policy matters in the authorization bill that affect our troops in so many ways.

The Senate owes our troops and their families a conscientious, well-informed debate on such important authorization matters as improving health care benefits for the National Guard, among other things. The American people need to know what their elected representatives in Washington are doing when it comes to defense policy. The American people have given their sons and daughters to fight for their country. Can't the Senate give a few days to them? Can't the Senate give them a few days of debate to inform them about what the Congress proposes to make the law of the land concerning defense policy?

Many believe that the Senate could debate, amend, and approve the Defense authorization bill within a week, plus or minus a few days, if it were brought before the Senate for open debate and amendment. Passing the authorization bill in that way would serve our troops far better than keeping that legislation on the shelf, where it has been for several months now.

The Senate will pass the Defense appropriations bill later today. Surely—surely—Senators can spare the time required to finish action on the Defense authorization bill. Our troops are overseas. They are serving in harm's way and need both of these bills to be debated, passed, and signed into law.

The Senate has spent all too much time conjuring up complex parliamentary procedures instead of facing the real issues confronting our military servicemembers. The Senate should call up the Defense authorization bill and let the sun shine on our deliberations and debate.

We are the servants of the people. We are the servants of the people, not their masters. We owe the people a public accounting of decisions on such important matters, instead of a fast shuffle that avoids difficult issues and difficult votes.

IRAQ

Mr. President, on another matter, next week, the people of Iraq will go to the polls and cast a critical ballot. They will decide whether to endorse the constitution as drafted by their political leaders. It is an important day, and I pray that it goes well.

No matter how well the vote goes, whether or not the constitution is ratified, it appears that the men and women of our Nation's Armed Forces will be in Iraq for a long time to come.

I applaud those men and women. Our soldiers, our sailors, our airmen, our marines, our National Guard, our Reserves—our troops—have displayed unique courage in the face of great trials. My support for them has never—and will never—waiver. They have earned the respect and thanks of this Nation.

But even more than laudatory words, our troops deserve a plan for Iraq from their Commander in Chief. The American people deserve the same. We must have a plan with measurable goals and objectives, a plan that gives some surety to our military as well as to the people of this Nation.

Today, in a speech to the National Endowment for Democracy, the President talked a great deal of why we have forces in Iraq, but the President did little to provide any plan for success.

The American people want to know how we will measure progress. In response, the President said:

> We never back down, never give in and never accept anything less than complete victory.

No specifics, no plans, no way to measure success.

Maybe the President did not offer specifics because the specifics are not very encouraging.

Consider the Iraqi troops. For a new American soldier, basic training takes 9 weeks to complete—9 weeks. The United States has, for more than 2½ years, been training a new Iraqi military. Basic training for all Iraqis, and specialized training after that—2½ years.

In June, the Senate was told by the Department of Defense that 3 of 100 Iraqi battalions were fully trained, equipped, and capable of operating independently—what the Defense Department calls ''level one trained.'' Two and a half years: three battalions—three battalions.

Between June and the end of September, one would assume that we would be growing that number. Yes, one would assume that we would be growing that number. We are training more Iraqi forces, so more Iraqis should be ready to stand up and defend themselves.

Yet, in testimony before the Senate Armed Services Committee on September 29—just a few days ago—GEN John Abizaid, the Commander of the U.S. Central Command, poured cold water—cold water—on hopes for progress. Between June and September,

the number of ''level one trained'' battalions went from three to one. How about that? Instead of moving forward, we are going backward.

Perhaps the reason that the President did not tell the American people how to gauge success is because he does not have success to report. I must admit, I listen to every address—every address—about Iraq with great skepticism. And it is because of the track record of this administration. Don't just take my word for it. The record is replete with examples that cause one to look askance at the White House claims.

One example is from this past May. Vice President CHENEY was asked about progress against the insurgency by CNN. He responded:

> I think they're in the last throes, if you will, of the insurgency.

The Vice President was confident. The Vice President was unwavering. The Vice President was wrong.

Again, in testimony before the Senate Armed Services Committee last Thursday, GEN George Casey, the Commanding General of the Multinational Force in Iraq, explained that the ''last throes'' was a rosy scenario.

> The average counterinsurgency in the 20th century has lasted nine years. Fighting insurgencies is a long-term proposition, and there's no reason that we should believe the insurgency in Iraq will take any less time to deal with.

Now, those are the words not of ROBERT C. BYRD, but they are the words of General Casey.

Whom should the American people believe? What should the American people believe? It is time for the deceptions and the distortions and the misrepresentations to end. The American people deserve the truth.

Instead of broad platitudes, the American people deserve the facts. Most importantly, the American people deserve a plan. When will the Iraqi people be able to defend themselves? When will the Iraqi military be able to fight the insurgency without the American forces? When will the Iraqi police forces be able to control the streets? What is the timetable for reconstruction? What is the target for constant electrical power in the major cities? For communications? For safe transportation? What is our strategy for preparing the Iraqi people to be able to defend themselves?

We seem to have no strategy—no strategy—with benchmarks for success, no plan for progress. How will we know victory if we cannot even define it? What is the plan for our heroes in Iraq? What is the plan to stabilize that nation? The American people and the Iraqi people deserve to know the answers.

> The people of the United States must know not only how their country became involved, but where we are heading.

That is the end of the quotation. I agree with those words. But they are not mine. Those words belong to a Congressman from the State of Illinois in August 1965. Those words belong to our current Secretary of Defense, Donald Rumsfeld. And they echo as true today as they did in that summer 40 years ago.

I urge the Bush administration to level with the American people. Moreover, I urge the White House to level with itself. Face the facts. Stop the spinning. Get a grip on the situation. Then please, please, oh, please, explain to us all where we are heading in Iraq.

Mr. President, I thank all Senators and I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

TRIBUTE TO SHAWN M. BENTLEY

Mr. HATCH. Mr. President, I rise with a heavy heart to announce the untimely passing of one of the Senate's own, our long-time staffer and former colleague, Shawn Bentley.

What can you say about a 41-year-old man who died: That he was brilliant and talented; that he was a loving family man, a wonderful father to Katie and Samantha, and a devoted husband to his wife, Becky; That he loved James Joyce and William Shakespeare and Elton John; and the law; and the Senate; and life.

Shawn worked for the Judiciary Committee for a decade, from 1993 to 2003. Starting as my counsel, in the minority, Shawn worked on a variety of legal issues, from healthcare antitrust, to radiation compensation, to the balanced budget amendment. He rose through the ranks, ending his Senate tenure as the majority's chief intellectual property counsel and deputy chief counsel to the committee, one of the top jobs in the Senate.

Although we were sad to see him leave the Senate, I was so proud of him when he joined Time Warner as vice president of intellectual property and global public policy.

In the Senate, the major bills Shawn helped write are among the most important laws in the intellectual property world: the Satellite Home Viewer Improvement Act; the Digital Millennium Copyright Act, the American Inventors Protection Act, the Patent Fee Integrity and Innovation Protection Act, the Anti-Counterfeiting Consumer Protection Act, and the Trademark Dilution Act, just to name a few.

Shawn was so bright and so accomplished a lawyer, that we did not hesitate to assign him any subject. And it was such a joy to work with him, because all knew he was a model of decency, humility, and spirituality. As the Elders' Quorum President of his church congregation, and man of remarkably strong faith, Shawn lived a life of service to his fellow man and woman. In whatever he did, Shawn handled the matter with both talent and a remarkable good humor.

In all the years that Shawn worked for me, I cannot recall one time when he was not warm and engaging. Even when he was a little frustrated, as all of us are sometimes, Shawn still had a smile on his face. In fact, Shawn had a calmness about him that was almost serene. Yet, he had a very sharp sense of humor that made him a delight to be around.

Shawn was among the brightest and most informed. Yet, he was never arrogant, a rare quality in one so talented, especially on Capitol Hill!

Shawn was more than the chief intellectual property counsel to the Judiciary Committee, he was our in-house professor of arts and humanities. Visiting Shawn's office was not like visiting a typical counsel's office on the Hill. Visiting Shawn was more like visiting your favorite classics professor at his desk with his exquisite fountain pen in hand.

To be fair, Shawn's lair in the Hart Building had the requisite congressional directories, codes and public laws. But he also had a vast book collection of classics, poetry, Shakespeare anthologies, first edition novels, and British history books. And did I mention the miniature busts of philosophers and great thinkers?

Then, there was the collection of CDs ranging from Creed and Metallica to Beethoven to Brahms to Mozart and Bach. While his book collection in the office was impressive, we knew there had to be a much more extensive collection at home.

Pressed about his office supply of nonlegal books, Shawn admitted that it was growing because his wife Becky had imposed a moratorium on bringing any more books to their home, so the overflow ended up in the office. When Shawn found out that a colleague lived near the used book store in Bethesda where he often located some treasures, he enlisted her to pick us some volumes from time to time, thus saving him the trip and the explanation of a voyage to Bethesda. That was probably Shawn's closest thing to a vice: sneaking a volume of poetry into his collection.

Shawn was the only heavy metal enthusiast I know who also loved to read Shakespeare and could discuss both topics with equal enthusiasm and knowledge. Indeed, it was this respect for the importance of creativity in helping shape culture that may have attracted Shawn to IP—intellectual property—law and policy. He helped me with so many important IP issues, many of which I listed before, it is hard to single out Shawn's most important work.

One event does stand out in my mind. In 2000, as chairman of the Judiciary Committee, I scheduled a hearing on peer-to-peer copyright infringement. Shawn arranged to have witnesses from Metallica, Lars Ulrich, the Recording Industry Association of America, and several Internet company executives testify on the same panel. To demonstrate how P–2–P services worked, Shawn suggested I download from the Internet the rock band Creed's then-hit ''With Arms Wide Open.''

Just then, the bells rang for a vote and committee members started to

leave. I'll never forget looking back as I left Hart 216 and seeing the almost surreal scene of Senators mixing with media and staff, talking to Internet pirates and heavy metal band rock stars with rock music playing in the background. It was a scene that only Shawn could have pulled off.

Shawn did all this—he succeeded at all he undertook—without boasting or calling attention to himself. He knew there were more important things in life than a battle of wills and, as a result, he won the respect and trust of people on both sides of the aisle.

There is not one person on the Hill or in business who would call Shawn an adversary or enemy. Those who worked with Shawn learned a lot more from him than the other way around.

Two other fond memories of Shawn from early in his career come to mind. When the Senate was debating the constitutional amendment for a balanced budget, the BBA, I asked Shawn to develop some materials supporting the need for the amendment.

With customary good staffing, Shawn put together a very impressive set of volumes which he drove out to my home the weekend before the debate. I was astounded by the depth, and to be truthful, the volume of the materials. ''Shawn,'' I said, ''I'm just overwhelmed by the amount of material you developed. You didn't need to do all that.'' Shawn thought a moment, paused, and said, ''With all due respect, Senator, could you have told me that yesterday?'' That was the wit of Shawn Bentley. Quickly recovering, I replied, ''Shawn, I don't need all those materials if I have you sitting by my side. That's good enough.''

And I meant it. I could always count on Shawn to be well-prepared, succinct, and oh-so-witty. But Shawn was Shawn. So, then we got to the floor with the BBA.

As chairman of the Judiciary Committee, I was managing this constitutional amendment's debate on the floor with Shawn right there beside me. One of the most contentious issues was over how the amendment would affect the Social Security fund.

Senator Fritz Hollings, then the junior Senator from South Carolina, for some 40 years I might add, was recognized by the Chair to speak in opposition. Knowing his remarks were long, I took that opportunity to go to the cloakroom and make a phone call. I asked Shawn and another capable staffer, Larry Block, to please take notes and write down five points to respond to Senator Hollings.

The trouble was that with his deep South Carolinian accent, neither Shawn nor Larry had absolutely any idea what Senator Hollings said. After about five minutes, my two staffers were getting pretty nervous on the floor anticipating my return. Suddenly, Shawn gave a big smile. ''I've got it,'' he said. ''All we need to do is write down five points supporting the BBA and why its enactment would not have a negative impact on Social Security.''

I soon returned and read the talking points, adding several points of my own. All went well. Only later did I realize what Shawn had intuitively grasped. If we could not understand Senator Hollings, no one else could either!

The moral of this story: As President Andrew Jackson opined many years ago, ''Take time to deliberate, but when the time for action arrives, stop thinking and go in.''

Shawn was probably one of the most deliberate lawyers ever to have worked on the Judiciary Committee. On Capitol Hill, where the emphasis too often seems to be on getting there first, Shawn's primary concern was always getting it right first. I could count on him to have the right answer to my questions, and if he did not know the answer, he wouldn't guess—he would do the work and get it right and then make his recommendation to me.

I cannot say enough good things about Shawn Bentley. Indeed, his loss is a loss to the Senate family, to his family, and indeed the Nation.

As we head into this season of Autumn, as the leaves change colors and the temperature turns, some verses from Ecclesiastes 3 seem so appropriate:

There is a time for everything,
And a season for every activity under heaven:
A time to be born and a time to die,
A time to plant and a time to uproot,
A time to tear down and a time to build,
A time to weep and a time to laugh,
A time to mourn and a time to dance,
A time to embrace and a time to refrain,
A time to search and a time to give up,
A time to tear and a time to mend,
A time to be silent and a time to speak, and
A time to love and a time to hate.

Let us take comfort in those words, knowing that it was God's will that this be Shawn Bentley's time. But we can still rejoice in his life, and embrace all that was good about Shawn Bentley, the son, husband, father and friend we all loved so dearly. And may his family find comfort in the lasting memory of this great man, Shawn Marion Bentley, who indeed lived his life by the words of ''With Arms Wide Open'':

''If I had just one wish
Only one demand
I hope he understands
That he can take his life
And hold it by the hand
And he can greet the world
With arms wide open . . .''

Shawn Bentley's untimely passing is this Nation's loss.

On behalf of the Senate, let me say that our hearts go out to the Bentley family—to his loving wife Becky, their beautiful daughters Katie and Samantha, his parents DeAnna and Marion, and his five brothers Jared, Derek, Justin, Christopher and Gavin.

Mr. LEAHY. Mr. President, the Senator from Utah and I are here to talk about something where somebody's schedule has been terribly changed, the schedule of his whole family. I am talking about Shawn Bentley and how all of us who knew him are offering our deepest sympathy for him.

Certain people on the Senate Judiciary Committee are like family, and Shawn had most Senators and staff among his many friends. He was extremely well liked on both sides of the aisle, both for who he was and for what he did.

In his decade as a senior intellectual property counsel to my friend from Utah, Senator HATCH, he touched every significant piece of legislation that we undertook: The Satellite Home Viewer Act, the Digital Millennium Copyright Act, the Federal Trademark Dilution Act. Those were the significant ones. There are a lot of others, important ones, that he was intimately involved with. But he touched us not only with his skill as a lawyer, his devotion as a public servant, his generosity as a colleague, but especially just his innate decency as a human being.

I know that he was a loving and devoted husband, father, and son. Leaving behind a young family makes it even more tragic. I hope his family, his young daughters who did not begin to get enough time to know their father, will know that those of us in the Senate mourn his loss. It is a tragic one.

My wife Marcelle and I will keep him and his loved ones in our prayers.

I thank the distinguished senior Senator from Utah for arranging the time for us to speak.

I yield the floor.

Mr. HATCH. Mr. President, I am grateful to my distinguished colleague from Vermont for the kindness that he has shown here today and the friendship that he has shown to me and to the family of Shawn Bentley. I am very grateful to him.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent that whatever time remains to me in the hour allowed under cloture be transferred to the time of the distinguished Democratic leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. STEVENS. Mr. President, there are no speakers present. I ask unanimous consent that the Senate stand in recess until 7 p.m., with the time continuing to run against cloture.

There being no objection, the Senate, at 6:16 p.m., recessed until 7 p.m. and reassembled when called to order by the Presiding Officer (Mr. DEMINT).

DEPARTMENT OF DEFENSE APPROPRIATIONS ACT, 2006—Continued

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. SCHUMER are printed in today's RECORD under ''Morning Business.'')

Mr. SCHUMER. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I ask the Senate focus on a matter of real urgency and real importance for the people I represent in Louisiana and, indeed, for all of the victims of Hurricane Katrina along the gulf coast. We are dealing with so many new and enormously challenging situations because of the devastation of Hurricane Katrina. One of them is the fact that in Louisiana and in certain counties in Mississippi, in the truly devastated areas, we have areas that have been knocked off the map economically. There is truly no viable economic activity going on in those about six parishes in Louisiana and about three counties in Mississippi for the time being.

We will come back. Businesses will come back. Things will get back to normal over time, but it will take some time. So one of the primary challenges we have is absolutely no economic activity for now.

What does that mean? It means absolutely no local tax revenue for now to support local governmental entities, including crucial services such as fire and police and hospitals. This is an enormous and growing challenge in southeast Louisiana as we speak. Literally, we have crucial governmental entities that are trying to provide those very basic services—not a full-blown local government, not their normal budget as it was 3 months ago but those basic services, fire and police and hospitals, in order to form the basis of recovery. Because, indeed, if you do not have those essentials, you have nothing and no one will return; jobs and businesses cannot grow.

To help southeast Louisiana through this very torturous time, I have worked with the entire Louisiana congressional delegation to try to fashion some very focused relief to get funds through a loan program, which I will describe in a minute, to these local governmental entities so they can meet their core ongoing needs, their crucial emergency services, crucial necessary services such as fire and police and hospitals over the next few months until we can stabilize.

I have been working for over a week on this, getting into the details, if you will, with the Senate leadership. Let me compliment the Senate leadership and the majority leader in particular for being so focused on this issue, and working so hard on it, devoting significant staff to it.

I have also worked very hard on this issue with the White House and the administration, including the Office of Management and Budget. We have worked through the numbers and worked through various calculations of what that specific need for local government and essential services may be. I thank them and compliment them for that work.

I have also had significant discussions with the leadership of the House, and certainly House Members of the Louisiana delegation have done the same. We have thought through, worked through, talked through all of these issues.

The product of all of that work is a proposed piece of legislation which I have circulated to all Members of the Senate. Under that proposed piece of legislation, we would offer some immediate help, which we need to do now, before we recess for next week, to allow these local governmental units to survive and provide the basic police, fire, hospital, and related services they need to continue to provide if there will be any platform on which to build a full recovery.

I have circulated this proposed bill. It is a $750 million bill that would work through an established loan program in the Department of Homeland Security. It is called the Community Disaster Loan Program. It has gotten great support through the Senate. In fact, there has been no objection on the majority side.

There is some objection on the minority side, but as yet, at least in terms of my knowledge, that objection has not been clearly identified or described to me or to anyone who can work out the problem and work out the objection.

Because of this enormously pressing need, because these units of local government are literally on the brink and can teeter either way with their mandate to provide essential services—fire protection, police protection, hospital access—I ask all Members of the Senate to give me their indulgence and focus on this proposal, and if they have a question or an objection, simply to see me or other knowledgeable Members about it as soon as possible. I will be here all night, as long as it takes. In fact, I will be presiding, starting in 7 minutes, for 2 hours. I will be happy to have conversations on the side with any Member who wants to pose questions or set forth any objections they may have to the proposal. But I ask the focus and the indulgence of all Members of the Senate to do just that, so we can come together in a bipartisan way and actually get something important and concrete done for the true victims of Hurricane Katrina and begin to move on.

Again, this is a very time-sensitive matter so I urge Members who have questions or objections to do this tonight so we can solve these problems, pass the bill through the Senate, and make sure we pass this enormously vital and crucial legislation before the Congress leaves Washington, DC for the October recess.

Mr. President, I yield the floor.

Ms. LANDRIEU. Will the Senator yield for a question?

Mr. VITTER. I am happy to.

Ms. LANDRIEU. If the Senator will yield for a question and comment, let me thank my colleague from Louisiana for his extraordinary leadership on this issue. He has been in meetings all week, literally for weeks, as I have, and on the phone with everybody you can talk to. Of course, the time he spent in the House in Louisiana has served him well because he knows how much our needs are. But I want to ask him a few questions because he and I are committed to stay tonight until we get some kind of resolution.

Is it the intention of the Senator, the junior Senator from Louisiana, that these loans be in the same line as the current legislation, which gives discretion on the part of the administration to forgive them or not? Or is it the intention of the Senator for us to leave current law and absolutely make it certain, when no one else has been required to do so, that these loans would have to be repaid under all and every circumstance?

Mr. VITTER. Under the proposed legislation I am talking about, there is new language that would tighten up, if you will, the repayment possibilities of these specific loans. It would not change all of the Stafford Act, in terms of this loan program in general. That new language would simply apply to these specific loans.

That language is included in the proposed legislation for a very simple reason, and that reason is that, based on literally dozens of discussions with various folks, including in the House, it is very clear to me, in fact it is crystal clear to me, this will not pass tonight or tomorrow through the process without this language in the legislation.

Having said that, I have also gotten assurances from several people in the administration that they are very understanding of the extraordinary situation these local governments are in, in terms of their financial condition and their ability to pay, and they will be extremely open to working out that situation as it pertains to these liens over the period of the loans.

Personally—and I am only speaking for myself—I feel very comfortable with those assurances. Personally—and again, I am only speaking for myself—I am completely confident that without the language you are alluding to, this legislation will not pass the House either tonight or tomorrow. So that is the sole reason, that focused language

which applies only to these loans and does not change the Stafford Act on this issue otherwise, in terms of other situations—that is the only reason that language was included.

Ms. LANDRIEU. I can appreciate that. If you don't mind me pursuing that line of questioning. I can most certainly appreciate what the junior Senator is saying about the reluctance of the House of Representatives and the administration at this point because I have yet to receive any letter or assurance, but it is right now the House of Representatives that basically would be willing to make loans to the devastated cities in the gulf coast, but would insist that those loans be paid back, when not insisting on that for other loans that have been given to Puerto Rico, and to Florida, and to Alaska, and to other places, which were waived.

I understand the House of Representatives, while allowing others to borrow this money and then ask for forgiveness, would not allow Louisiana that same privilege. I understand the position of the Senator is that we be treated the same, as a first-class State, not a second-class State. I know that is your position. But it does concern the senior Senator that we would have to be dictated to by the House of Representatives, that we would have to be treated in some second-class fashion.

I am also appreciating that, while the administration has given you an assurance that they do not intend to treat us as second-class citizens, I would feel better, before we left tonight, if we had something in writing from the administration that they think Louisiana deserves the same treatment. For that reason, Louisiana, Mississippi, Alabama, and Texas—that we would deserve the same treatment as other States.

That is why I am in a situation here where I want to commend you for the compromise we have tried to reach today. It is, indeed, tempting. But we are going to have to go home, if we do not get something from this administration, and say we have agreed to a second-class status, and our people have been hurt and offended and left by a FEMA that is not operating very well. That is my concern.

I know you and I agree about that, but do you want to go ahead and answer?

Mr. VITTER. I will offer two further points of explanation. First, I have been working to address these issues specifically with Members of this body, including Senator JEFFORDS of Vermont, who had this specific concern about any permanent and global change to the Stafford Act. We have worked through that issue very constructively. I thank him for bringing that concern to me so we could work it out. I am asking all Members who have a concern to do just that, to identify themselves, to bring their concern to me.

Second, I am very comfortable with all the assurances I have received from the administration.

If there is any different language that would apply to these loans, perhaps it is partly explained by the fact that the size of these loans is well beyond anything that has ever occurred in this loan program before. So we are truly breaking new ground in terms of the size and the capacity that we are asking to be allowed to have access to because of the enormous need for this on the ground in the six devastated parishes in southeast Louisiana.

My final point is, it is very clear to me we either do this or we do nothing. One thing I am not in favor of is doing nothing. One thing I am not in favor of is giving speeches but going home with absolutely no concrete help for these desperate units of local government which have done heroes' work in terms of providing police and fire protection, health services, and hospital access. They need the help now. They cannot wait until 10 days or 2 weeks from now.

So given this is our situation, I believe this compromise is not only fair and just but absolutely essential that we strike today and tomorrow.

Ms. LANDRIEU. If the Senator will yield, I can most certainly appreciate that perspective. I definitely agree it is extremely important to not just give speeches but to get something that is real for our people. But because we have no written commitment from the administration, and no resolution, and no letter, and no written commitment from the House, no assurance, no resolution, no promise to pass the legislation that you have presented and outlined, I am not sure even if you and I could manage—because there is not very much disagreement between the two of us; but our colleagues have some disagreements—if we could pass this legislation in the Senate that it is actually really going to do anything for people at home other than say the Senate has come together.

It would not be the first time the Senate has come together, as the Senator knows, because this Senate is ready to pass emergency health care legislation, and this Senate is ready to pass emergency education legislation, and this Senate is ready to pass—and already has passed—help for small businesses. So it is not the Senate, as the junior Senator——

Mr. VITTER. Senator, I——

Ms. LANDRIEU. Just 1 minute. Let me finish.

The Senate is not necessarily the problem. We have been amazingly bipartisan. Our committee chairs and ranking members, as the Senator knows, have done yeoman's work. And in the Small Business Committee that you and I serve on, we have already passed that legislation. But the senior Senator remains concerned that we still do not have any written assurance or a resolution or something we could take home to our mayors, et cetera.

Let me say one other point. I have read carefully the proposed language about lending Louisiana and Mississippi and Texas this money, and then making us pay it back when no one else in the country has been forced to do that. I have read that language. I have also read the language about who is eligible.

I ask the junior Senator, are you confident in the language—and I do not have it in front of me, but I can call it up, not that it is filed—that the sheriffs of Louisiana would be included in this proposed compromise? Is the Senator from Louisiana indicating that the sheriffs of our State are absolutely, positively included?

Mr. VITTER. Yes, I am completely confident of that.

Ms. LANDRIEU. OK.

Mr. VITTER. If the Senator will yield?

Ms. LANDRIEU. Go right ahead.

Mr. VITTER. A couple points: I think this is a very useful exchange because I take it from the Senator's comments that the senior Senator is, in fact, one of the folks who has expressed an objection to this moving forward tonight.

Ms. LANDRIEU. I have not yet expressed an objection, but I am considering it on the grounds—I am not yet expressing objection, but I am considering it, respectfully, having complimented the junior Senator for the great work he has done, because I am hesitant to accept terms of aid that are applied only to us and to no one else, and not because the junior Senator objects or other Senators, but because the House of Representatives, which is in control of the Republican leadership, has decided that the only way that they will amend the law is to force us alone, uniquely, to have to agree to pay it back, when no one else in America, in the past or the future, will be required to do so. That is a hard thing for the senior Senator to agree to, but I am considering it, if maybe that is our only option.

But you can understand why I might be a little bit exercised about the House of Representatives saying to people who are desperate—like on the front page of the National Geographic—we know you are suffering, we know you need help, there is no question you have no money to pay your bills, there is no question that we have lent other people money and forgiven their loans, there is no question that this is the worst natural disaster in the history of the country—but the only way we will compromise with you, Senator LANDRIEU and Senator VITTER and Senator FRIST and Senator REID, is if your desperate people promise to pay the loan back. And, by the way, we are only making the law for you.

Mr. VITTER. If I could ask——

Ms. LANDRIEU. Hold on. I will not yield at this moment. If someone——

Mr. STEVENS. I object.

The PRESIDING OFFICER. The Senator from Louisiana controls the time.

Mr. VITTER. Reclaiming my time, I would wonder if the Senator objects to the fact that under this proposal we

would also expand in terms of amount and number and capability the ability to get these loans? We are getting more of these loans than anyone in any other situation would have gotten before. I wonder if the Senator would object to that change?

Ms. LANDRIEU. Can I answer that?

Mr. VITTER. No.

Ms. LANDRIEU. Can I answer that?

Mr. VITTER. Again, reclaiming my time, I would simply ask directly if the Senator could either object or not object—let me know—and also help us identify any specific objections that may exist on the minority side.

But in closing, Mr. President, I would just say, again, it is very clear to me, having spent a week working on this, that we either do this today and tomorrow or we do nothing and go home for 10 days and give no relief to these communities and these parishes which so desperately need the help. I vote for doing something. I vote for leading. I vote for helping in a meaningful and concrete way the people of southeast Louisiana and urge all my colleagues to please join me in that effort.

I yield back my time.

The PRESIDING OFFICER. The Senator from Alaska is recognized.

Mr. STEVENS. Mr. President, there are discussions going on concerning the future of this bill and what time we may be able to vote and dispose of the bill. I did try to go to third reading to make sure we would not have amendments coming in here at the last minute that would require Members to come back into the Senate to vote at this time.

I want to state that I do not have any problem with the exchange between the Senators from Louisiana. They do have a very difficult proposition. I am not going to get into that at this time. But I will say this: The arrangement that the junior Senator has made is much better than we got after the great earthquake in Alaska in 1964. I think people ought to realize that while the numbers of people involved in this great disaster from Katrina and the disaster of Rita—we have had massive disasters such as our earthquake and our great flood and the typhoons in Hawaii. This is not something that is new. The number of people may be greater, but the type of disaster is not any greater.

I would hope we would have a chance to finish the conversations that the leadership is having and we can find some way to deal with this situation and let people know what time, and if, we are going to be allowed to vote on this very important bill that should go to conference before we go home.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. VITTER). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to dispense with the calling of the roll.

The PRESIDING OFFICER. Is there objection?

Mr. STEVENS. I object.

The PRESIDING OFFICER. There is objection.

The legislative clerk continued with the call of the roll.

Mr. STEVENS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COLEMAN). Without objection, it is so ordered.

NOTICE

Incomplete record of Senate proceedings. Except for concluding business which follows, today's Senate proceedings will be continued in the next issue of the Record.

ORDERS FOR FRIDAY, OCTOBER 7, 2005

Mr. STEVENS. Mr. President, I ask unanimous consent that the Senate stand in recess until 8:15 a.m. on Friday, October 7. I further ask consent that following the prayer and pledge, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of H.R. 2863, the Defense appropriations bill. I further ask consent that following the leader's remarks, Senator LANDRIEU be recognized to speak until 9:15. I further ask consent that immediately following her remarks, and with no intervening action or debate, all time under cloture then be considered expired, the bill be read a third time, and the Senate proceed to a vote on passage of the bill, with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. STEVENS. Before we recess, I will yield to the Senator from Louisiana for 5 minutes before we close.

Ms. LANDRIEU. I thank the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I thank the Chair.

DISASTER ASSISTANCE

Ms. LANDRIEU. Mr. President, it has been a very long day. I am hoping, as this day continues into the evening hours, as we continue to work on the underlying bill, which is the Defense appropriations bill, to have an amendment dealing with Hurricane Katrina in a way this Congress might respond to this urgent need. I thank the Senator from Alaska for his patience through this day because the issue that is before us really is not an amendment on the Defense bill. It is a separate issue but needs to be handled before we leave, in my opinion.

That is why I have stayed here throughout the day and have been here, of course, throughout the week, in many meetings and phone calls, and now in time on the floor throughout the day, to try to find a way to get some immediate help to our cities and parishes and counties along the gulf coast. It looks like there is a possibility that still might be the case.

But because of the lateness of the hour, really for the staff that has been here so long, I am going to agree to continue to work through the night, allow the staff to take a recess, and spend some time on this, as I have throughout the last few hours, working with my colleagues, particularly Senator LEVIN from Michigan, who has put in a tremendous amount of time, other Senators, Senator CARPER from Delaware, Senator CLINTON, Senator DURBIN, Senator REID. And Senator FRIST has been here for a while. Of course, Senator VITTER was here earlier trying to get through this process, with the specific focus of mine being to try to get our State in the same situation that other States have been put in when they needed help.

We are not quite there yet, but we may yet get there by the time we close the debate in just a few hours. But, really, the staff has done more than they should be asked, to stay this late.

We have tried four or five different compromises in the last 8 hours, and we are not quite there yet. But we may be there in the morning when the Senate comes out of recess.

I am going to continue to work through the evening to see if we can find some sort of solution so that our four States—Louisiana, Mississippi, Alabama, and Texas—can be treated in the same way with the same respect as other States have in disasters in the past.

I thank the Senator for his patience throughout the evening.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. STEVENS. Mr. President, I thank the Senator from Louisiana.

PROGRAM

Mr. STEVENS. Mr. President, we will reconvene at 8:15 tomorrow morning. Following additional remarks by Senator LANDRIEU in the morning, we will vote on passage of the Defense appropriations bill. That vote will occur concerning at 9:15. Following that vote, we

will proceed to the Homeland Security appropriations conference report. It is my understanding that we will be able to consider that conference report under a 30–minute time agreement and that a vote would not be necessary. We have not locked in that agreement. We will turn to that conference report in the morning after voting on the DOD appropriations bill.

RECESS UNTIL 8:15 A.M.

Mr. STEVENS. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in recess in accordance with the previous order.

There being no objection, the Senate, at 1:39 a.m., recessed until Friday, October 7, 2005, at 8:15 a.m.

NOMINATIONS

Executive nominations received by the Senate October 6, 2005:

MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION

TERRENCE L. BRACY, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE MORRIS K. UDALL SCHOLARSHIP AND EXCELLENCE IN NATIONAL ENVIRONMENTAL POLICY FOUNDATION FOR A TERM EXPIRING OCTOBER 6, 2010. (REAPPOINTMENT)

DEPARTMENT OF COMMERCE

DAVID STEELE BOHIGIAN, OF MISSOURI, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE WILLIAM HENRY LASH, III, RESIGNED.

DEPARTMENT OF THE TREASURY

ANTONIO FRATTO, OF PENNSYLVANIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE ROBERT STANLEY NICHOLS.

EXECUTIVE OFFICE OF THE PRESIDENT

SUSAN C. SCHWAB, OF MARYLAND, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR, VICE PETER F. ALLGEIER.

DEPARTMENT OF STATE

JEFFREY THOMAS BERGNER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (LEGISLATIVE AFFAIRS), VICE PAUL VINCENT KELLY RESIGNED.

NICHOLAS F. TAUBMAN, OF VIRGINIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO ROMANIA.

SUSAN RASINSKI MCCAW, OF WASHINGTON, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF AUSTRIA.

LEGAL SERVICES CORPORATION

SARAH M. SINGLETON, OF NEW MEXICO, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE LEGAL SERVICES CORPORATION FOR A TERM EXPIRING JULY 13, 2008, VICE ERNESTINE P. WATLINGTON, TERM EXPIRED.

UNITED STATES INSTITUTE OF PEACE

RON SILVER, OF NEW YORK, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2009, VICE STEPHEN D. KRASNER, TERM EXPIRED.

JUDY VAN REST, OF VIRGINIA, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE UNITED STATES INSTITUTE OF PEACE FOR A TERM EXPIRING JANUARY 19, 2009, VICE DANIEL PIPES.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT AS PERMANENT COMMISSIONED REGULAR OFFICERS IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

THEA IACOMINO, 0000
LOUVENIA A. MCMILLAN, 0000

IN THE AIR FORCE

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIGADIER GENERAL EUGENE R. CHOJNACKI, 0000
BRIGADIER GENERAL KENNETH R. CLARK, 0000
BRIGADIER GENERAL DAVID F. WHERLEY, JR., 0000
BRIGADIER GENERAL HARRY M. WYATT III, 0000

To be brigadier general

COLONEL WILLIAM R. BURKS, 0000
COLONEL IWAN B. CLONTZ, 0000
COLONEL STEVEN R. DOOHEN, 0000
COLONEL DONALD E. FICK, 0000
COLONEL DAVID J. HATLEY, 0000
COLONEL KENNETH M. JEFFERSON, 0000
COLONEL ROBERT H. JOHNSTON, 0000
COLONEL DANIEL B. O'HOLLAREN, 0000
COLONEL RANDOLPH M. SCOTT, 0000
COLONEL MARK F. SEARS, 0000
COLONEL HAYWOOD R. STARLING, JR., 0000
COLONEL BROCK JOHN T. STROM, 0000
COLONEL ERNEST G. TALBERT, 0000
COLONEL EDWARD J. THOMAS, JR., 0000
COLONEL LAWRENCE S. THOMAS III, 0000
COLONEL RICHARD J. UTECHT, 0000
COLONEL GUY M. WALSH, 0000
COLONEL ELLIOTT W. WORCESTER, JR., 0000
COLONEL ROBERT J. YAPLE, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. THOMAS D. ROBINSON, 0000

To be brigadier general

COL. CHARLES D. ESTES, 0000
COL. ELLEN P. GREENE, 0000
COL. LUIS R. VISOT, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. PATRICK M. WALSH, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JOHN S. BAXTER, 0000

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JOSE R. RAEL, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

SUZANNE R. AVERY, 0000
JAMES FIKES, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

DONNA J. DOLAN, 0000
MICHAEL G. LABELLE, 0000
STEVEN D. PEAK, 0000
DEBORAH F. SIMPSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PAUL F. ABBEY, 0000
JAMES P. BARNES, 0000
JAMES N. BAUM, 0000
SCOTT E. BOMBERG, 0000
ERIC W. BOWLES, 0000
DUANE F. CARTWRIGHT, 0000
STACY B. ELLISON, 0000
ELLYN M. ENGLISH, 0000
ALBERT F. GRUBER, 0000
FREDERICK D. HOGAN, 0000
LYNDON S. HURT, 0000
DAVID G. JULIAN, 0000
MANUEL L. LABORDE, 0000
JOSEPH D. LYVERS, 0000
DEBORAH J. MICHAEL, 0000
JOE D. ONEAL, 0000
GARY W. REEVES, 0000
DANIEL E. SAVITSKE, 0000
TERRY R. SCHMUNK, 0000
JACK N. SEIDENBERG, 0000
WARREN A. WILLIAMS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

PAUL S. ASTPHAN, 0000
LUCY A. P. BLAND, 0000
GAYE E. BROADWAY, 0000
NORMAN A. CUMMINS, 0000
MADELINE B. DUNNIHOO, 0000
MARY R. ENDERLE, 0000
THEODOCIA C. FARRALES, 0000
GENEVIEVE M. FULLER, 0000
CHARLENE M. GODEC, 0000
MARY C. GOMEZ, 0000
JOAN M. GOUGE, 0000
JUDITH R. HASELTINE, 0000
KATHLEEN A. HAYES, 0000
DONNA N. HERSHEY, 0000
RICHARD D. HUMES, 0000
EMMETTE G. JONES, JR., 0000
SHIRLEY A. KUBIAK, 0000
GWENDOLYN J. LEMAIRE, 0000
MARY E. LINK, 0000
SHARON K. LUCARELLI, 0000
LAURA J. LUDWIG, 0000
MICHAEL R. MANANSALA, 0000
JOAN A. MARKS, 0000
DEBRA F. MCNAMARA, 0000
FRANKLIN J. MCSHANE, 0000
JANET F. MCTURNAL, 0000
SHARON M. NAVRATIL, 0000
SHIRLEY E. NEVILLE, 0000
PATRICIA A. L. PRATT, 0000
MARTIN R. RIDGE, 0000
BEVERLY L. SMITHTILLERY, 0000
WENDY L. TAYLOR, 0000
JAMES D. WAECHTER, 0000
SYBIL M. WEIRMCNEELY, 0000
BRINDA F. WILLIAMSMORGAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

LYNN S. ALSUP, 0000
MARTHA A. BIASTOCH, 0000
DENNIS T. BROWN, 0000
ROBERT W. BROWN II, 0000
ROBERT M. CODY, 0000
JAMES C. COLEMAN, 0000
CATHERINE L. COOK, 0000
BRUCE J. CORNELISON, 0000
WALTER J. DAVIS, 0000
WILLIAM H. DEGRAY, 0000
CECILIA I. FLORES, 0000
IRENE L. FRAZIER, 0000
FELICIA FRENCH, 0000
SCOTT A. GRONEWOLD, 0000
JOHN H. GROTE, JR., 0000
DAVID HOWE, 0000
DEBORAH K. KNICKERBOCKER, 0000
JOHN R. MAGRANE, JR., 0000
JAMES P. MAHONEY, 0000
JOSEPH A. MAIELLO, 0000
WENDELL R. MANN, 0000
DENNIS R. MILLER, 0000
SCOTT A. MILLER, 0000
BRADLEY K. MITCHELL, 0000
WENDY P. POLHEMUS, 0000
WILLIAM A. PULIG, 0000
DENNIS P. RATASHAK, 0000
ERIC RODRIGUEZ, 0000
JONNIE S. RUPP, 0000
GINA D. SEILER, 0000
WILLIAM H. SNOW, 0000
DWIGHT A. THOMPSON, 0000
ALTHEA G. WATSON, 0000
JEFFREY L. WEAVER, 0000
JAY M. WEBB, 0000
DENNIS J. WHITE, 0000
STEVEN A. WIENEKE, 0000
BARRY M. WIKES, 0000
CAROL L. ZIERES, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JAMES W. AGNEW, 0000
STEVEN C. ALLGOOD, 0000
DAVID P. ANGELETTE, 0000
MARK ANSTADT, 0000
DAMON T. ARNOLD, 0000
JOHN V. BARTON, 0000
JAMES BAYLEY, 0000
DANIEL J. BOCHICCHIO, 0000
REYNAL L. CALDWELL, 0000
GINA R. CARTER, 0000
PAUL M. CHETHAM, 0000
JAMES K. COOPER II, 0000
VICTOR H. DAVIS, 0000
JAMES R. DOWNEY, 0000
PAUL A. DURON, 0000
BRIAN J. EASTRIDGE, 0000
KEVAGHN P. FAIR, 0000
CHARLES J. FISHER, JR., 0000
DAVID R. FOHAN, 0000
ALVIS R. FORBES, 0000
TODD R. FREDRICKS, 0000
ROBERT E. GORTON, JR., 0000
JAMES R. GREGOIRE, 0000
JOSEFINA T. GUERRERO, 0000
WILLIAM G. GUTHEIM, 0000
ROBERT W. HANDY, 0000
JEFFREY T. HAUGH, 0000
SUSAN W. HOLE, 0000
HAROLD W. HUGHES, 0000
JOE W. HUNT, 0000
VITO D. IMBASCIANI, 0000
MARK J. IVEY, 0000
PURNIMA P. JOSHI, 0000

CLARENCE T. JOUSTRA, 0000
MICHAEL E. KELLY, 0000
ROBERT W. KELLY, 0000
JAMES K. KERR III, 0000
KHIN M. KYI, 0000
JANET I. LAWRENCE, 0000
KENNETH K. K. LEE, 0000
OWEN LEE, 0000
GORDON D. LEINGANG, 0000
LESTER L. LEWIS, JR., 0000
CHERYL A. LITTLE, 0000
DEBORAH A. MCCLAIN, 0000
RUSSELL J. OTTO, 0000
MITCHELL H. PAULIN, 0000
JOHN C. PITTARD, 0000
JAMES W. Y. QUAN, 0000
DARRYL R. QUIRAM, 0000
GREGORY C. RISK, 0000
MICHAEL H. ROSENBERG, 0000
ERIC F. SABETY, 0000
LINDA C. SHACKELFORD, 0000
BARRIE V. SMITH, 0000
BRENT A. SMITH, 0000
JULIUS L. TEAGUE, 0000
JACOB TENDLER, 0000
GREGORY K. TERPSTRA, 0000
MARK A. VANANTWERP, 0000
JOSEF J. VANEK, 0000
LUIS L. VILLARRUEL, 0000
BRUCE V. VOSS, 0000
PERRY T. WALTERS, 0000
DARREL W. WYATT, 0000
DAVID A. YEROPOLI, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

DARREN W. MILTON, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10,U.S.C., SECTION 531:

To be major

CHRISTOPHER J. AABY, 0000
DAVID A. ADAMS, 0000
MATTHEW F. AMIDON, 0000
SCOTT R. ANDERSON, 0000
BRANDEN G. BAILEY, 0000
GUY G. BERRY, 0000
MICHAEL J. BLACK, 0000
JEFFREY M. BONNER, 0000
ADAM L. BUSH, 0000
JOHN F. BUXTON, 0000
KELLY D. CAILLOUET, 0000
DANIEL P. CARLSON, 0000
JANO R. CARLSON, 0000
GLEN B. CAULEY, 0000
VINCENT J. CIUCCOLI, 0000
VAN M. DAVIDSON, 0000
JEFFREY L. DAVIS, 0000
DOUGLAS S. DEWOLFE, 0000
SCOTT E. DORNISCH, 0000
BRIAN W. EVANS, 0000
GUY J. FARMER, 0000
BRIAN W. FOSTER, 0000
DANIEL J. GILKEY, 0000
GARY W. GRAHAM, 0000
JASON S. GUELLO, 0000
GREGORY R. HAUCK, 0000
DAVID B. HAYNES, 0000
SAMUEL N. HOTZ, 0000
GERALD W. KEARNEY, JR., 0000
BRIAN M. KENNEDY, 0000
PETER W. KOENEMAN, 0000
JOHN M. KOURY, 0000
DAVID L. KOWALSKI, 0000
JASON C. LATCHAW, 0000
KEVIN M. LILLY, 0000
SCOTT J. LUCKIE, 0000
WILLIAM P. MACNAUGHTON, 0000
BENJAMIN W. MALMANGER, 0000
JAMES E. MANEL, 0000
LAWRENCE G. MASSEY, JR., 0000
ERIC J. MATTSON, 0000
DAVID B. MCCANN, 0000
MICHAEL T. MCCOMAS, 0000
CARL L. MCLEOD, 0000
JASON D. MERKER, 0000
MARK A. MERRILL, 0000
JOHN E. MING, 0000
KYLE J. MOORE, 0000
STEFAN J. MUELLER, 0000
JEFFREY T. MURPHY, 0000
SCOTT A. NICHOLSEN, 0000
MARK T. PALIOTTA, 0000
THOMAS F. PAQUIN, 0000
MATTHEW D. PARKER, 0000
CHRISTIAN E. PARSON, 0000
GRANT M. PENNINGTON, 0000
BRIAN N. PINCKARD, 0000
STEPHEN PRITCHARD, 0000
CHRISTOPHER K. RAIBLE, 0000
JADE N. RICHARD, 0000
DANIEL D. ROSE, 0000
MORGAN N. SAVAGE, 0000
TODD R. SCHIRO, 0000
JEFFREY B. SCOTT, 0000
CORY G. SIMMONS, 0000
SCOTT A. SITTERLE, 0000
BRIAN C. SMITH, JR., 0000
KARL J. STOETZER, 0000
GEOFFREY T. TETTERTON, 0000
ADAM J. TKACH, 0000
ROBERT J. VANDERWOUDE, 0000
DAVID W. VANHOOF, 0000
LAWRENCE A. WASHINGTON, 0000
BRENT A. WEATHERS, 0000
JOHN N. WILKIN, 0000
KEVIN W. WINTER, 0000
RICHARD B. YOUNG II, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

WILLIAM D. FUSON, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C. SECTION 531:

To be captain

DANIEL ALBRECHT, 0000
DANIEL C. ALDER, 0000
RAYMOND V. ANDERSON, 0000
DONALD R. BENNETT, 0000
GAYLA J. BERGREN, 0000
KENNETH G. BRADSHAW, 0000
STEVE J. BRASINGTON, 0000
THOMAS E. BRODERICK, 0000
SANDRA T. BUCKLES, 0000
TERESA M. BUESCHER, 0000
THOMAS A. CARLSON, 0000
DONALD J. CENTNER, 0000
WILLIAM B. COGAR, 0000
BERTRAM M. CRAWFORD, 0000
WILLIAM F. CUDDY, JR., 0000
MICHAEL J. CURRAN, 0000
DAVID L. DAUGHERTY, 0000
MARLENE DEMAIO, 0000
ROBERT T. ELDER, 0000
DENIS M. FAHERTY, 0000
BARBARA FORD, 0000
JOSEPH M. FOSTER, 0000
DANIEL E. FREDERICK, 0000
CRAIG E. GALLOWAY, 0000
RICHARD R. GATES, 0000
TAMMY S. GERSTENFELD, 0000
KENT S. GORE, 0000
KEVIN L. GREASON, 0000
GUERARD P. GRICE, 0000
DAVID B. GRIMLAND, 0000
EDWIN S. HENRY, 0000
ANITA H. HICKEY, 0000
MARK P. HONIG, 0000
WHITNEY H. HOWARD, 0000
PETER A. HUSTA, 0000
KATHERINE L. IMMERMAN, 0000
WAYNE S. INMAN, 0000
RONALD L. JEFFREY, 0000
IGOR A. JERCINOVICH, 0000
PAUL C. KELLEHER, 0000
DOUGLAS P. KEMPF, 0000
NOELINE KHAW, 0000
DAVID G. KLOAK, 0000
BRENDA A. LARKIN, 0000
STEPHEN J. LINEHAN, 0000
KEVIN S. LYLES, 0000
MARIAN L. MACDONALD, 0000
RANDALL C. MAPES, 0000
LLOYD W. MARLAND, 0000
GARY A. MAYNARD, 0000
JOSEPH C. MCGOWAN, 0000
STEPHEN R. MERRILL, 0000
JOHN L. MORRIS, 0000
GARY L. MUNN, 0000
GARY NOBLE, 0000
LAWRENCE E. OLSEN, 0000
KAY M. OSBORNE, 0000
GREGORY R. OSTROWSKI, 0000
RUSSELL G. PENDERGRASS, 0000
PABLO D. PIZARRO, 0000
KEVIN R. PORTER, 0000
RANDALL N. PRATT, JR., 0000
ROBERT W. QUIGG, 0000
MARK E. RALSTON, 0000
FRANK P. REYNOLDS, 0000
THOMAS L. RICHIE, 0000
DAVID N. RICKEY, 0000
RICHARD E. ROBEY, 0000
STEPHEN B. ROCK, 0000
MICHAEL F. ROCKLIN, 0000
WILLIAM A. ROIG, 0000
GEORGE C. SAKAKINI, 0000
KENNETH M. SAMPLE, 0000
THOMAS F. SHACKELFORD, 0000
PETER D. SHERROD, 0000
WYATT S. SMITH, 0000
CARLTON E. SODERHOLM, 0000
FREDRICK N. SOUTHERN, 0000
ALLAN M. STANCZAK, 0000
JOHN N. STENSLAND, 0000
JOHN B. STOCKEL, 0000
DENNIS E. SUMMERS, 0000
WILLIAM J. SWARTWORTH, 0000
ROBERT J. TATE, 0000
JAMES TERBUSH, 0000
OWEN G. THORP III, 0000
GEORGE G. ULRICH, 0000
DANIEL V. UNGER IV, 0000
JAMES D. VALENTE, 0000
JANE F. VIEIRA, 0000
MICHAEL S. WENZEL, 0000
JERRY W. WHITE, 0000
JOHN T. WIDERGREN, 0000
FRANCIS R. WINKEL, 0000
RICHARD C. YAGESH, 0000
PETER L. ZAMFIRESCU, 0000

To be commander

DANIEL J. ACKERSON, 0000
MICHAEL T. ACROMITE, 0000
CHARLES F. ADAMS, JR., 0000
RODNEY M. ADAMS, 0000
STANLEY D. ADAMS, 0000
SALVADOR AGUILERA, 0000
MICHAEL T. AKIN, 0000
BRIAN A. ALEXANDER, 0000
JAMES K. AMSBERRY, 0000
CLAUDE D. ANDERSON, 0000
JOEL M. APIDES, 0000
BILLY M. APPLETON, 0000
STEPHEN C. ARCHER, 0000
GARY R. AYERS, 0000
TOBIAS J. BACANER, 0000
KATHRYN A. BALLANTYNE, 0000
BEN J. BALOUGH, 0000
KEVIN P. BARRETT, 0000
DAGMARA E. BASTIKS, 0000
KEITH F. BATTS, 0000
KEVIN J. BEDFORD, 0000
JEFFREY A. BENDER, 0000
THOMAS E. BERGLAND, 0000
LYNN M. BERGREN, 0000
JOHN L. BERLOT, 0000
CHRISTOPHER A. BIDWELL, 0000
SANDRA L. BIERLING, 0000
DAWN A. BLACKMON, 0000
CAROL L. BLACKWOOD, 0000
JEFFREY A. BLAIR, 0000
JO A. J. BLANDO, 0000
GREGORY S. BLASCHKE, 0000
HEATHER I. BLOMELEY, 0000
DANA G. BORGESON, 0000
ARNOLD O. BROWN, 0000
CARLOS V. BROWN, 0000
ROBERT H. BUCKLEY, 0000
ROBERT E. BURKE, 0000
MICHAEL L. BURLESON, 0000
JERRY N. BURTON, JR., 0000
JACQUELYN L. CALBERT, 0000
ROBERT A. CALLISON, 0000
PAUL T. CAMARDELLA, 0000
NESTOR H. CAMERINO, JR., 0000
DUANE C. CANEVA, 0000
DOUGLAS N. CARBINE, 0000
JANIS R. CARLTON, 0000
MATTHEW A. CARR, 0000
MICHAEL E. CLARK, 0000
JOHN P. CLAYTON, 0000
LAWRENCE G. COLEMAN, 0000
STEWART W. COMER, 0000
JEFFREY A. CONWELL, 0000
JOHN L. CORREA, 0000
LAWRENCE E. CRIMMINS, 0000
MIGUEL A. CUBANO, 0000
JAMES T. CURRY, 0000
RHODEL F. DACANAY, 0000
MARK A. DAELEY, 0000
PATRICK J. DAIGLE, 0000
MICHAEL H. DANENBERG, 0000
CHIN V. DANG, 0000
DARYL K. DANIELS, 0000
THOMAS P. DAVIS, 0000
SUBRATO J. DEB, 0000
KEVIN DELAHANTY, 0000
DAVID M. DELONGA, 0000
LIBERIO E. DEMEDEIROS, 0000
GERALD D. DENTON, 0000
JOHN E. DEORDIO, 0000
JEROME V. DILLON, 0000
MARK A. DOBBERTIEN, 0000
ROBERT J. DONOVAN, 0000
CHRISTINE E. DORR, 0000
ALAN B. DOUGLASS, 0000
THOMAS C. DOWDEN, 0000
JAMES R. DUNNE, 0000
EDDY L. ECHOLS, 0000
KENNETH L. EISENBERG, 0000
SCOTT M. EMISON, 0000
TODD L. EVANS, 0000
TED M. FANNING, 0000
ROBERT W. FARR, 0000
LESLIE H. FENTON, 0000
MICHAEL A. FERGUSON, 0000
ANDREW L. FINDLEY, JR., 0000
DONALD P. FIX, 0000
JOSEPH W. FLANAGAN, 0000
JAMES P. FLINT, 0000
JOSEPH C. FORTSON, 0000
BRYAN A. FOX, 0000
FRAZIER W. FRANTZ, 0000
DANIEL A. FREILICH, 0000
JOHN M. FREYMANN, 0000
EMORY A. FRY, 0000
ROBERT N. GALE, 0000
BRENDON L. GELFORD, 0000
MILTON D. GIANULIS, 0000
BRYCE M. GIBB, 0000
LISA A. GLEASON, 0000
THOMAS J. GOALEY, JR., 0000
ELISE T. GORDON, 0000
WILLIAM R. GRAF, 0000
GORDON F. GREEN, 0000
KENNETH P. GREEN, 0000
RICHARD GREEN, 0000
CHARLES L. GROVES, 0000
JOSEPH GUERRERO, 0000
KEITH B. GUSTAFSON, 0000
JAY A. GUTZLER, 0000
BRADEN R. HALE, 0000

MARK B. HALVORDSON, 0000
MARK E. HAMMETT, 0000
TONY S. HAN, 0000
JACK E. HANZLIK, JR., 0000
STEVEN R. HARDMAN, 0000
KURT P. HARDY, 0000
KRISTINA E. HART, 0000
JOHN F. HAWLEY, 0000
JEFF D. HEADRICK, 0000
JENIFER L. HENDERSON, 0000
RUBY S. HENDERSON, 0000
MARY A. HENDRICKSON, 0000
MATTHEW L. HERZBERG, 0000
GRANT R. HIGHLAND, 0000
JON J. HILL, 0000
PAUL P. HOBBES, 0000
ANTHONY R. HOOVLER, 0000
JON L. HOPKINS, 0000
MICHAEL T. HOPKINS, 0000
JOHN D. HUGHES, 0000
THANH T. HUYNH, 0000
LISA INOUYE, 0000
WARREN S. INOUYE, 0000
ROBERT A. IZENBERG, 0000
BETH R. JAKLIC, 0000
CHRISTOPHER P. JONES, 0000
JAY T. JONES, 0000
BENJAMIN W. JORDAN, 0000
BRUCE W. KAHL, 0000
PAUL H. KALTSAS, 0000
FREDERICK C. KASS, 0000
SARA M. KASS, 0000
GREGG A. KASTING, 0000
RONALD KAWCZYNSKI, 0000
DAVID J. KEBLISH, 0000
FREDERIC J. KELLEY III, 0000
JOHN S. KELLOGG, 0000
KENNETH J. KELLY, 0000
JOHN A. KENNEDY, JR., 0000
MAUREEN T. KENNEDY, 0000
NEIL M. KING, 0000
CHARLES P. KLIEWER, 0000
WILLIAM J. KLORIG, 0000
TREYCE S. KNEE, 0000
TIMOTHY KOBERNIK, 0000
TIMOTHY J. KOESTER, 0000
JEFFREY N. KORSNES, 0000
JACQUELINE KOVACS, 0000
ERIC J. KUNCIR, 0000
PAMELA S. KUNZE, 0000
CHARLES S. KUZMA, 0000
DANIEL M. LAFFERTY, 0000
WILLIAM M. LANDE, 0000
JOHN B. LANDIS, 0000
FREDERICK J. LANDRO, 0000
MICHAEL J. LANE, 0000
PATRICK R. LARABY, 0000
ROBERT P. LARYS, 0000
GARY W. LATSON, 0000
LOUIS V. LAVOPA, 0000
PATRICK L. LAWSON, 0000
CALVIN S. LEDFORD, 0000
NORMAN LEE, 0000
JEFFREY T. LENERT, 0000
STEPHEN J. LEPP, 0000
RANDALL J. T. LESCAULT, 0000
ALAN LIM, 0000
ALAN A. LIM, 0000
RONALD L. LINFESTY, 0000
FRANCESCA K. LITOW, 0000
MARGARET A. LLUY, 0000
JEFFREY L. LORD, 0000
JAMES A. LOWDER, 0000
ROBERT E. LUCAS, 0000
JEFFREY R. LUKISH, 0000
MARK B. LYLES, 0000
EDWARD J. LYNCH, 0000
KAREN M. LYNCH, 0000
SCOTT A. MAGNES, 0000
RICHARD T. MAHON, 0000
JESUS V. MALLARI, 0000
PETER A. MARCO, 0000
JOHN J. MARSHALL, 0000
THOMAS J. MARSHALL, JR., 0000
ROBERT W. MARTIN, 0000
STEPHEN C. MARTIN, 0000
CHRISTOPHER J. MCARTHUR, 0000
ROBERT P. MCCLANAHAN, JR., 0000
JOHN M. MCCURLEY, 0000
MICHAEL T. MCHALE, 0000
JAMIN T. MCMAHON, 0000
MICHAEL F. MCNAMARA, JR., 0000
ROBERT D. MCPHAIL, 0000
JOSEPH G. MCQUADE, 0000
RONALD J. MCVICAR, 0000
ROBERT D. MENZIES, 0000
ROBERT E. METTS, 0000
DAVID H. MEYR, 0000
BRIAN D. MILLER, 0000
ROBERT N. MILLER, JR., 0000
LARRY D. MILNER, 0000
JOSEPH M. MOEGLIN, 0000
STEVEN W. MOLL, 0000
RICHARD M. MONDRAGON, 0000
ROSS MOQUIN, 0000
EDUARDO MORALES, 0000
PAUL N. NAGY, 0000
NALAN NARINE, 0000
SCOTT L. NASSON, 0000
ALADAR NESSER, 0000
JOEL D. NEWMAN, 0000
LACHLAN D. NOYES, 0000
OTTO W. OHM II, 0000
KEVIN C. OMALLEY, 0000
LOUIS D. OROSZ, 0000
JOHN E. PAGANELLI, JR., 0000
ERIC L. PAGENKOPF, 0000
EDWIN Y. PARK, 0000
MILAN N. PASTUOVIC, 0000
BHARAT S. PATEL, 0000
RICHARD J. PAVER, 0000
PATRICIA V. PEPPER, 0000
PHILIP W. PERDUE, 0000
LORING I. PERRY, 0000
ROBERT F. PERRY, 0000
ALAN F. PHILIPPI, 0000
LEONARD J. PLAITANO, 0000
DAVID S. PLURAD, 0000
THOMAS P. POFF, 0000
STEPHEN J. POPPE, 0000
JEFFREY D. QUINLAN, 0000
ANDREW I. RADOVAN, 0000
JOHN G. RAHEB, 0000
CHRISTOPHER D. REEVESJONES, 0000
SCOTT R. REICHARD, 0000
ROBERT D. REUER, 0000
LESLIE C. RIALES, 0000
JOSETTE L. RICE, 0000
JONATHAN W. RICHARDSON, 0000
JAMES V. RITCHIE, 0000
PETER F. ROBERTS, 0000
JOSE L. RODRIGUEZ, 0000
JAMES G. RODROCK, 0000
ANSELMO N. ROLDAN, 0000
MICHAEL T. RONCONE, 0000
JOEL A. ROOS, 0000
JOSEPH D. RUGGIERO, 0000
ROBERT T. RULAND, 0000
MARY K. RUSHER, 0000
KEVIN L. RUSSELL, 0000
LAWRENCE J. RUSSO, 0000
DONALD R. SALLEE, 0000
JOHN W. SANDERS III, 0000
ELIZABETH K. SATTER, 0000
KYLE P. SCHROEDER, 0000
PAULA J. SEXTON, 0000
JOHN B. SHAPIRA, 0000
ERIC S. SHERCK, 0000
MARTY W. SHIELDS, 0000
DANIEL P. SHMORHUN, 0000
TIMOTHY R. SHOPE, 0000
ANDREA L. SHORTEREVANS, 0000
AMANDA G. SIERRA, 0000
ANDREW E. SIMAYS, 0000
BRIAN L. SIMPSON, 0000
MICHAEL J. SINGLETON, 0000
ROBERT N. SKINNER, 0000
JOSEPH B. SLAKEY, 0000
ERIC P. SMITH, 0000
JOEL A. SMITHWICK, 0000
HARLEY W. SMOOT, 0000
BRIAN D. SMULLEN, 0000
MARK E. SNIDER, 0000
MARTIN P. SORENSEN, 0000
JAMES SORIANO, 0000
TIMOTHY C. SORRELLS, 0000
JAMES T. STASIAK, 0000
ZSOLT T. STOCKINGER, 0000
JERRY K. STOKES, 0000
MICHAEL J. STRUNC, 0000
KEITH A. STUESSI, 0000
WILLIAM SUKOVICH, 0000
TODD E. SUMNER, 0000
KEVIN F. SUMPTION, 0000
MARK V. SUTHERLAND, 0000
JOSEPH R. TADDEO, 0000
CINDY L. TAMMINGA, 0000
ROSEMARIE C. TAN, 0000
DAVID A. TANEN, 0000
DAVID A. TARANTINO, JR., 0000
CONRAD A. TARGONSKI, 0000
JOHN T. TAYLOR, 0000
MICHAEL A. THOMPSON, 0000
JOHN S. THURBER, 0000
WILLIAM E. TODD, 0000
MARK C. TOLTON, 0000
SANDRA S. TOMITA, 0000
THERON C. TOOLE, 0000
WALTER S. TOPP, 0000
MICHAEL R. TORRICELLI, 0000
JOHN C. TORRIS, 0000
EDWARD J. TRACEY, 0000
KEITH M. ULNICK, 0000
GUIDO F. VALDES, 0000
GUSTAVO M. VENTURA, 0000
MARTHA P. VILLALOBOS, 0000
JOHN E. WANEBO, 0000
BERNARD P. WANG, 0000
JOHN F. WARD, 0000
VICTOR K. WEBER, 0000
STEVEN M. WECHSLER, 0000
WILLIAM H. WEIDENHAMMER, 0000
MICHAEL S. WEINER, 0000
PETER J. WEIS, 0000
DAVID K. WEISS, 0000
WALTER R. WEISS, 0000
LOYD A. WEST, 0000
CHRISTOPHER WESTROPP, 0000
ROBIN M. WILKENING, 0000
MARKUS A. WOEHLER, 0000
DAVID M. WOJDA, 0000
JOHNNY WON, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JAMES D. THOMPSON, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENTS TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

JAMES F. BRINKMAN, 0000
JOE D. HAINES, JR., 0000
LISA PEARSE, 0000
JERRY M. REBREY, 0000
ERNEST J. WHITTLE, 0000
WILLIAM L. YARDE, 0000

THE JUDICIARY

ERIC NICHOLAS VITALIANO, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK, VICE ARTHUR D. SPATT, RETIRED.

EXTENSIONS OF REMARKS

A PROCLAMATION RECOGNIZING WILLIAM ''BILL'' BALSER

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. NEY. Mr. Speaker:

Whereas, William ''Bill'' Balser was elected to the high office of Department Commander of Ohio on Sunday, July 10, 2005; and

Whereas, William ''Bill'' Balser is a 30 year member of the American Legion Post 85, where he has held many offices including Post Commander and Finance Officer; and

Whereas, William ''Bill'' Balser has exemplified the meaning of successful civic duty through his unselfish role to serve the greater good of the Ohio Valley; and

Whereas, William ''Bill'' Balser recently celebrated his 50th wedding anniversary with his wife Trudy and is the loving father of 3 children and 3 grandchildren.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in recognizing William ''Bill'' Balser for his longtime dedication to the residents and children of Ohio's 18th district.

CONGRATULATING COOKE COUNTY 4–H DAIRY JUDGING TEAM

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the outstanding performance of the Cooke County 4–H dairy judging team. The team consists of Ben Wyrick, Josh Zimmerer, Cletus Fuhrmann and Amber Fuhrmann.

4–H is a community of more than seven million young people across America learning leadership, citizenship and life skills. The four ''H''s represent the ''Head'' which stands for clearer thinking and decision-making; ''Heart'' which stands for greater loyalty, strong personal values, positive self concept, concern for others; ''Hands'' which stands for larger service, workforce preparedness, useful skills, science and technology literacy; and ''Health'' which stands for better living, healthy lifestyles.

After winning the Texas State 4–H dairy judging contest, the team is headed to Wisconsin for the national contest. The challenge before the team is to distinguish between various breeds of dairy cows, with each contestant judging four classes of four cows. After placing the cows, contestants then present their reasoning before a judge.

I am very proud to recognize these 4–H members today, and I wish them great luck. Their persistence and commitment should serve as an inspiration to us all.

CELEBRATING THE 50TH ANNIVERSARY OF THE GREATER MIAMI CHAPTER OF THE LINKS, INC.

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. MEEK of Florida. Mr. Speaker, I rise to congratulate the Greater Miami Chapter of the Links, Inc. on their 50th year of outstanding commitment to community service. The ceremonies recognizing this important milestone will be held on Sunday, October 16, 2005 at Florida Memorial University.

The Greater Miami Chapter was chartered on Saturday, November 5, 1955 when founding members Maude Maude K. Reid, Mayme E. Williams, and Susie W. Francis brought together 15 other charter members for an installation ceremony at the Carver Hotel in Liberty City.

During its 50th anniversary celebrations, the chapter will honor seven honorees: charter member Susie W. Francis, Frances J. Chambers, Gwendolyn H. Welters, Dorothy H. Fields, Ph.D., Castell V. Bryant, Ed.D., Regina J. Frazier, and Senator Frederica S. Wilson.

The Greater Miami Chapter lists among its many accomplishments programs that bolster the arts, promote awareness of international issues and multicultural events, and assist young people in reaching their full potential.

Nationally, The Links' organization has grown to 275 chapters and approximately 11,000 members who reside in 42 states, the District of Columbia, the Bahamas, Germany and South Africa.

Mr. Speaker, 50 years after their founding, the members of the Greater Miami Chapters of The Links, Inc. are a powerful force for change in the South Florida Community. I thank them for all of their efforts, and wish them another successful 50 years of making a positive impact in the lives of others.

TRIBUTE TO JEFF CHRISTENSEN

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mrs. MUSGRAVE. Mr. Speaker, I rise today to pay tribute to Mr. Jeff Christensen, a National Park Service Ranger who tragically lost his life July 29, 2005, while on a backcountry patrol in the Mummy Range area of the majestic Rocky Mountain National Park in Northern Colorado.

Throughout his four seasons of service as a ranger with the National Park Service, Jeff was undoubtedly at home in the midst of some our country's most scenic and significant park land. I am very grateful for the dedication and enthusiasm Jeff displayed while serving our Nation in this capacity. He will be profoundly missed by all those whose lives he touched.

Jeff once remarked to a friend, ''You know, if I ever die while at work in the mountains, do not cry for me because you will know that I died doing what I love.'' I pray that Jeff's family and friends will take solace in Jeff's passion for the job he so deeply loved.

I extend my sincere gratitude for the hundreds of concerned citizens who joined in an exhaustive 8 day search for Jeff. The heroic efforts exhibited by members of the National Park Service and countless volunteers have not gone unnoticed.

To Jeff's parents, Dale and Chris Christensen, and his many friends and family members, I express the heart-felt sympathies of a community that shares in their loss. May my colleagues join in celebrating the life and service of Mr. Jeff Christensen.

HONORING THE 50TH WEDDING ANNIVERSARY OF ED AND HARRIET NIEMIEC

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Ed and Harriet Niemiec on their 50th Wedding Anniversary.

Ed and Harriet both grew up in the Back of the Yards neighborhood in Chicago. They knew each other as kids, even though they attended different schools. Eventually Ed and Harriet became engaged and then married on November 6, 1955. They had their only child, Ed, Jr. in August of 1956.

Following in his parent's footsteps, Ed, Jr. and his wife Maria have been married for twenty-seven years. They have two children, Mark and Christina.

Besides an active involvement with their family, Ed and Harriet have many hobbies. Ed spends a lot of time taking care of his yard and tending to his flowers. According to his son, one would be hard pressed to find a blade of grass out of place or a visible weed. Harriet is a consummate volunteer and organizer. Her philanthropies started while she was working at Dry Storage where running the football pools spilled over into organizing senior trips, church functions and working at Christ Hospital as a ''Pink Lady.''

Ed and Harriet are fine examples as parents and are wonderful role models as grandparents. I would like to extend my best wishes to Ed and Harriet as they and their family celebrates their 50th anniversary.

IN RECOGNITION OF JOHN GOLDSTEIN, OUTGOING PRESIDENT OF THE MILWAUKEE COUNTY LABOR COUNCIL

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to pay tribute to my constituent, Mr. John Goldstein, in thanks for his distinguished record of leadership of Milwaukee's labor movement. John served as president of the Milwaukee County Labor Council for 8 years, capping off a career of local, national and international labor activism that included stints as secretary/treasurer of the Labor Council and president of the Amalgamated Transit Union. He left the Labor Council in September, 2005, to become the new executive director of Partnership for Working Families.

John's leadership and commitment to advancing workers' causes are well known. In his tenure as president of the Labor Council, he spearheaded several major campaigns, among them brokering a resolution with Milwaukee County that improved the climate for workers attempting to organize new unions. He also worked with Milwaukee's Common Council to pass legislation that ensures uniforms needed for city workers are not sweatshop-produced. More recently, John developed a coalition to advocate for the implementation of economic development policies that would benefit a wide array of workers and neighborhoods.

Throughout these efforts, and many others, John's leadership has been marked by a commitment to building broad coalitions to ensure that labor movement victories brought gains for the wider community. He is widely acknowledged as a pioneer in developing labor-community partnerships designed to address problems created by economic and racial disparities throughout the Milwaukee area. His colleagues included faith leaders, a variety of local union activists, and community organizations.

In his role as Labor Council president and through his career, John has prioritized labor organizing, mobilizing for economic justice, and building a strong member-to-member political organization for the benefit of the working people of Milwaukee County. I know he will continue to demonstrate exemplary leadership in his new position as national program director for the Partnership for Working Families. I am thrilled to know that he will be based in Milwaukee, and that while providing technical assistance and leadership to labor-community coalitions across the country, he will continue to enrich our community.

3RD ANNUAL LATINO AIDS AWARENESS DAY

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. ORTIZ. Mr. Speaker, today, I rise in strong support of designating October 15, 2005 the 3rd Annual Latino AIDS Awareness Day.

HIV and AIDS have wrecked havoc on millions of lives across the globe for over two decades, ending lives before their time. Today in America, over a million Americans, or about 1 in 300, have HIV or AIDS—a statistic that this Congress must acknowledge. For every American living with HIV or AIDS, a family is traumatized.

Even more staggering is the distribution of those victims. While Hispanics are roughly 14 percent of the population of the United States, they account for 20 percent of America's HIV/AIDS population. To date, nearly 100,000 Hispanics have died with AIDS. Since Hispanics are the fastest growing minority group in the United States, our challenge is even greater.

Minority groups have been hardest hit by the disease, adding another burden on families struggling to make ends meet. Another troubling fact is that as many as 1 in 2 people with HIV/AIDS don't even know they have the disease.

And the fastest growing group of people contracting HIV is young people, putting a tenuous hold on their young lives and future. The more attention we place on HIV/AIDS, the closer we get to eradicating this vicious disease. We have to talk about it, the causes and the prevention.

I encourage all of my colleagues to support Latino AIDS Awareness Day and work to educate Hispanics and other constituents about HIV and AIDS. Education and facts are the best way to wipe out ignorance about HIV/AIDS in the Hispanic populations, and every other demographic in our Nation.

CONGRATULATING UNITED FUND ON 50TH ANNIVERSARY

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the United Fund on the 50th anniversary of its founding.

This fall, the organization celebrates the 50th year of its foundation in 1955. The United Fund has helped many people in the community over the years, and is continuing to do so by hosting an auction themed ''Support the Troops''. The event is a project by Lincoln High School senior Erin Hunter. The event commences the organization's 2005 campaign.

Over the years United Fund has subsidized transportation cost for community members to get to work. Last year the organization also donated money to Hurricane Ivan flood victims in September.

The fundraising goal for 2005 is $50,000, which gives the organization the ability to make a positive impact. Richard Basile Sr., director of the organization, leads the effort to give 98 percent of the money that is donated to the United Fund back to the community. Basile is also dedicated to the goal of the United Fund, which is to make a positive impact locally.

I ask my colleagues in the United States House of Representatives to join me in honoring the United Fund and its 50 years of service. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute a principled institution like the United Fund.

A PROCLAMATION RECOGNIZING DONA SMITH

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. NEY. Mr. Speaker:

Whereas, Dona Smith has provided outstanding service and contributions while serving at the Ross County Community Improvement Corporation from 1990 to 2005; and

Whereas, Dona Smith served her community by helping existing businesses expand and bringing in additional business; and

Whereas, Dona Smith has worked selflessly and with dignity as an integral part of the economic development of her community through 15 years of public service; and

Whereas, Dona Smith has been a devoted and loving caregiver to her husband, children, and grandchildren.

Therefore, I join with Dona Smith's family, friends, the residents of Ross County, and the entire 18th Congressional District of Ohio in commending Dona Smith for her exceptional work and years of service, and wish her the very best in her future endeavors.

IN MEMORY OF BARRY BOESCH

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. BURGESS. Mr. Speaker, I rise today to remember Barry Evans Boesch, the 51-year-old executive editor of the Denton Record-Chronicle, and longtime reporter and editor of the Dallas Morning News.

Barry was born December 5, 1953. He was a graduate of Thomas Jefferson High School in Dallas and the University of Texas in Austin. In 1976, Barry began his newspaper career at the Corpus Christi Caller-Times. Most of his nearly 30–year career was spent with the Dallas Morning News.

In March, Barry was diagnosed with a brain tumor but he continued to work until the summer, when radiation and chemotherapy treatments began taking their toll. He passed away 2005 at Baylor University Medical Center with his wife by his side.

Barry will be remembered for his three passions in life—his wife, Pattie; his daughter, Bailey; and the newspaper business. He will also be remembered for his sense of humor and his love of verbal combat.

Today, I would like to recognize and celebrate Barry Boesch's life. I was honored to have known him over the years. His leadership and charisma will certainly be missed by our hometown paper. Please keep his wife and daughter in your thoughts and prayers.

HONORING THE LATE AUDREY J. KING, MIAMI GARDENS COUNCILWOMAN

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. MEEK of Florida. Mr. Speaker, it is my sad duty to bring to the attention of my colleagues the passing of Miami Gardens City

Councilwoman Audrey J. King, an accomplished professional and tireless community activist, who died Friday, September 30, 2005.

A longtime community leader and an integral part of the incorporation movement for the City of Miami Gardens, Councilwoman King was elected as the first representative of City Council Seat 3 in July 2003 and served in that capacity until her passing. Prior to the incorporation of the City, Councilwoman King was twice elected to the Miami-Dade County Community Council 3, where she served as chairwoman and vice-chairwoman from 1996 to 2002. She also served as vice-chair of the North Dade Community Development Task Force, volunteered in numerous charity activities and was honored throughout her career for her dedication to the people of our community.

She was a life member of the Miami-Dade Branch of the NAACP, serving for several years as the Political Action Chair. Councilwoman King was also a devoted member of Delta Sigma Theta Sorority; the First Baptist Church of Bunche Park; and a founding member of UP–PAC, Unrepresented Peoples Positive Action Council.

She leaves behind a legacy of achievement and inspiration, for she was an example of what genuine caring and unrelenting commitment can accomplish. Councilwoman King gave tirelessly of herself for the benefit of those around her and will be sorely missed. Funeral services are scheduled for Saturday, October 8th at First Baptist Church of Bunche Park.

HONORING TWO NAVY VETERANS FROM COLORADO

HON. MARILYN N. MUSGRAVE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mrs. MUSGRAVE. Mr. Speaker, I rise today to honor two veterans I know personally from my hometown of Fort Morgan, Colorado. Bob ''Pete'' Hobbs and Dominick Cardoza. I admire these two gentlemen for their service in the Navy, and their devotion to their families and community.

For 2 years, from 1954 to 1956, Pete and Dominick served together in the U.S. Navy aboard the USS *Badoeng Strait*, CVE 116. Both were assigned to the Second Division. Pete was on the deck and Dominick was in the Captain's Gig. It was during this time their friendship was forged, spending time at sea and taking part in a variety of military exercises.

They were also assigned to a gun crew that carried the responsibility of frequent firing exercises on a 40 mm gun. Because of these drills Dominick and Pete both suffer from tinnitus.

The most noteworthy of drills took place in 1956 while the *Badoeng Strait* operated around the Marshall Islands in the South Pacific during Operation Redwing. During these operations, Pete and Dominick were part of the crew that remained on the ship's deck during ''Test Series of Atomic Weapons Devices.'' In the distance, H-bombs were exploded and this ship and the crew were subjected to the long range effects of the blasts, on numerous occasions.

The sailors were simply told not to look at the blast and to turn their backs. They were exposed to ionizing radiation. Afterwards the crew was checked for radiation and required to take a salt water bath. They were required to remove their clothes before entering the lower decks of the boat, and their garments were destroyed because of the radiation. The ship itself was scrubbed with Tide detergent.

They were told that the worst possible effect of the radiation was sterilization, nothing else!

In 1957, the *Badoeng Strait* was put out of commission in Bremerton, Washington. During the decommissioning process, Dominick and Pete were assigned to the lower deck for maintenance. They used air hammers to chip the paint from the decks and bulkheads. They were given no ear protection and, as a result, they both suffer from hearing loss. They were also exposed to asbestos, which covered much of the ship.

Afterwards, Dominick Cardoza was assigned to the USS *Lexington*, CVA 16, an aircraft carrier. Pete Hobbs was assigned to the USS *Vega*, AF 59, a supply ship.

I am touched by the story of Pete's and Dominick's service and sacrifice. As a direct result of the elements they were exposed to, both men are suffering from serious health complications. Pete has thyroid cancer and Dominick has other personal health problems.

Despite their enormous personal challenges, I find these men to be very uplifting and encouraging. They remain good friends today and live in Fort Morgan, Colorado. In addition, their wives Chris Hobbs and Sue Cardoza deserve respect and admiration for supporting their husbands.

Mr. Speaker, I rise today to honor these two veterans who served our country with such distinctions. They are heroes that walk among us. I ask my colleagues in Congress to recognize their work and their sacrifices on behalf of our Nation, as well as the joy for life they have to this day.

May God bless all of our precious veterans and may he continue to bless this great Nation.

HONORING RICHARD E. GUERIN, PRINCIPAL OF SAINT BEDE THE VENERABLE

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Richard Guerin, Principal of Saint Bede the Venerable and recipient of the 2005 National Distinguished Principal Award.

The National Distinguished Principals Program was established in 1984 as an annual event to honor exemplary elementary school principals who set the pace, character, and quality of the education children receive during their early school years. One principal is chosen from each of the 50 States and the District of Columbia, and this year Richard Guerin has been selected as a National Distinguished Principal.

St. Bede the Venerable is a Catholic School that serves the parish community and is both an expression of and a witness to the faith of its people. The school's main responsibility is in the area of Catholic education—preschool through eighth grade.

Believing that a child's development best occurs within the framework of a positive and structured environment, St. Bede School offers innovative educational programs of high quality. The aim of these programs is to challenge each student while teaching basic skills, within a Christian atmosphere where mutual respect, order, and values are a high priority. The core of our curriculum is religious education, both content and practice. Christian attitudes and values are the foundation of this developmental process.

Richard Guerin has been serving and teaching in the Archdiocese of Chicago for 34 years, 28 of those spent as principal of St. Bede. Before coming to St. Bede, he taught at Worth Junior High and Christ the King School. However, he fell in love with the job and the people at St. Bede where he has touched countless lives and been influenced by many lives in the community.

It is my honor to recognize Mr. Richard Guerin who serves as an example of one of the best in PreK–8 school leadership and helps to foster a greater understanding of the principal's key role in meeting the challenging responsibility of educating children.

IN TRIBUTE TO THE GREATER MILWAUKEE CHAPTER OF THE UNITED NATIONS ASSOCIATION FOR THEIR EFFORTS TO COMBAT GLOBAL POVERTY

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to applaud an alliance of dedicated residents of the Fourth Congressional District for their passionate pursuit of peace and justice. On October 8, members of the Greater Milwaukee Chapter of the United Nations Association, together with an array of partner organizations, will host a Call to Action and Celebration of the Global Campaign to Make Poverty History.

This effort is extremely timely. Poverty has a devastating effect on the lives of those in developing countries, and creates structural problems for the global economy that ultimately harm our own economic well-being. The U.N.'s Millennium Development Goals call for progress in eight key sectors, including education, healthcare, environmental sustainability and gender equity. Taken together, these goals comprise a comprehensive strategy for reducing poverty and hunger.

In reality, addressing global poverty requires us to confront the impact of debt on developing countries' ability to invest in the infrastructure and social services needed to improve the quality of their citizens' lives. The weight of the international debt that many developing countries carry poses an enormous obstacle to real progress toward eradicating poverty. Debt payments to international creditors inhibit many countries' efforts to recover from natural disasters, or establish healthcare, education and clean water programs. Impoverished countries in Africa pay on average $14 per person in debt service payments to international financial institutions, but spend only $5 per person on healthcare.

In recognition of this fact, I cosponsored the JUBILEE Act, which directs the Secretary of

the Treasury to immediately begin working with the World Bank, the International Monetary Fund, and the G8 to cancel the debts owed by the world's 50 most impoverished nations.

I want to thank my constituents for their participation in this effort. I am proud of my community's commitment to pursue justice, dignity, and economic self-sufficiency for all of the world's citizens. I urge my colleagues to join me in championing this global initiative that will help secure a better, more prosperous and peaceful world for generations to come.

HONORING COACH PHIL DANAHER

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. ORTIZ. Mr. Speaker, I rise to recognize an outstanding citizen, teacher and coach from Corpus Christi, Texas: Phil Danaher. Coach Danaher reached an historical milestone on September 9, 2005, by achieving his 300th high school football victory and becoming a member of an elite group of coaches who have amassed such a record.

Coach Danaher is currently serving as the athletic director and head football coach at Calallen Independent School District and is in his 35th year of coaching. He is the winningest active coach in football and is surpassed by only three other coaches in number of victories.

Coach Danaher played high school football for Harlingen High School in Harlingen, Texas, where he was two-time All-District, and two-time All-Valley as quarterback. He continued his love for the game by playing college football at Angelo State University.

Mr. Danaher has proudly served as head coach for Calallen High School for the past 22 years, after beginning his career at San Antonio Edison as an assistant head coach. He later served as head coach for Dilley and Hamshire-Fannett high schools from 1974 to 1983 before arriving at Calallen in 1984.

His remarkable coaching talent was evident from the start, leading Dilley to the district championship and capturing three more district championships over the next 9 years at Hamshire-Fannett. Prior to Mr. Danaher's arrival, Calallen High School had not been to the playoffs in 29 years. After just one season, Coach Danaher turned the program around and led the school to the playoffs for 20 consecutive seasons.

However, for Coach Danaher, it is not all about the number of victories he accumulates. Mr. Danaher believes the real honor in coaching lies in the fact that the athletic program has made a difference in the lives of countless players who have come and gone over the years.

On the night of his 300th career victory, Coach Danaher graciously thanked the fans and his team for their significant contributions. When history remembers Coach Danaher, his win-loss record will be noted—but his most enduring legacy will be his record for teaching young people how to make the most of their talents and their lives.

Mr. Speaker, I ask that my colleagues join me in honoring Coach Phil Danaher for his outstanding achievements and dedication to our south Texas community.

CONGRATULATING JUDIE DONALDSON

HON. MELISSA A. HART

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate Judie Donaldson for all of the work she has done for her community.

Ms. Donaldson spent many years working in the academia world before entering the nonprofit sector full time. Moving from California, she found herself in Pittsburgh serving as the executive director of Grantmakers of Western Pennsylvania, an organization that provides education, networking and other resources to philanthropic organizations.

Her work for this organization earned her the 2005 Athena Award. The award is presented by the Greater Pittsburgh Chamber of Commerce and the Allegheny Conference on Community Development. Ms. Donaldson was one of six finalists for the award.

I ask my colleagues in the United States House of Representatives to join me in honoring Ms. Donaldson for her work and dedication to the community. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a principled people in western Pennsylvania.

A PROCLAMATION HONORING NANCY AND MITCH TOTO ON THEIR 45TH WEDDING ANNIVERSARY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. NEY. Mr. Speaker:

Whereas, Nancy and Mitch Toto were united in marriage October 1, 1960, and are celebrating 45 years of marriage; and

Whereas, Nancy and Mitch Toto were united in marriage at St. Casimirs in Adena, Ohio; and

Whereas, Nancy and Mitch Toto are the loving parents of two children and five grandchildren.

Therefore, I join with the residents of the entire 18th Congressional District of Ohio in congratulating Nancy and Mitch Toto as they celebrate their 45th Wedding Anniversary.

HONORING NORTHWEST HIGH SCHOOL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize Northwest High School, located in Justin, Texas, which has recently been selected as an Intel and Scholastic School of Distinction.

The Intel and Scholastic School of Distinction award recognizes schools that demonstrate excellence in implementing innovative programs to promote positive educational results. A total of 60 finalist schools across the nation were selected from 10 distinguished categories. Northwest High School has been selected for the Excellence in Leadership category that commends the influential effort of their dynamic leaders.

I extend my sincere congratulations to Northwest High School and to its principal, Jim Chadwell, for receiving this distinguished award given by the Intel Innovation in Education initiative and Scholastic Inc. Education is one of the most important gifts we can give our children, and Northwest High School has admirably contributed to the future of excellence in education.

RECOGNIZING THE CONTRIBUTIONS OF THE CHURCH OF THE OPEN DOOR OF LIBERTY CITY ON ITS 47TH ANNIVERSARY

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. MEEK of Florida. I rise to recognize the Church of the Open Door in Liberty City, Miami on its 47th Anniversary, which was celebrated on Sunday, September 18, 2005.

To celebrate its 47th year, the Church hosted civil rights activist and preacher, Rev. Dr. Joseph E. Lowery, a colleague of the late Dr. Martin Luther King, Jr. Rev. Lowery's powerful sermon was heard by many of the Church's founding members who are still active in the congregation.

Open Door is home to many prominent activists in the Liberty City community. Many members participated in the March on Washington and other key events in the civil rights movement, and they continue to be strong voices in the fight for justice and equality.

The Church of the Open Door was built in 1958 at 6001 NW 8th Avenue, and was founded by the family of Marie Faulkner Brown. To celebrate this anniversary the church unveiled portraits of its founding members and pastors, and hosted four days of guest choirs, fellowship, and worship services for its annual revival week.

Mr. Speaker, I want to congratulate Open Door's pastor, Rev. Joaquin Willis, and his congregants on this happy occasion.

PANCREATIC CANCER AWARENESS MONTH

HON. TODD RUSSELL PLATTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. PLATTS. Mr. Speaker, I rise to strongly support House Resolution 276. This resolution will help increase awareness about a horrible disease: Pancreatic cancer.

Few Americans may understand that pancreatic cancer is a horrific killer. This year alone, over 32,180 people will be diagnosed with this disease. Because there are no early detection tools for this cancer, 99% of those diagnosed will lose their lives.

Many Americans are not aware that pancreatic cancer has the highest mortality rate of all cancers; most patients only survive 3 to 6

months after diagnosis. This is why it is a moral imperative for Congress to work to increase awareness of this deadly cancer.

Currently, the Pancreatic Cancer Action Network (known as ''Pan CAN'') is the only national advocacy organization available for pancreatic cancer patients and their families and friends. I became aware of Pan CAN through a constituent of mine, Bob Hammen, who lost his wife to this terrible disease. Pan CAN provides patient support and professional education about this disease, while coordinating advocacy programs to focus national attention on finding a cure for pancreatic cancer.

Pan CAN regards each November as Pancreatic Cancer Awareness Month. With the passage of H. Res. 276, Congress will be supporting Pan CAN's efforts to raise awareness about pancreatic cancer so that scientific advancements can lead to early detection programs and effective treatments.

Mr. Speaker, because all of our fellow citizens have family, friends and neighbors who are regrettably vulnerable to this dreaded disease, I urge support from my distinguished colleagues for this resolution here today.

DEDICATION TO A COMMUNITY

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. SANDERS. Mr. Speaker, it is a pleasure, a great pleasure, for me to inform you, my colleagues in Congress, and through you the entire nation, about the kind of public service and dedication found in Vermont and, I suspect, in other villages, towns and cities throughout America.

Aileen O'Neil has been the town clerk of Woodford, Vermont for 36 years. For well over three decades she has met the needs of the people in her town of 421 citizens, keeping the town going and its records up to date. Her long and dedicated service was recently recognized by the Vermont Municipal Clerks and Treasurers Association, for they named her Vermont's Town Clerk of the Year.

During all of those 36 years Aileen O'Neil has done what needs to be done, with care, with courtesy, and with a concern for the public life we share with one another. What she told a newspaper reporter recently is a model for all of us, for I think each of us would like to be able to say, while still at work after so many years, ''I love my job. I've loved my job all these years. It's a purpose in life for me.''

We are lucky to have her, both as a town clerk in Woodford and as an example for all of us.

IN HONOR OF SID BALICK

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Sid Balick for his outstanding contributions to the Boys and Girls Clubs of Delaware. With over 40 years of service under his belt, Sid is the longest serving board member in the history of the organization.

While growing up in Delaware, Sid was a member of the Jackson Street Boys Club. This experience fostered an understanding of the values and lessons instilled by the Boys and Girls Clubs, prompting Sid's longstanding commitment to these important community service organizations.

Tonight, friends, family, and colleagues will honor Sid at a function paying tribute to his contributions to the city of Wilmington as an attorney, civic leader and volunteer. During his distinguished career, he has also served in the Delaware State House of Representatives and as President of the American Civil Liberties Union of Delaware.

Always a generous supporter, Sid has asked that the proceeds from his event be donated to the Boys and Girls Clubs' Capital Campaign. These contributions will serve to enhance education and fitness programs at the various Boys and Girls Clubs throughout the State of Delaware.

In closing Mr. Speaker, I would like to once again congratulate and thank Sid for his tremendous contributions to the State of Delaware. Generations of children owe him a debt of gratitude, and I am pleased to be able to vocalize their appreciation. An exemplary citizen and proud American, we all owe Sid a sincere thank you.

REPORT BY THE CENTER ON NATIONAL POLICY

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. MILLER of California. Mr. Speaker, I commend to my colleagues a report by the reputable Center on National Policy focusing on early childhood education. There is much in this report that is of value to Congress as we move to eliminate the achievement gap in this. The full report can be found at http://www.cnponline.org/Education.htm I am enclosing the executive summary for your review below.

With mounting evidence that high-quality early child care and education can significantly affect life chances, especially for low-income children, a CNP report calls for development of a comprehensive national policy to ensure broad access to effective programs. Authors Jennifer Kolker, David Osborne and Eric Schnurer review data on program availability, adequacy and cost. They assess state efforts, current federal funding and coordination issues. They urge Congress and the President to act so that outcomes improve for all American children.

SOUTH DAKOTA STATE UNIVERSITY: 2005 SECRETARY OF DEFENSE EMPLOYER SUPPORT FREEDOM AWARD RECIPIENT

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. HERSETH. Mr. Speaker, I am pleased to report that South Dakota State University (SDSU) has been awarded the 2005 Secretary of Defense Employer Support Freedom Award.

The Secretary of Defense Employer Support Freedom Award was instituted in 1996 by Secretary of Defense William Perry and the National Committee for Employer Support of the Guard and Reserve. The award was created to publicly recognize American employers who provide exceptional support to their employees who serve the Nation in the National Guard and Reserve.

Mr. Speaker, let me express my admiration for SDSU and the South Dakota National Guard and Reserve. South Dakota has one of the highest rates of mobilization in the Nation. This high rate of service is a reflection of the hard work and pride South Dakota National Guard and Reserve members maintain. I am grateful for SDSU's tremendous support of the National Guard and Reserve. The university represents South Dakota principles with remarkable distinction.

SDSU provides differential pay for its employees for the entire length of their activation and student academic progression support. In addition, it grants employees 40 hours of paid personal leave for preparation of a deployment. SDSU's support for its National Guard and Reserve employees and students is admirable and serves as an example for other institutions of higher learning to emulate.

I join with all South Dakotans in expressing my gratitude to SDSU. We are all proud and thankful for their demonstrated commitment to their employees and students who serve the Nation in the National Guard and Reserve.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

SPEECH OF

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes:

Ms. LEE. Mr. Chairman, on September 29, 2005, I missed rollcall vote 506, the vote on final passage for H.R. 3824. Had I been present, I would have voted ''nay.'' I was unable to take part in this vote because I was attending a constituent funeral.

Mr. Chairman, I rise in strong opposition to H.R. 3824, which is a threat to the recovery of endangered species.

Mr. Chairman, the original Endangered Species Act was signed into law by President Nixon in 1973 with the goal of protecting species on the brink of extinction, preserving critical habitats from human development and exploitation, and safeguarding the diversity of our natural wildlife for future generations.

This bill would redefine the entire concept of the Endangered Species Act to protect the short term economic interests of western landowners and developers.

Instead of working to protect threatened or endangered species and their habitats for the benefit of everyone, the Federal Government would now be driving the extinction of countless species—and your tax dollars would be paying for it.

We've got to ask ourselves who really needs to be protected here?

Is it our planet, our future? Or is it the right of some developer to build a strip mall?

I urge my colleagues to vote against this cynical attempt to gut the endangered species act.

A PROCLAMATION THANKING MATT SMITH FOR HIS SERVICE TO OUR COUNTRY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. NEY. Mr. Speaker:

Whereas, Matt Smith served in Iraq and is the recipient of numerous awards including the Meritorious Service Award, the Purple Heart, the Global War on Terrorism Medal, and the National Defense Service Medal; and

Whereas, Matt Smith is to be commended for the honor and bravery that he displayed while serving our Nation in this time of war; and

Whereas, Matt Smith has demonstrated a commitment to meet challenges with enthusiasm, confidence, and outstanding service;

Therefore, I join with the family, friends, and residents of the entire 18th Congressional District of Ohio in thanking Matt Smith for his service to our country and wishing him the best of luck in all his future endeavors. Your service has made us proud.

17TH ANNUAL DENTON COUNTY FIREFIGHTERS MEMORIAL SERVICE

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. BURGESS. Mr. Speaker, I rise today to honor the fallen men and women firefighters who selflessly dedicated their lives to our communities.

Each October, a grateful Nation honors its fallen fire heroes during the National Fire Prevention Week. Fire Prevention Week is a great opportunity to educate all citizens about the dangers of fire and the steps they can take to protect themselves. Each year, more than 4,200 Americans lose their lives to fire. That's more deaths by fire each year than all other natural disasters combined. National Fire Prevention Week has been observed since 1922 the week of October 9th. This marks the date of the Great Chicago Fire in 1871. In that tragic conflagration, more than 250 people were killed. 100,000 were left homeless, 17,400 structures were destroyed, and more than 2000 acres burned.

I want to thank Denton's First United Methodist Church for hosting a special service in honor of those who gave their lives for those of us residing in Denton County. The service and the processional to the Denton County Firefighters Memorial Park that concluded the memorial service truly honors these heroic men and women. This year marks the 17th Annual Memorial Service in Denton County.

I extend my condolences and appreciation to the families and the communities of these fallen firefighters. This memorial service acts as a tribute to the brave men and women of America's fire service.

TRIBUTE TO THE VILLAGE OF NELSONVILLE, NEW YORK

HON. SUE W. KELLY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mrs. KELLY. Mr. Speaker, I rise today to honor the village of Nelsonville, New York, which this month celebrates its sesquicentennial. I extend my sincere congratulations to town officials, residents and supporters on this occasion, which symbolizes an accumulation of 150 years of hard work and diligence by a community.

On an early autumn day in October 1855, the village of Nelsonville was born and with it a quaint community founded on good will and hard work. Some say the essence of the village can be seen in the elaborate picture painted by the landscape of historical buildings on the village's timeless Main Street. This can be seen in the current Village Hall which, prior to 1955, housed the local the Fish and Fur Club for over half a century.

Nelsonville commemorates their 150th Anniversary this month with a parade which surely will prove memorable as local leaders, organizations and community members come together to remember an impressive history that has provided the building blocks for an promising future.

Undoubtedly, the success of Nelsonville could not have been realized without the support and kinship of the surrounding town of Philipstown and Putnam County. For years to come, Nelsonville will remain a great place to live following the lessons of the past and by continuing participation in camaraderie with surrounding communities.

There have been over 30 mayors since the village's inception. From Mayor Purdy in 1855 to Mayor Mitch Dul in 2005, the village has seen many challenges, but has always stayed on steady course. The village retains a timeless quality easily identifiable by those taking a walk down its streets. On behalf of the people of the 19th Congressional District of New York, I wish Nelsonville continued success and another 150 exceptional and prosperous years.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

SPEECH OF

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill. (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes:

Mr. MEEHAN. Mr. Chairman, I rise today in opposition to the so-called "Threatened and Endangered Species Recovery Act," (TESRA). The sponsors of TESRA claim that they want to "reform" the ESA because it's not helping enough threatened and endangered species recover. In reality, it is aimed at weakening, dismantling, and rendering unenforceable the Endangered Species Act, ESA.

The original Endangered Species Act was a bipartisan effort to protect our natural heritage. Yet today, as we consider how to update and modernize that legislation, we are presented not with a truly bipartisan bill, but a massive special interest giveaway that guts ESA despite a thirty year track record of success. A vote for the passage of TESRA is a vote to abdicate responsible environmental policy and to create a new form of corporate welfare.

Since the enactment of the Endangered Species Act in 1973, tens of millions of acres of land in the United States have been managed for conservation purposes. As a result, of the 1800 species protected under ESA, we have lost only 9 to extinction. That's a 99 percent success rate on extinction prevention.

TESRA's most fundamental change abandons the basic priority of the Endangered Species Act: the commitment to species recovery. The overarching goal of ESA is to bring species back from the brink of extinction to the point where they no longer need to be given special protection. TESRA alters that mission by effectively negating the goal of species recovery. TESRA specifically eliminates the requirement that the Federal Government attempt to restore species to healthy population levels.

Furthermore, under TESRA any species recovery plan the government might conceive would be non-binding. Had ESA had these guidelines in place since 1973, the recovery of many species, including the peregrine falcon and the American alligator, would have been almost inconceivable. In the case of the alligator, recovery was so successful that we are now even able to implement controlled farming of the restored population.

There are two areas of the bill which I found particularly problematic and sought to address through amendments. My first amendment would strike language from TESRA that would turn back the clock on the scientific determination of an endangered species. My second amendment would strike language from TESRA that creates a very dangerous precedent: setting up a system where the government pays people for obeying the law.

Rather than offer these separately on the floor, I am pleased to see their substance included in the bipartisan Miller-Boehlert substitute that we will be considering today.

The use of science is of special importance in the implementation of the species protection program. Rather than using the best available science for species protection, TESRA explicitly prohibits the government from using advanced, modern scientific tools like statistical modeling that we have at our disposal today and that assist us in the implementation of ESA.

By taking away these cutting edge tools, TESRA would make it exceedingly difficult to make determinations on the status of any species whose populations are small, isolated, and scattered. The result will be a weakened and limited scientific process in decisions made under the act, more obstacles and less protection. The substitute bill restores ESA's original approach to science, which is to use the best science available to help save and recover endangered species.

My second proposed amendment addresses a trouble area in TESRA introducing a requirement that the Federal Government actually pay developers and polluters to comply with the law. This provision would have serious and widespread implications: it sets a dangerous precedent in environmental protection. This amounts to a new entitlement program that would result in a windfall for land developers and speculators—at the expense of the taxpayers and the species we seek to protect under ESA.

This provision of TESRA is part of a broader movement to treat all environmental regulation as a form of "property taking" that requires government compensation. It is a novel legal theory that would strike at the heart of virtually every piece of environmental regulation ever passed. The proposal under TESRA is particularly ripe for abuse because it sets no cap or limitations. Under TESRA, someone could purchase cheap land, announce an intention to develop on it, and then demand a check from the government compensating them for the much higher value of the developed property, all without ever even intending to break ground. The same developer could conceivably come back an unlimited number of times for an unlimited number of "projects". My amendment, the substance of which is mirrored in the Miller-Boehlert substitute, strikes this payment scheme entirely.

I strongly urge my colleagues to oppose the TESRA roll back of the Endangered Species Act and to support the bipartisan Miller-Boehlert substitute to preserve and strengthen one of the most successful pieces of environmental legislation in 30 years.

THE FEDERAL MINERAL DEVELOPMENT AND LAND PROTECTION EQUITY ACT OF 2005

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. RAHALL. Mr. Speaker, on March 1, 1872, President Ulysses S. Grant signed into law a bill creating the world's first national park: Yellowstone. Known from its inception as "nature's wonderland", Yellowstone has embodied a simple and straightforward concept of a place unexploited and unspoiled by economic or other development.

In 1872, the vast wilderness of the west was viewed by most Americans as something to be tamed, to be explored, settled, mined, logged, ranched, and farmed. Most people at that time did not value the west for its wilderness, but rather for the material and economic treasures that it could yield. It is therefore remarkable that during such an age, Congress set aside an area roughly the size of my home State, West Virginia, as the world's first national park—an area that would be closed to farming, timbering, mining and open to all Americans for present and future recreation use.

Several months after the 54th Congress created Yellowstone, they sent the General Mining Law to President Grant for signature. Following on the heels of the California Gold Rush, the Mining Law of 1872 was enacted in order to promote orderly mineral exploration and development of the West and to provide certainty and legal protections to those Americans willing to take on the task. It is first and foremost a land law; it does not contain environmental or public health and safety provisions.

The Mining Law of 1872 has, like Yellowstone, remained largely intact and unchanged over the past 133 years. While most people would agree that the continued preservation of Yellowstone is a good thing, most would disagree that maintaining and preserving the Mining Law of 1872 is a good thing. To keep a law on the books that has no environmental protection provisions, prevents the Federal Government from stopping ill-advised proposed mines on Federal lands, and has left the headwaters of 40 percent of western waterways polluted by mining, is irresponsible and just plain ridiculous.

Even more absurd, the 1872 Mining Law also allows extraction of valuable minerals from the public domain without payment of royalties to taxpayers and at the same time allows mining companies to purchase mineral rich public lands for no more than $5 an acre irrespective of lands true value. In recognition of the fiscal irresponsibility of this situation, Congress has since 1994, annually placed moratoria on mineral claim patents in appropriations bills, most recently in the fiscal year 2005 Consolidated Appropriations Act, allowing only patents applied for prior to 1994 to be processed. However, it is far past the time for this moratorium to become permanent rather than being subject to annual renewal.

To be sure, Congress has attempted to comprehensively reform the Mining Law at various times over its history—each time to be thwarted by powerful mining interests. Former Congressman Mo Udall came close in the 1970s. During the 102nd Congress in 1991, I introduced mining reform legislation and we came close to enacting legislation in 1994 that would have updated this archaic law. Unfortunately, at the last moment, after both the House and the Senate had passed separate bills, the conference failed to reach a compromise and the rest, as they say, is history. Since then, I have re-introduced reform legislation in each succeeding Congress.

Today, Representatives JAY INSLEE, CHRISTOPHER SHAYS, and I, joined by our colleagues, MAURICE HINCHEY, DENNIS KUCINICH, EARL BLUMENAUER, GEORGE MILLER, and RAÚL GRIJALVA are introducing legislation similar to what we introduced in earlier Congresses. However, this bill differs from past efforts in one significant way. The Federal Mineral Development and Land Protection Equity Act of 2005 has as its centerpiece, the recognition that there are special places, often sacred sites, that should be off-limits to hardrock mining. This simple but important provision is necessary because under the 1872 Mining Law, the Federal Government can not stop a valid mining claim from being developed on public lands, regardless of what other values are present.

For example, the proposed site for a 1,600-acre, open-pit gold mine in Indian Pass, California, is the sacred place where Quechan Indian tribes "dream trails" were woven. The Bush administration revoked a Clinton-era ruling that said mining operations would cause undue impairment to these ancestral lands, an extremely sacred place to the Quechan Indian tribe. Now the tribe is left fighting for its religious and cultural history. Although the State of California has taken action to help protect this site, the Federal Government remains poised to permit the gold mine.

Sadly, the threat to Indian Pass is not unique. American Indians, the first Americans, were the first stewards of this land. They respected the earth, water and air. They understood you take only what you need and leave the rest. They demonstrated that you do not desecrate that which is sacred. Most Americans understand a reverence for the great Sistine Chapel, or the United States Capitol. However, there are times when we have difficulty applying the same reverence we give to our sacred man-made places to a mountain, valley, stream or rock formation held sacred to Native Americans.

The Federal Mineral Development and Land Protection Equity Act of 2005 has as its centerpiece, the recognition that there are special places, often sacred sites, that should be off-limits to hardrock mining. Our mining law reform legislation also recognizes that there are other special places in the U.S. with spectacular natural and cultural resources and values that should be protected from the unavoidable, and often irreversible, damage caused by hardrock mining.

Our legislation would bring hardrock mining law into the 21st century. It would protect precious water resources from toxic mine waste with much needed environmental standards, and prevent mining industry rip-offs by requiring the industry to pay a production-related royalty on the extraction of publicly owned minerals. It would also prevent mining operations from endangering federally designated wilderness areas and other special places by requiring land managers to weigh mine proposals against other potential land uses when making permitting decisions.

The lack of a royalty in the 1872 Mining Law and the absence of deterrents or penalties for irresponsible mining have caused enormous taxpayer giveaways and liabilities. Under the Mining Law the Federal Government has given away over $245 billion in mineral rich public lands. In return, the mining industry has left taxpayers with a cleanup bill, for their business and mining practices, estimated to be in the range of $32 to $72 billion for hundreds of thousands of abandoned mines that pollute the western landscape.

It is time, well past time, that the Congress replace this archaic law with one that reflects contemporary economic, environmental and cultural values. Insuring a fair return to the public in exchange for the disposition of public resources, and properly managing our public lands are neither Republican nor Democratic issues. They are simply ones that make sense if we are to be good stewards of America's lands and meet our responsibilities to the American people.

Mr. Speaker, during the years I have labored to reform the Mining Law of 1872 those who defend its privileges—and it is indeed a privilege to be deemed the highest and best use of our public domain lands—have often alleged that my mining reform legislation fails to take into account the contribution of hardrock mining to area economies. They claim that reform would have dire consequences on the industry, that if we did not provide the industry with unfettered access to public lands and public minerals, the industry could no longer survive.

Let me just say that there is no member in the House of Representatives whose Congressional District is more dependent upon mining

for employment and its economic benefits than this gentleman from West Virginia. And when we are talking about the effects of mining, I would suggest that there is little difference between coal mining and gold mining. The effects, whether measured in terms of employment, or in terms of the environment or cultural values, are the same.

With that noted, I have engaged in the effort to reform the Mining Law of 1872 these past many years not just for the apparent reasons—the sins of giving away the public's valuable minerals mined for free, selling off Federal lands available almost for free and providing no comprehensive Federal mining and reclamation standards. But, I continue to wage this effort because I am pro-mining, because I no longer believe that we can expect a viable hardrock mining industry to exist on public domain lands if we do not make corrections to the law. I do so because there are provisions of the existing law which impede efficient and serious mineral exploration and development. And I do so because of the unsettled political climate governing this activity, with reform if not coming in a comprehensive fashion, certainly continuing to come in a piecemeal manner.

I believe that with enough courage, and fortitude, we can continue to address the problems facing mining, and dovetail our need for energy and minerals with the necessity of protecting our environment.

For at stake in this debate over the Mining Law of 1872 is the health, welfare and environmental integrity of our people and our Federal lands. At stake is the public interest of all Americans. And at stake is the ability of the hardrock mining industry to continue to operate on public domain lands in the future, to produce those minerals that are necessary to maintain our standard of living.

TRIBUTE TO ST. JEROME CHURCH IN THE BRONX

HON. JOSÉ E. SERRANO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. SERRANO. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Saint Jerome Church in the Bronx. On October 2, 2005 they will hold rededication ceremonies in honor of the newly renovated Church.

St. Jerome Church was founded on September 24, 1869, and primarily served the large group of Irish immigrants arriving in America during the latter half of the 19th century. In 1898, the cornerstone was laid for the building that St. Jerome Church would call home for the next hundred years. So magnificent was the edifice that to this day it is called "The Cathedral of the Bronx." The stained glass windows and beautifully painted ceilings make Saint Jerome Church truly one of the most visually stunning churches in the city.

Throughout its history, St. Jerome Church has stood fast in good times and bad as a symbol of faith. Through two World Wars, the Korean War and Vietnam, the church has watched as many of its sons and daughters bravely served their country. Those who made the ultimate sacrifice have their names inscribed on the walls of the church as a reminder of the high cost of war.

In the fifties, as Puerto Ricans and others from the Caribbean made the Bronx their home, St. Jerome Church was there to welcome them with open arms. The priests made it a priority to learn Spanish as new spirit was breathed into the surrounding neighborhood. Even today, St. Jerome Church continues its legacy of welcoming newcomers to the Bronx as Mexican immigrants have revitalized the area.

Mr. Speaker, scripture tells us in Deuteronomy 15:7: "If there is a poor man among you, one of your brothers, in any of the towns of the land which the LORD your God is giving you, you shall not harden your heart, nor close your hand to your poor brother; but you shall freely open your hand to him, and generously lend him sufficient for his need in whatever he lacks." St. Jerome Church has always striven to realize these instructions. Under the spiritual leadership of my friend, Father John Grange, over the last 26 years St. Jerome Church has grown into a powerful healing force in the Bronx, taking in Bronxites of all nationalities and providing them with food for the soul.

As the representative from the South Bronx, the poorest Congressional District in the nation, I am grateful to have a church in my community that works so hard, day in and day out, to provide for those who are in need. In an effort to provide better lives for themselves and their families, many immigrants make the Bronx their first home in the States. During those trying first few years, it is institutions like St. Jerome Church which help them manage their struggle by providing constant spiritual guidance. St. Jerome Church has in the past and continues to freely open their hand to the people of the Bronx. For 136 years of outstanding service to the people of the Bronx, I ask my colleagues to join me in paying tribute to St. Jerome Church as it is re-dedicated on October 2, 2005.

HONORING BEATRICE JOYCE ELLINGTON

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise to acknowledge and honor Beatrice Joyce Ellington who recently passed away on August 1, 2005.

I have known her since 1980. She was a remarkable person. In fact, if more people just acted as she did, our world would be a better place.

Joyce became the first African American woman to head the San Jose Public Library Commission in 1980. In 1974, Joyce successfully argued before the San Jose Unified School District Board and the City Council that vacant land, a valuable commodity in San Jose where a single-family home can easily cost over a half-million dollars, should be used for a library, instead of being sold. Joyce was recognized for her tenacity in pushing for the library in 2002 when the City Council was persuaded by her neighbors and the community at large to overlook the City's rule not to name a public building after a person still alive. At that time, the Empire Library was renamed to the Joyce Ellington branch library.

In addition to her accomplishments with the library, Mrs. Ellington was a founder in 1965 of the Northside Neighborhood Association, the oldest of its kind in the City of San Jose. Perhaps the greatest tribute to Joyce was her ability to gather community members of all races, creeds and religions to work together toward a common purpose in the community. The Northside community, where Joyce lived and did her service, is also one of the most diverse communities in California with neighbors, friends and families with roots in Africa, Japan, the Philippines, Mexico and elsewhere.

When I attended the service for Joyce, stories abounded of not only her community service, but also of her welcoming heart and home.

Joyce was the sort of person who, when she saw a problem simply took responsibility to be part of the solution. That's why she led the effort to establish a lighting district so that the northside neighborhood could have street lights. That's why she looked after her neighbors. It's why she cared about literacy. It wasn't enough that her own children were readers and getting a good education. She understood that it was also important for all the children in her community to love reading and books. She is most certainly a dearly missed community leader, friend and teacher. She not only taught us lessons of service, but also opened the doors for us to teach ourselves at the library so aptly named after her.

A PROCLAMATION CONGRATULATING MS. CHRISTINA TRIPLETT ON WINNING THE RISING UP & MOVING ON AWARD

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. NEY. Mr. Speaker:

Whereas, Ms. Christina Triplett has overcome adversity and hardship from a young age to become an outstanding young woman; and

Whereas, Ms. Christina Triplett was able to keep her siblings together as a family in a trying environment; and

Whereas, Ms. Christina Triplett has committed herself to helping others in similar situations cope with the ordeal and to being a positive influence to all those around her.

Therefore, I join with family, friends and associates, as well as the entire 18th Congressional District of Ohio in celebrating your receipt of the Rising Up & Moving On Award. You are an inspiration to us all.

JULIAN BOND AFFIRMS THAT GAY RIGHTS ARE CIVIL RIGHTS

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. FRANK of Massachusetts. Mr. Speaker, for more than 45 years, Julian Bond has provided leadership in the fight against prejudice and its terrible effects in the United States. From his early days as a student leader, to his current position as Board Chair of the NAACP,

with distinguished elected service in between, Julian Bond has been in the forefront of the fight for justice in America. Given his extraordinary leadership in the struggle against discrimination based on race, and given the efforts of some to argue that the fight against homophobia is somehow entirely different from the fight against racism, Julian Bond's eloquent, forceful defense of the right of gay, lesbian, bisexual and transgendered people to be treated fairly is noteworthy.

On Saturday, October 1, Mr. Bond addressed another important civil rights organization, the Human Rights Campaign, at the HRC's Washington Dinner. His speech, not surprisingly for a champion of human rights, is a strong defense of the right of people to be free from prejudice based on their sexual orientation, and an explicit affirmation that the fight against racism and the fight against homophobia have a common basis.

As he said in that speech, "denial of rights to anyone is wrong, and . . . struggles for rights are indivisible."

Mr. Speaker, because of the eloquence of his repudiation of the effort to divide those who fight against racism from those who fight against homophobia, and because of his extraordinary stature in the fight to make sure that the rights spelled out in our Constitution are in fact fully enjoy by everyone, Julian Bond's words at the Human Rights Campaign Dinner deserve the attention of every Member of this body, and I ask that those remarks be printed here.

I am more than honored to receive this award, and want to express my thanks to all responsible for it. I want to promise you that I intend to live my life as if I actually deserve it.

I believe it represents a common acknowledgement that denial of rights to anyone is wrong, and that struggles for rights are indivisible.

I feel tonight a little like the great abolitionist Frederick Douglass must have felt in April, 1888. Douglass, by then an old man, was addressing a women's convention in Seneca Falls, New York. They praised him for his devotion to the cause of women's suffrage. Forty years earlier, at the world's first Women's Rights Convention, when Susan B. Anthony made a motion that American women had the right to vote, it was Douglass who seconded the motion.

In 1888, Douglass reflected back on that moment and told his audience, When I ran away from slavery, it was for myself; when I advocated emancipation, it was for my people; but when I stood up for the rights of women, self was out of the question, and I found a little nobility in the act.

You have all made me feel noble tonight.

I am proud to represent an organization that has fought for justice for all for nearly 100 years, and while we've won many victories, we know—you know—there are other battles yet to be waged and won.

At the NAACP, we were proud to have opposed the federal marriage amendment and its wrong-headed versions in several states. President Bush backed amendments banning same-sex marriage, calling marriage "the most fundamental institution of civilization."

Isn't that precisely why one should support, not oppose, gay marriage?

The NAACP recently passed a resolution to strengthen families, including yours. We promised to "pursue all legal and constitutional means to support non-discriminatory policies and practices against persons based on race, gender, sexual orientation, nationality or cultural background."

We know there was a time, not so long ago, when black people in this country couldn't marry the person of their choice either. The California Supreme Court was the first, in 1948, to strike down laws prohibiting interracial marriage.

Now the California legislature has become the first to legalize gay marriage.

As California goes, so goes the Nation. It's just a matter of time.

Almost twenty years after California legalized interracial marriage, the United States Supreme Court heard the aptly named case Loving v. Virginia.

A married couple—Richard Loving, a white man, and Mildred Jeter, a black woman—won a ruling from the Court that Virginia's miscegenation laws were unconstitutional. That case enabled me to get married in Virginia. That case recognized marriage as one of the inviolable personal rights pursuant to happiness.

That's why when I am asked, "Are Gay Rights Civil Rights?" my answer is always, "Of course they are."

"Civil rights" are positive legal prerogatives—the right to equal treatment before the law. These are rights shared by all—there is no one in the United States who does not—or should not—share in these rights.

Gay and lesbian rights are not "special rights" in any way. It isn't "special" to be free from discrimination—it is an ordinary, universal entitlement of citizenship. The right not to be discriminated against is a common-place claim we all expect to enjoy under our laws and our founding document, the Constitution. That many had to struggle to gain these rights makes them precious—it does not make them special, and it does not reserve them only for me or restrict them from others.

When others gain these rights, my rights are not reduced in any way. The fight for "civil rights" is a win/win game; the more civil rights are won by others, the stronger the army defending my rights becomes. My rights are not diluted when my neighbor enjoys protection from the law—he or she becomes my ally in defending the rights we all share.

For some, comparisons between the African-American civil rights movement and the movement for gay and lesbian rights seem to diminish the long black historical struggle with all its suffering, sacrifices and endless toil. However, people of color ought to be flattered that our movement has provided so much inspiration for others, that it has been so widely imitated, and that our tactics, methods, heroines and heroes, even our songs, have been appropriated by or served as models for others.

No parallel between movements for rights is exact. African-Americans are the only Americans who were enslaved for more than two centuries, and people of color carry the badge of who we are on our faces. But we are far from the only people suffering discrimination—sadly, so do many others. They deserve the law's protections and civil rights, too.

Sexual disposition parallels race—I was born black and had no choice. I couldn't change and wouldn't change if I could. Like race, our sexuality isn't a preference—it is immutable, unchangeable, and the Constitution protects us all against prejudices and discrimination based on immutable differences.

Those whose bigotry is Bible-based selectively ignore Biblical injunctions in Exodus to execute people who work on the Sabbath and in Leviticus to crack down on those who get haircuts or who wear clothes with more than one kind of thread.

Recently, they've even ignored the sanctity of marriage—just ask Michael Schiavo.

Many gays and lesbians worked side by side with me in the '60s civil rights movement. Am I to now tell them "thanks" for risking life and limb helping me win my rights—but they are excluded because of a condition of their birth? That they cannot share now in the victories they helped to win? That having accepted and embraced them as partners in a common struggle, I can now turn my back on them and deny them the rights they helped me win, that I enjoy because of them?

Not a chance.

In 1965, those of us who worked in the civil rights movement were buoyed by a radio address given by Lyndon Johnson.

His words speak to us today. He said then:

It is difficult to fight for freedom. But I also know how difficult it can be to bend long years of habit and custom to grant it. There is no room for injustice anywhere in the American mansion. But there is always room for understanding those who see the old ways crumbling. And to them today I say simply this: It must come. It is right that it should come. And when it has, you will find that a burden has been lifted from your shoulders too. It is not just a question of guilt, although there is that. It is that men cannot live with a lie and not be stained by it.

One lesson of the civil rights movement of yesterday—and the on-going civil rights movement of today—is that sometimes the simplest of ordinary acts—taking a seat on a bus or a lunch counter, registering to vote, applying for a marriage license—can have extraordinary ramifications. It can change our world, change the way we act and think.

Thank you again for this honor.

The old ways are crumbling.

It must come.

Let us leave here determined to fight on until it does.

HONORING RICK GEHA

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. STARK. Mr. Speaker, I rise to pay tribute to Rick Geha who is being honored by The Ohlone College Foundation in Fremont, California, as 2005 Citizen of the Year.

Since 1987, the Ohlone College Foundation has awarded a Citizen of the Year Award at its Annual Benefit Luncheon to honor individuals or organizations that have made an exceptional contribution and commitment to the advancement of the community.

Rick Geha is being honored for his "Commitment to Excellence." As a businessman, he is a leader among Bay Area realtors and a mentor in the real estate business.

As a community activist, he is a strong advocate for children and education. He has served on the Ohlone College Foundation Board since 1993 and has held the position of Board Chair for the past eight years. He has served two terms on the Kidango Board of Directors. Kidango, formerly Tri-cities Children's Center, provides a variety of child development programs in 46 locations in three Bay Area Counties. The Fremont Education Foundation honored Rich Geha as the Community Honoree for its 2005 Excellence in Education award.

Rick Geha gives tirelessly to the community through his philanthropy, community service, business expertise, and dedication to making

a positive difference. On October 21, family and friends as well as the grateful recipients of Rich Geha's kind service and financial support to non-profit organizations, will gather to acknowledge his years of community service. I join them in appreciation for his commitment to excellence.

HONORING HEALTHSOURCE SAGINAW, INC.

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. KILDEE. Mr. Speaker, I rise before you today to honor the administration and staff of HealthSource Saginaw, Inc. For 75 years, this facility has provided superior medical care to patients throughout the Saginaw area, and on October 21, they shall break ground on a new, larger facility.

Originally known as Saginaw County Hospital, HealthSource Saginaw was established by county officials in 1930 as a tuberculosis sanitarium. In 1991, it became a Municipal Health Facility Organization and qualified for non-profit status with the Internal Revenue Service. Throughout the years, it has maintained a vision to offer the finest care available, care that meets and exceeds the latest in healthcare, communications, and information technology. At the same time, HealthSource Saginaw has continued to provide the quality level of compassion for which it is known for throughout the State of Michigan.

With 319 inpatient beds, HSS is comprised of three divisions: Behavioral Medicine Services, an Extended Care Center, and a Medical Rehabilitation Center. They offer specialty services such as inpatient and outpatient Chemical Dependency and Mental Health care and treatment, restorative care, physical, occupational, and speech therapy, and the region's only inpatient adolescent mental health program. They receive accreditation from the Commission on Accreditation of Rehabilitation Facilities and the Joint Commission on Accreditation of Healthcare Organizations, who have given them the most optimal level of distinction for their hospital level services.

In addition to its non-profit status, HSS receives significant funding from Medicare, Medicaid, and of course through the support of Saginaw County residents, who have authorized a millage to help with costs. Over 99 percent of their total budget, including funds received by the millage, is earmarked for direct patient care, with the remaining one percent slated for equipment.

Mr. Speaker, it is indeed an honor and a pleasure for me to have this opportunity to recognize this outstanding group of medical professionals. Many families have benefited from their care and services. The staff considers it their duty and privilege to protect and defend human dignity and the quality of life for their patients. I am grateful for HealthSource Saginaw's commitment to go beyond the ordinary when providing healthcare services, and I ask my colleagues in the 109th Congress to please join me in congratulating and wishing them well on their expansion.

STATEMENT IN REMEMBRANCE OF KENNETH SMITH

HON. JIM SAXTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. SAXTON. Mr. Speaker, it is with great sorrow I announce the passing of Kenneth Smith of Manahawkin, New Jersey, after a long battle with cancer. Ken dedicated his life toward enhancing the sandy beaches, not only of New Jersey, but of the entire nation.

Ken Smith was a tireless and dedicated advocate for protecting and enhancing our beaches. He knew how much they mean to our state and national economies, and he fought tenaciously to assure the federal government gave beach preservation the priority it deserves. For over a quarter of a century, Ken was America's "Coastal Advocate."

Ken spent eight years as a Vice President and as a Director of the American Shore and Beach Preservation (ASBPA); and is a co-founder of the Alliance for a Living Ocean, formed in response to the terrible summer when garbage and other pollution was washing up on the Jersey shore in 1987. The Alliance for a Living Ocean won the Governor's Award for Volunteerism in 1999. Ken, known as ASBPA's "Tenacious Bulldog at the Beach," won the organization's prestigious Morrough P. O'Brien Award in 1999, followed by its Lifetime Achievement Award in 2004.

The millions of tourists who come to visit and enjoy our beaches each year from across the nation and from around the world, as well as ail those whose communities are protected from the ravages of storms by these same dunes and healthy beaches, owe Ken a debt of gratitude for all that he accomplished. Ken was the leading force in bringing an awareness to so many people about the importance of working together to preserve not only our beaches and oceans, but the environment and our natural resources as a whole. His dedication to not only protecting the beaches but educating people on the importance of preservation was unparalleled.

I extend my sympathies to his wife, Pat, and to his entire family and hope that these words of appreciation will comfort them in their time of sorrow.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

SPEECH OF

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes:

Ms. ESHOO of California. Mr. Chairman, I rise to oppose the Pombo bill and in support of the reforms in the substitute amendment offered by Representatives GEORGE MILLER and SHERWOOD BOEHLERT.

The Endangered Species Act is a cornerstone of environmental protection. I'm very proud that one of my predecessors in the Congress, Pete McCloskey, was a leader in enacting this bipartisan law.

After more than 30 years, it's worth reevaluating and updating this law to better meet its objectives. I understand some of the frustrations that constituents have with the current law, but I don't think we should throw "the baby out with the bathwater" as the underlying bill would do.

While critics rightfully point out that we need to do more to help endangered species recover so they can be removed from the endangered list, the fact is the Endangered Species Act has been highly successful, with 99 percent of species listed under the ESA being saved from extinction.

I have very deep concerns about the bill before us today.

First, the bill requires the Federal Government to pay developers' costs in complying with the Endangered Species Act whenever even a portion of a property is impacted. There's no limit on the compensation payments that would be paid. The Congressional Budget Office has said this is a new entitlement that will increase spending by billions of dollars and establish a dangerous precedent. Imagine, for example, the Federal Government paying a factory owner for the costs of complying with the Clean Air Act when a decision is made to expand the plant. That's the principle this bill will establish. It's an extraordinary mistake.

Second, the bill removes protections against the use of hazardous pesticides. It's estimated that 67 million birds die each year from the effects of pesticides. These protections must be kept in place. One of the reasons the Endangered Species Act was adopted in the first place was to address declines in the population of the bald eagle caused by DDT.

Third, the bill strips the National Oceanic and Atmospheric Administration of its role in administering the Endangered Species Act, transferring it to the Department of Interior with no assurance whatsoever that this agency will have the resources or the expertise to take on this responsibility.

Fourth, the bill reduces the role of science by ending the current requirement that Federal agencies consult with wildlife biologists before undertaking actions that might harm endangered species.

The Miller-Boehlert Substitute makes great sense if we want to capitalize on the successes and the lessons of the last 30-plus years.

The substitute will repeal the current requirement that the Secretary designate "critical habitat" for endangered fish, wildlife, and plants *before* formulating a plan for species recovery. Instead, the substitute requires real habitat recovery efforts to conserve rare and threatened fish and wildlife. It ensures that recovery plans include the best possible science and that they're enforceable.

The substitute directs the Secretary to first determine whether public lands are sufficient to protect and save the endangered species before taking other measures that will impact private landowners.

The substitute will help small landowners who may not have the resources to comply with the Act. It will provide dedicated funding for technical assistance for these private property owners and establish a conservation grants program for landowners who help conserve the species on or near their property. It

contains requirements that private citizens get timely answers from ESA enforcement agencies and insists on reporting requirements so that we know how many applications are really going unanswered.

The reforms in the substitute make sense and they should be adopted. The base text should be rejected.

IN RECOGNITION OF MS. LINDA LEONARD

HON. CAROLYN McCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mrs. McCARTHY. Mr. Speaker, I rise today in recognition of Ms. Linda Leonard, a dedicated member and Executive Director of Long Island Crisis Center, LICC. On October 10, 2005, Ms. Leonard will celebrate 30 years of service to the citizens of Nassau County and Long Island.

Long Island Crisis Center was created in the 1970s by students of Adelphi University to promote counseling for students by students via telephone or face-to-face appointments. Since then, the Center has expanded to help countless Long Islanders with a wide array of programs.

Ms. Leonard has been in charge of the Center since 1979. She has brought support to numerous groups on Long Island and has brought the LICC from its very humble beginnings to an established multi-service agency. The people of Long Island are in debt to the work of this committed woman.

There have been many groundbreaking programs established by Ms. Leonard in her 30 years of service. For example, in the late 1970s runaway and homeless youth had no where to turn to for support. Ms. Leonard changed that in conjunction with the Nassau County Youth Board. She established the Runaway and Homeless Youth Hotline along with housing for these young people. She further led the way in the creation of Nassau Haven, a shelter for these same youth. While this shelter was not opened until 1980, the LICC continued to help these young members of the Long Island community.

Ms. Leonard is also responsible in creating support lines for people from stigmatized populations of Long Island. She had led the fight to create peer counseling and assistance programs for gay and lesbian youth. She pursued this fight through the 1980s, a time where this policy was viewed as highly unpopular. In 1993, LICC formed Pride for Youth with a grant from the Paul Rapoport Foundation. Pride for Youth's mission is to enhance the health and wellness of these youth through education, supportive services, and youth development.

It is the strong leadership of this woman that has allowed the LICC to be an effective organization in helping those members of the Long Island community most needing help. Mr. Speaker and colleagues, please join me in congratulating Linda in her 30 years of service. Best wishes, Linda, and I can only hope you continue serving Long Island in the exceptional way you have for 30 years.

A PROCLAMATION THANKING CAMERON R. AGIN FOR HIS LIFELONG DEDICATION TO HIS COMMUNITY AND HIS COUNTRY

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. NEY. Mr. Speaker:

Whereas Cameron R. Agin honorably served his country during a time of conflict in World War II; and

Whereas, Cameron R. Agin continued his life of service with the Zanesville Police Department, earning the rank of Captain; and

Whereas, Cameron R. Agin led a life devoted to civic responsibility and true patriotism in the Jaycees, Charity Newsies, American Legion, Boy Scouts, Grotto, Shrine and the VFW.

Therefore, I join with family, friends and the entire 18th Congressional district of Ohio in thanking Mr. Cameron R. Agin for his inspiring service both in war and at peace.

RECOGNIZING KATZEN INTERNATIONAL ON ITS 50TH ANNIVERSARY

HON. STEVE CHABOT

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. CHABOT. Mr. Speaker, I rise today to recognize the impressive achievements of a company in Ohio's First Congressional District that is celebrating its 50th anniversary. KATZEN International is a leading name in the ethanol industry and has been involved in the design and development of 70 ethanol plants around the world. I think my colleagues would agree that 50 years is a remarkable amount of time to be in any business, and this is no exception.

KATZEN International, Inc. was formed in 1955 by Dr. Raphael Katzen. The company includes a group of highly experienced chemical and mechanical engineers, biologists, and designers who have applied their expertise to provide innovative and advanced design concepts encompassing the agriculture, chemical, sugar, paper, and other industries.

Dr. Katzen pioneered a number of technologies used to produce fuel grade ethanol and as early as 1945 he designed, built, and operated a 17 million gallon per year ethanol plant in Springfield, Oregon using wood as a feedstock. Dr. Katzen and his colleagues have worked to improve the quality of life in rural America by developing some of the most efficient and successful ethanol plants in the country. As the ethanol industry has matured and larger plants have become the norm, KATZEN has retained its agriculture base and continues to work with ethanol plants of all sizes.

On behalf of the. people of Ohio's First Congressional District, I would like to congratulate Raphael Katzen and KATZEN International on 50 years of technology, development, environmental stewardship, and support for rural America.

TRIBUTE TO WALT HIERSTEINER

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. MOORE of Kansas. Mr. Speaker, I want to take a moment to bring to the attention of the House of Representatives a profile and interview of one of my leading constituents in Kansas' Third Congressional District, Walter Hiersteiner of Prairie Village, Kansas. Walt recently was the subject of an article in ''The Best Times: a newspaper for Johnson County's 60-and-older citizens'', which I am including with this statement.

Walt Hiersteiner has a long history of service to his family, friends and community. Since 1946, he has been involved with the management and administration of the Tension Envelope Corporation of Kansas City, Missouri, where he has been responsible for numerous innovations in that field, including 25 United States patents. Just as important, if not more so, has been his dedication to the Kansas City community, including: service on the Shawnee Mission Board of Education; establishment of the Committee for Excellence, which supported several school bond issues; service on the Kansas State Board of Regents, to which he was appointed by Governor Robert Docking; chairing the Legislative Committee for the Johnson County Community College Foundation; and fundraising and direct financial support for numerous worthy community causes, including the Children's Center at Johnson County Community College and the Truman Medical Center.

I am pleased to have this opportunity to place this profile from the Best Times in the RECORD, but I am more pleased to have this opportunity to publicly recognize Walt Hiersteiner as a vitally important community leader and activist in the Third Congressional District, and as my personal friend for many years.

[From The Best Times, Sept. 2005]

WALT HIERSTEINER: COMMUNITY INVOLVEMENT OVER A LIFETIME

(By Lynn Anderson)

A native of Des Moines, Iowa, Walter Hiersteiner graduated from the University of Iowa in Iowa City (a member of the Phi Beta Kappa society in 1939) and then Harvard Law School in 1942, where he was an editor of the Harvard Law Review. While a student at the University of Iowa, he met Jean Newburger, whom he married in 1944. After World War II, the couple moved to Kansas City.

Following his graduation from Harvard Law School, he practiced briefly with the Kansas City law firm of Ryland, Stinson, Mag & Thomson. In 1942 he was called in as a commissioned Naval officer, serving until 1946, principally as a naval gunnery officer stationed in Cincinnati, Ohio, and then Long Island, New York.

Following his discharge in 1946, he practiced briefly with the law firm of Margolin & Reinhardt in Kansas City. Then, in 1946, he joined the Tension Envelope Corp., which at that time had four manufacturing facilities. Years later, when Bert Berkowitz and Walter Berkowitz died within three weeks of one another, Bert Berkley, the son of Bert Berkowitz, became president, and Walter became executive vice president, sharing principal management responsibilities with Bert Berkley.

Bert Berkley's son, Bill, has taken over the sole management of the Tension Envelope

Corp., which has manufacturing plants in Malaysia, China, and Taiwan, and eight domestic manufacturing plants, with 30 sales and service offices in major markets. The company manufactures more than 12 billion envelopes a year.

Walt champions multiple civic causes with energy and conviction, particularly in the areas of public education and health care. He was named Johnson Countian of the Year in 2003. Eighty-six years old, he lives in Prairie Village with his wife, Jean. They have four children, all of whom graduated from the Shawnee Mission district public schools, and nine grandchildren. His oldest son, Richard, is a lawyer with the firm of Palmer and Dodge in Boston, Mass.; Mary is a teacher in special education and also a partner in a tutoring business; Joseph practices law in Kansas City with the firm of Seigfried, Bingham; and Dorothy is an art therapist in Boulder, Colo., who exhibits her watercolor paintings.

Lynn Anderson was treated to a warm, stimulating conversation with Hiersteiner in his third-floor office at 819 E. 19th St. in Kansas City, Mo.

Q: Let's begin with a little about your background. You grew up in Iowa, went to the University of Iowa and Harvard Law School, served in the Navy, and finally settled in Kansas City. You've now been in Kansas City for almost 60 years. Why have you wanted to continue making Kansas City your home?

A: Jean and I are both strong Midwesterners and we prefer the Midwest unquestionably. I had many opportunities to practice law in the East, but we chose to stay in the Midwest, primarily because we thought it afforded the very best environment in which to raise children.

We enjoy everything about living in Kansas City, not the least being its people, the educational facilities of Johnson County for our youngsters, and the wonderful company for which I have worked nearly 60 years. We really have had no desire or inkling to go elsewhere!

Q: You have been with the Tension Envelope Corp. since 1947. You started in sales, later became sales manager and subsequently executive vice president, and now are vice chairman of the board. In what ways has the life of a businessman and lawyer suited you?

A: A law school education really amounts to learning how to think, and I was able to use thinking skills in the business world. Initially I was involved in labor relations, but I became actively interested in the envelope business. That interest was acquired quite naturally because I was always interested in riddles, which led to my being fascinated by the complicated envelope equipment, leading to my developing 25 envelope designs that have been patented.

The company employs a cadre of sales representatives. Often they sought me out, expressing a particular interest of a sales prospect, and together we developed a special envelope to fit the customer's needs. Our company's reputation has been founded not only on regular envelopes of all descriptions but on specialty envelopes.

You asked how I would come up with a new design. It's a process of constant and penetrating thought—pensive thoughtfulness—about how to get a better result. I would think about solutions for envelope puzzles at all hours!

Q: Hanging on your office wall are 25 framed patents of envelope designs you created, including an airline ticket envelope and specialty packaging envelopes for Hallmark, among a large number of other customers. Were you always inventive?

A: Twenty-four of the patents are envelopes, but one is of particular interest. In summer vacations at Cape Cod, our kids would have dry cereal for breakfast—but without closing the boxes satisfactorily, the cereals became moist. I developed a special closure on a box of cereal, and indicated I was going to apply for a patent, to which my youngsters felt ''not surprised!'' I communicated with the Kellogg Company and General Foods after securing a patent, but the Kellogg Company was inspired to go in a different direction by my concept, and that particular patent never materialized into the acceptance I had hoped.

Our company is still imbued With the philosophy of coming up with something different and better for customers with specialty needs. Today, in most instances, others in our company handle these specialty problems. But if a designer has an interesting challenge and comes to me seeking advice, I'm happy to provide it!

Q: Tension Envelope has a foundation providing grants for worthy nonprofit activities. Do you believe that businesses have a responsibility to contribute profits in ways that benefit the community?

A: Absolutely! Tension Envelope was founded in 1888 by the father of Bert Berkowitz and Walter Berkowitz, and Bert and Walter were always involved in community activities, principally public education and hospitals. Our company continues to push for community involvement because it is so rewarding!

Tension contributes to the community by being a family-focused company. Over the years, we have had two or three generations of the same family working in our company—in part, I think, because our management maintains a genuine interest in its employees. We have a fine retirement program, so many of our former employees are now enjoying the retirement they richly deserve.

And I very definitely believe that community involvement is a responsibility for all corporations. We all take advantage of the good fortune of living in the United States, and specifically in Johnson County, so we should share that good fortune.

Q: Five mornings a week, you are still at your desk at Tension. Do you have opportunities to interact with younger employees and managers? And why don't you simply go home and find recreational and retirement activities?

A: Simply explained, I'm having too much fun to quit. I'm able to have the better of both worlds: semi-retirement and continuing involvement. I am an observer and a consultant, and I try to stay out of the way of the people, many or most of whom I have trained! I engage in some mentoring. I'm finding, though, that it's not so easy to be graceful when you see that those whom you've trained are sometimes doing a better job than you did!

Q: In 1979, you and Jean established an Outstanding Service Award at the University of Kansas School of Law for the graduating student whose service to his or her fellow students was considered by the faculty as demonstrating foremost promise for the legal profession and society. You seem to be encouraging young men and women to think about social service.

A: It's significant to us that many of the Outstanding Service Award winners say they became involved in social service to ''pay back'' the community. I recognize what they mean by that, but Jean and I don't think of it exactly that way. We just deeply enjoy the pleasure we get from working with the splendid people with whom we collaborate, along with the satisfaction of seeing what we can accomplish together.

Q: You are a member of the New Reform Temple. What makes this synagogue and its people special to you?

A: We all need to have pride in our own faith, whatever it may be, and opportunities to express our faith with others. In fact, Jean helped in the establishment of the New Reform Temple, which now has a new rabbi, Jacques Cukierkorn, very active in the city's Interfaith Alliance and off to a great start.

Q: People of a range of economic levels often want to contribute to their community. What are your thoughts on how we can all do that?

A: Many of the people with whom we associate have a passion for being helpful. There's no ''admission fee'' for volunteering! Early volunteering of one's energy and support can be equal in importance to larger dollars that could be contributed.

It's a good idea to apply the energy and support even without funds early on, and grow into perhaps more contribution of both energy and support with funds later on.

Q: In 1957, you and Jean moved your four children from Kansas City to Fairway. Did your move to Johnson County have anything to do with the school systems?

A: It had everything to do with the schools! In Kansas City in those days, even in the secondary grades, the schools had sororities and fraternities, which in our judgment interfered with general relationships and activities and subordinated, in many instances, the concentration on academics. I sought out the superintendent of schools to persuade him that their existence was undesirable and at odds with what should be gleaned from public education—but nothing appeared on the horizon, so we moved to Kansas, where the fraternities and sororities then and now have been prohibited by state law except in higher education.

Many of our friends have sent their children to private schools, which we never considered. Our personal view was that our children would receive better preparation for public life—for the mixture of people they would encounter and for how they would need to communicate—through a public school education. I think public schools tend to be more competitive, inspiring youngsters to do well. Public school is a strong preparation for life after school.

Q: In 1968, you were elected to the Board of Education for the Shawnee Mission School District. You became board vice president, then president in 1972. What drew you to that form of public service, and what were some of the most contentious issues and most rewarding moments?

A: One day long ago, I read in the paper that the Shawnee Mission Board of Education had refused to accept government funds to supplement its special education programs, in the fear that those monies might be dominated by their funding source. That didn't appeal to me and I decided that, rather than just complaining, I'd run for the school board. The more I got involved after a successful campaign, the more justified I felt in that investment of time.

Of course, I found some things that I felt were not pleasing, including the fact that girls were denied any athletic competition and confined to participating on drill teams or as cheerleaders. We were able to change that, with the help of the other members of the board, to the point that the principal of Shawnee Mission North once introduced me to his students as ''the father of girls' athletics'' in the district! That's something of which I still remain very proud.

Another thing I found displeasing was the concentration by the school district and its administrators in the length of students' hair and the length of skirts, about which they had rules that they monitored rather carefully. During that period of time my older son, who was in law school, came home sporting a mustache. I didn't happen to prefer it, and I thought I was being diplomatic

about expressing my objections. However, six months later, when I saw him at law school, he had removed his mustache. When I inquired as to the reason, his explanation really awakened me. He said he simply got tired of it and that if it hadn't been for me, he would have been tired of it three months earlier! When I reported that to the school board and campaigned for a total concentration on comportment in academics, and not on these extraneous things, the board finally agreed to do away with any dress codes. The administrators, to their dismay at the outset, found that students' appearance did not deteriorate as they had anticipated.

One of the things I remember with satisfaction is that I had an intern working with me for awhile when I was on the school board, doing leg work and research, helping me considerably and helping in his own development. I have recommended that a few times since.

Q: In the 1980s, concerned about funding for the school district, you helped organize the Committee for Excellence. You worked with Larry Winn III and Fred Logan. (Since that time, Winn has been elected to the school board and Logan has become a co-sponsor of the Committee for Excellence.) Initially you were very much involved in gaining the support of a levy election and then two bond issues, the last of which was for $140 million in the Shawnee Mission district.

A: Through the work of the Committee for Excellence, which had hundreds of supporting activists or more, we were able to get three school bond elections passed with 60 to 70 percent of the vote in favor. Recognizing that about 30 percent of those voters did not have children in the schools, I think that is conclusive proof of the commitment to quality education that permeates Johnson County.

The Committee for Excellence has also been active recently in funding for public schools, which has decreased ever since 1992, when the legislators took funding responsibilities away from the districts and returned those responsibilities to Topeka. We shared concern with all Kansas districts about the inadequacy of the funding, and lobbied extensively to represent the youngsters. We feared that many legislators were more interested in getting reelected than in meeting this educational priority. The committee remains very active now, because it is clear that the foundation plan for supporting public schools in the state of Kansas requires major reform.

Q: Tell us briefly about your experience as a member and president of the Kansas Board of Regents.

A: I was appointed in the mid-1970s to the Board of Regents by outgoing Gov. Robert Docking, at the request of the incoming governor, Robert Bennett. This was a practice that indicates the cooperation and civility existing in those days that has largely disappeared in state and national politics.

My experience on the Board of Regents was wonderful and one of the most enjoyable activities in which I have participated in the public arena, largely because of the other members of the board, with whom I had the pleasure to associate in the governance of public-supported colleges and universities in Kansas.

I would not like to have this statement misunderstood, but I have considered Bob Bennett—quite apart from any appreciation for his appointing me to the Board of Regents—to have been the best governor Kansas has had in my experience, and maybe ever. I couldn't be more sincere in saying that, because in my opinion, Gov. Bennett made decisions in the interest of the whole state quite apart from partisan motivation. I learned a good deal from him in that regard.

Q: You chaired the Legislative Committee for the Johnson County Community College Foundation. What was that committee's mission?

A: There was concern about losing local control over community college funding at the time of the reorganization of the Kansas Board of Regents. There is now a predominant feeling at that college that the situation is stable. However, the committee is ready and willing to reactivate if needed.

Q: In December 2003, the Children's Center at Johnson County Community College was renamed the Hiersteiner Child Development Center in honor of you and Jean. Your financial gift allowed the college to enlarge and renovate its center, making it possible for more students pursuing the curriculum in early-childhood education to move from the waiting list into the program. Has child development had a special place in your heart?

A: We have four children, and when we first moved to Kansas City, my wife, with some others, organized a coop nursery in association with the then University of Kansas City. Science has recently revealed that the brain commences to develop even prior to birth, and that was assurance to my wife and me that children needed the benefit of trained professionals, not just those offering custodial care.

Jean has always had a passion about teaching child development specialists. At the center's dedication, she told the audience that she had always thought the name ''Hiersteiner'' was a bit long and difficult every time she had to fill out forms or write a check—but her pride in seeing the name on the building was changing her view about the awkwardness of our name!

Q: You co-chaired Truman Medical Center's first major fund-raising effort, which was a $20 million capital campaign. For many years you have been on Truman's Charitable Foundation board, while Jean has been active in the medical center auxiliary and gift shop, which she co-managed for about 15 years. Additionally, you and Jean have endowed scholarships for nurses. What fuels your passion for health care activism?

A: Everyone recognizes the requirement of adequate health care, but unfortunately, there are any number of individuals without health insurance and without the means of paying for care.

The Menorah Hospital experience that I had for more than 40 years was rewarding, but my involvement at Truman Medical Center for about 20 years is in my judgment absolutely imperative because the mission of Truman is to take care of clients irrespective of their ability to pay. Truman is a wonderful community institution under the expert presidency of John Bluford, meeting a need for those who cannot afford to pay. But it also has an excellent faculty that is good enough to be desired by any number of paying patients. Its equipment is first rate and its faculty is outstanding.

Interestingly enough, I became involved at Truman while still a member of the board at Menorah, because I received a mailing from Truman that had too much postage on the envelope. I called to explain to them that they could save money by being up to date on postal regulations. About 15 minutes after that call, Jim Mongan, who was at that time the president of Truman Medical Center, was in my office inviting me for a tour of the facility, after which he was able to secure my appointment to the board. That has been a very satisfying experience over the years. Without the assistance of this outstanding institution, most of the private hospitals, if not all of them, would have red ink on their bottom line. No one in the community should be satisfied witnessing people in our community not having any access to health care at all.

Q: You are on the advisory board of the Mainstream Coalition. What parts of that group's mission are most important to you?

A: I believe our goal is education for the community about domestic, national, and foreign issues for which the public needs as much information as possible. The coalition is quite diverse and nonpartisan, with Republican, Democrat, and Independent members.

Q: Countless community leaders have praised the fact that your stand on issues or candidates is never based on ideology or party affiliation, but rather on what you believe is best for the people of Kansas City. What are the keys to maintaining an independent frame of reference?

A: Well, I persist in my personal points of view, and I believe that people involved in their communities do a better job of it if they act in as nonpartisan a way as they can. Organized politics has never been appealing to me, so I try to make my mark outside the realm of parties.

Q: How do you keep your optimism going?

A: Quite often, I don't! But the main tools I use are hope and paying attention to what is going on in my community and what I con do about it.

CONGRATULATIONS TO THE PEOPLE OF TAIWAN ON NATIONAL DAY

HON. THOMAS G. TANCREDO

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. TANCREDO. Mr. Speaker, I rise today to extend to the people of Taiwan my heartiest congratulations as we approach October 10 or National Day—the founding day of the Republic of China.

Since the ROC government was founded on the Chinese mainland nearly 100 years ago, the people and government of the republic have made great economic and political strides. Over the last several decades, Taiwan has been transformed from a one-party state, into a thriving global economic powerhouse, a generous and responsible member of the international community, and perhaps the most vibrant multi-party democracy in the Western Pacific.

This year has been an especially eventful year in Taiwan's democratic evolution as voters on the island made historic revisions to the ROC constitution through a referendum process—a process that could never have been conducted on the Chinese mainland. President Chen and the Taiwanese people deserve our respect and admiration for moving forward with this historic election despite pressure from communist China in the face of the recently passed so-called ''anti-secession law.''

Again, I congratulate the people of Taiwan on this National Day, and I hope that this important national holiday will inspire the people of Taiwan and their elected leaders of all parties to work together to preserve the future of Taiwan.

CONGRATULATIONS TO MR. CLAUDE M. ROHWER

HON. JOHN T. DOOLITTLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. DOOLITTLE. Mr. Speaker, today I wish to express warm thanks and congratulations to Mr. Claude M. Rohwer, upon his retirement as Associate Dean of the University of the Pacific's McGeorge School of Law. After nearly four and a half decades of service as a professor, he now concludes a stellar career in academia.

A native of Dixon, California, Claude grew up raising pigs on his family's Sacramento Valley farm. He received his undergraduate education at the acclaimed University of California at Berkeley, following which he earned his Juris Doctorate degree from Berkeley's Boalt Hall School of Law in 1958. That same year, he began service to his country in the U.S. Air Force's Judge Advocate General's Corps.

From 1960 to 1961, Claude was a Deputy Attorney General for the State of California. Following this experience, he launched a career in private practice with the firm of Downey, Brand, Seymour and Rohwer in Sacramento. After a few years as an associate in what was then the largest practice in the city, he became a partner from 1965 to 1967.

Mr. Speaker, having taught at the McGeorge School of Law since 1961, Claude decided to leave private practice in 1967 to take a full-time position on the faculty as one of four charter professors. Generations of law students are grateful that he did, for he helped the school develop from a small, unknown entity into a proud institution.

Claude has specialized in international law during his career. From 1982 to 1986, he was the Associate Dean for Graduate and International Programs. And since 2003 he has filled duties as the Associate Dean for International Affairs. He has lectured and consulted all over the world. He has taught commercial and contract law courses in cities including Vienna, Salzburg, Edinburgh, Shanghai, and London. Most recently, he has consulted the Vietnamese Ministry of Justice and the Ministry of Trade to help rewrite that nation's civil code and commercial law respectively.

In addition to being an accomplished teacher, Claude has published many legal works. While much of his writing portfolio has an international emphasis, I benefited from his text "Contracts in a Nutshell" when I was his student at McGeorge.

Claude is a member in good standing of the California Bar Association, American Bar Association, and International Bar Association. Among his professional honors, Professor Rohwer belongs to the Order of the Coif, was named an Amicus Lex Scholar in 1982, and was the University of the Pacific Professor of the Year in 1981.

In retirement, Claude plans to write a history of McGeorge. In addition to spending time with his wife, children and grandchildren, he also intends to continue singing bass with the West Valley Chorale and pursuing the love of hunting he inherited from his own father.

Mr. Speaker, I take great pleasure in commending Professor Claude Rohwer for his outstanding service to our country as a member of the Armed Forces, an able attorney, and a career educator. After all that has been said about him, he is simply a good and decent man, and I am personally thankful for his guidance and instruction he has provided to me and countless other students of the law. May he enjoy this next phase of life with the satisfaction of knowing he has had a tremendous influence on the profession he loves.

HONORING RETIRING ERIE COUNTY LEGISLATOR RAYMOND K. DUSZA

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to recognize a great labor leader, public official and dear friend and colleague who at the end of this year will retire from active public service as a member of the Erie County Legislature—the man commonly known as "Mr. Cheektowaga," Legislator Raymond K. Dusza.

During the 1990s, I worked closely with Ray, and saw firsthand his gentle yet persistent leadership style. Ray's leadership on so many issues important to taxpayers and consumers won kudos from countless local residents and praise from local taxpayers' groups.

Ray's call to public service came early in life. He enlisted in the United States Army and defended this country as a Paratrooper in the unit known as "America's Guard of Honor," Ray's beloved 82nd Airborne Division. When Ray came home after his military service, he started at the Westinghouse Electric corporation, where his reputation as a "man of the people" became apparent. Ray rose through the ranks and was chosen to represent 4,000 of his labor brothers and sisters as leader of the International Union of Electrical Workers, Local 1581.

In 1988, the 8th District seat in the Erie County Legislature became vacant. After many years of active service in the community and in the Democratic Party, Ray contested and won election that November, representing the residents of the Town of Cheektowaga and the Village of Depew. Over the past 17 years, Republicans and Democrats alike have bowed to the high regard with which this man has been held—Ray has never been seriously challenged for re-election.

Local consumers soon learned that they had no greater defender of their rights than Ray Dusza. Ray led the fight for a new Item Pricing/Scanner Accuracy law for Erie County, to ensure that prices consumers were charged for goods were properly reflecting prices on store shelves. Through Ray's work, scanners in supermarkets, home centers and other retail stores that were estimated to be accurate only 50 percent to 70 percent of the time must now offer consumers 98 percent accuracy. In addition, Ray will always be remembered as the "Coupon King" for his successful fight against the Proctor & Gamble Corporation's attempt to deny local shoppers free access to manufacturer's coupons. Ray fought hard for consumers, residents and taxpayers as Vice Chairman of the Legislature's Public Safety Committee, and as Chairman of two legislative standing committees, the Government Affairs Committee and the Energy and Environment Committee.

Ray Dusza added one more very important element to his service in County Hall: a robust sense of humor. Ray's philosophy was to "be serious about what you do, but don't take yourself too seriously," and he was indeed good to his word. Ray always added a refreshing sense of humor to the deliberations within County Hall, consistently entering committee meetings with the declaration that "the paratroopers have landed," and sarcastically questioning what time the perennially tardy "nine o'clock caucus" would begin.

Ray's dedication to his community was not limited to his role in the Legislature. The following are just a few of the organizations Ray has dedicated his time and energy toward: the Fraternal Order of Eagles, Knights of Columbus—Father Justin Council, Polish Falcons Club, American Legion Gierlach Post, Depew/Cheektowaga Taxpayers' Association, AMVETS Buddy Knaus Post, Catholic War Veterans Post 1313, the Ushers Society at St. Philip the Apostle Church, and St. Josephat's Parish Holy Name Society. In addition, Ray is the leader of the eponymously-named "Ray Dusza Booster Club," a grouping of political supporters that Ray sentimentally refers to as his "commandos."

Mr. Speaker, I am a lifelong resident of another great Western New York community—South Buffalo, NY, and the highest compliment that folks can pay to someone from South Buffalo is that they remember where they come from, and remember the people who sent them to serve in public office. Few public officials remember from whom and from whence they came the way Ray Dusza does. I am delighted that you have allowed me to take a few moments to honor Ray's service to our community here today, and I am honored even more to call Ray Dusza my friend. To Ray, his wife Terry, to their children, grandchildren and to the entire Dusza Family, I want to offer my sincere thanks, and my wishes of good luck and Godspeed for many years to come.

A TRIBUTE TO GEORGE DONALD BASYE

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. MATSUI. Mr. Speaker, today I rise to honor George Donald Basye, a man who through hard work and dedication has become one of the most respected and accomplished water and flood attorneys in California. As his friends, family and colleagues gather to pay tribute to Mr. Basye's remarkable 50-year career with the Central Valley law firm of Downey Brand, I ask all of my colleagues to join me in saluting this great American success story.

George was born on June 21, 1926 in Porterville, California. After graduating from high school in 1944, George served in the U.S. Navy. As an enlisted sailor, George held the rank of Seaman Second Class Musician Striker and performed in Navy dance bands.

Upon honorable discharge from the Navy in August of 1946, George enrolled in the College of the Pacific and graduated in February

of 1948 with a B.A. in Economics. After graduation, George sought to expand his horizons and enrolled in a one-year graduate program at the University of Stockholm in Sweden.

Upon returning to the United States in 1949, George took an aptitude test which suggested that he was best suited for a career as a social science teacher, not a lawyer. As a result, he enrolled in the UCLA Graduate School of Education in the Spring of 1950 to take up a career in teaching. However, it soon became clear to George that law was undoubtedly his true calling. It was in August of the following year that George applied and was admitted to the new Boalt Hall School of Law at Berkeley.

Although George was about to pursue a legal education, he could never truly abandon his love of music. Thus, in a short stint before law school, he fulfilled one of his lifelong ambitions by playing the upright bass in a traveling jazz trio known as the Krazy Kats.

His decision to enroll in Boalt Hall would prove to be a pivotal point in not only his career in law, but in his personal life as well. It was during his time at Boalt Hall that George began dating Mary Alice Johnson, a student at Mills College. They were married in December of 1952. Today, more than 50 years later, George and Alice are the happy parents of four children, Anne, Jennifer, John, and Paul, and four grandchildren.

George graduated from Boalt Hall 7th in his class with an LLB degree. Upon graduation, George enrolled for a graduate degree in law and spent a year studying at the Uppsala University in Sweden. After returning to the United States in 1955, George began his new job at Downey, Brand, Seymour, and Rohwer starting on September 20, 1955.

While working, George wrote his Master's thesis and obtained his LLM degree from Boalt Hall in 1956.

When George began his career at Downey Brand in 1955, he was one of 8 lawyers in what would later become a 120-lawyer firm. For the first few years, George spent much of his time doing probate work, but then began to focus his efforts on water law and flood control matters for clients such as Reclamation Districts 537, 1000, 900 and 999, the California Central Valley Flood Control Association, and many mutual water companies. For the next 45 years, George's knowledge and experience in water and flood control law became expansive, and George shaped much of the law in these areas through his position as General Counsel for the California Central Valley Flood Control Association.

George also focused significant efforts on making Sacramento and California a better place by acting in leadership positions for the California State Library Foundation, the California Historical Foundation, the California Historical Society, the Sacramento Metropolitan YMCA, the Sacramento Symphony Association, the Crocker Art Museum Association, the Sacramento YMCA Foundation, the California Capitol Historic Preservation Society, the Sacramento Trust for Historic Preservation, the Pfund Family Foundation, and the Sacramento Pioneer Association.

Throughout an almost 50-year career, George Basye has been acknowledged as one of the modern fathers of water and flood law in California. His years of commitment, hard work, and dedication to the Central Valley and the law firm of Downey Brand have undeniably contributed to the firm's amazing growth and positioning as one of the top law practices in the region.

Mr. Speaker, as George's friends, family and colleagues gather to celebrate his admirable career, I am honored to pay tribute to one of Sacramento's most selfless and dedicated citizens. I ask all my colleagues to join with me in wishing George Donald Basye continued success in all his future endeavors.

HONORING DR. TIPKINS HOOD, SR.

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary life and achievements of Dr. Tipkins Hood, Sr. of Oakland, California. Dr. Hood was a compassionate physician, devoted husband and father, a leading member of our community and a wonderful friend. He passed away on September 22, 2005 in Oakland, California.

Dr. Hood was born on December 15, 1936 in Camden, Texas, where he was the third of nine children in a loving and close-knit family. A precocious child, he had an unsurpassed zeal for learning, and throughout his primary and secondary education he excelled in reading, the sciences and mathematics. Graduating early from high school, he enrolled at Texas Southern University at age 15, earning a Bachelor of Science in Pharmacy and later graduating from Meharry Medical College in Nashville, Tennessee.

In 1964, Dr. Hood married Ms. Ruth Starnes in St. Louis, Missouri. Sadly, Ruth passed away in 1978, but their union produced a son, Tipkins Hood, Jr. A dedicated family man and hard-working student, Dr. Hood completed his internship at Homer G. Philips Hospital in St. Louis, his general residency at Washington University, and his specialty orthopedic surgery training in St. Louis at the University of Missouri and the nearby Veteran's Administration Hospital.

As a young doctor, Dr. Hood voluntarily served from 1960 until 1970 in the United States Navy-Marine Corps, during which time he was awarded the Bronze Star with Combat V as well as a Meritorious Service Award for serving above and beyond the call of duty. At the end of his military service he was also awarded the Vietnamese Medal of Honor.

After completing his education and military service in 1970, Dr. Hood began his medical practice in Oakland, California. After getting his board certification in Orthopedic Surgery in 1974, he practiced for more than 35 years in Oakland, contributing immeasurably to the health and well being of our entire community. For close to 4 decades, he maintained an extensive inpatient and outpatient practice, and treated a wide range of patients including children, adults, the elderly and low-income individuals. Over the years, his medical expertise benefited groups such as the Oakland Police & Fire Retirement Association, the Oakland Raiders and the Social Security Administration, as well as an untold number of individuals and families who otherwise may not have had access to that kind of medical treatment.

Though Dr. Hood's medical achievements were extraordinary, his accomplishments and leadership extended far beyond the realm of medicine. Throughout his life he was involved in a variety of business, community and academic endeavors, and supported a number of important civic and political causes. He was a tremendous asset to the late Mayor Lionel Wilson of Oakland as well as to Congressman Ron Dellums, and was one of my longtime and consistent supporters. For this, I am deeply grateful.

Additionally, in what he considered to be one of his most important roles, Dr. Hood was a dedicated and lifelong member of the Board of Trustees at his medical alma mater, Meharry Medical College. A deeply spiritual person, Dr. Hood was also a longtime member of Downs Memorial United Methodist Church in Oakland, California.

In 1981, Dr. Hood married Ms. Carol H. Williams, and together they raised two children, Tipkins Hood, Jr. and Carol Henny Hood, Jr. Their life together was enriched by their devotion to each other, and they delighted in the arrival of a grandson, Tipkins Milton Hood. Dr. Hood enjoyed sharing his love of travel, fishing and cooking with his family and friends, and took every opportunity to spend time with them. His dedication to his family was unsurpassed, and throughout his life his loved ones brought him great joy.

As a close personal friend since the early 1970s, I benefited from Tip's advice, keen intellect and remarkable wisdom. He was a "wise man," yet he had a lot of heart. For example, this summer he took the time to provide his medical insights to one of my family members who had also been his patient many years ago. Not only did he give his best thinking regarding treatment options, but he also gave reassurances to call and visit every day during recuperation. Tip comforted those who needed comfort and always went beyond the call of duty.

The last time I saw Tip was in my Washington, DC office very recently. He cared about the aging and sick prison populations and wanted to provide treatment facilities for the Federal and state penal institutions. Tip concluded this very intense meeting by pleading with the Federal prison officials to understand that providing this treatment was the humane way to treat these individuals. His compassion profoundly impacted everyone in the meeting, just as it had always impacted everyone who knew him.

Throughout his life, Dr. Hood "did it his way." He was a man for all seasons whose wit, charm and brilliance will be forever remembered. He will be greatly missed, but his legacy and his spirit will inspire us all, especially young African American men, to soar to heights unseen, and to do so in his memory.

Today Dr. Hood's family and friends come together to celebrate his life and work, and the immeasurable personal and professional impact he has had on all of us. On behalf of the 9th U.S. Congressional District of California, I salute and thank Dr. Tipkins Hood, Sr. for his invaluable contributions to the people of Oakland, the 9th Congressional District, the State of California and our entire country.

IN MEMORY OF ESTHER WEISSMAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. KUCINICH. Mr. Speaker, Esther Weissman understood with all her heart that the cause of injured workers is one of society's great moral callings.

Social consciousness infused her daily work as a lawyer. She knew she was fighting not only for just compensation for her clients, she was trying to save their lives from being sacrificed upon the altars of modern industrial society.

They came to Esther on crutches, wearing arm slings, with eye patches and bandages of every sort from their encounters with the hazards of the workplace. They came to her office as pilgrims, migrants to a sacred place, seeking a miracle that would save their lives. Again and again Esther gave them hope, through honest and aggressive representation.

In addition to her advocacy in the courts, Esther actively participated in the electoral system. She rallied other attorneys, labor leaders, and voters to protect the rights of workers and advance social justice at the ballot box. Her legacy includes preserving Ohio's legal protections for injured workers in the popular defeat of the anti-worker ballot initiative known as Issue 2, in 1997.

Esther's was the cause of human dignity. Hers was the cause of economic justice. Hers was the cause of worker rights. Hers was the cause of the safe workplace. Hers was the cause of just compensation for injured workers. Hers was the cause of advocating for those too hurt, those too poor, those too weak to advocate for themselves.

Esther Weissman was the Joan of Arc of injured workers.

Again and again, holding up the banner of worker rights, she fearlessly fought on behalf of her beloved workers, with every fiber of her being, with all of her resources, with her last ounce of courage, to her last breath.

CELEBRATE TAIWAN'S NATIONAL DAY ON OCTOBER 10

HON. PATRICK T. McHENRY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. McHENRY. Mr. Speaker, the Republic of China (Taiwan) will celebrate its National Day October 10, 2005. I wish to congratulate the President and the People of Taiwan on this festive occasion.

Taiwan is a small island with few natural resources, yet it has prospered because of the opportunity provided by freedom and democracy. With one of the world's largest foreign exchange reserves, its 23 million people enjoy one of the highest standards of living in the world. Politically, Taiwan is a full democracy, with free elections and a free press. Taiwan fully embraces the values of economic liberalization, democracy, rule of law, and respect for human rights.

Taiwan President Chen Shui-bian recently stopped in Miami, Florida en route to Central America. Through a teleconference, President Chen was honored by the Congressional Human Rights Caucus in recognition of Chen's life-long campaign to promote and safeguard human rights not only in Taiwan but also in other parts of the world. In his teleconference, President Chen told Congressional members that Taiwan's democratic development is irreversible, that China could and should learn from Taiwan's history of democratization and that he would like to have direct talks with China's President without any prior conditions. I hope President Hu will take up President Chen's offer and move toward permanent peace in the Taiwan Strait based on personal freedom and individual liberty.

Mr. Speaker, President Chen is a man of peace. For the good of his country and his people, he has been pleading with Chinese leaders to resume talks over cross-strait disputes. In the meantime, President Chen has been asking the international community, to set up a mechanism to ensure that there would not be unnecessary military conflicts over the Taiwan Strait. I believe that the United States should, at the very least, continue to impress upon the Chinese that we will uphold our commitment and defend Taiwan if it is attacked without provocation.

On Taiwan's National Day, I join my colleagues in congratulating the Taiwanese people. We deeply appreciate our common bonds and friendship with them and look forward to strengthening our relationship in the future.

TRIBUTE TO TAIWAN

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. PAYNE. Mr. Speaker, I invite my colleagues to join me in extending my congratulations to the people of Taiwan on the occasion of 94 years of progress.

In recent years, Taiwan has become a model society. It has excellent schools, outstanding medical care, a strong economy, and many of its people enjoy one of the highest standards of living. Taiwan's social welfare programs have been laudable efforts to raise the standard of living for all. Moreover, Taiwan's constitution guarantees its citizens basic civil liberties, including freedom of peaceful assembly and association, freedom of speech and press, and freedom of religion. Taiwan's full commitment to democracy and human rights is commendable.

We are very appreciative of Taiwan's commitment to fight global terrorism, particularly by cooperating with our law enforcement agencies in sharing intelligence and doing everything possible to protect American interests in Taiwan. We are also aware of Taiwan's contributions to the Twin Towers Fund, the Pentagon Memorial Fund and to the victims of Hurricane Katrina.

We wish the 23 million people of Taiwan continued progress and prosperity.

HONORING CAVION JAMIK HOLLOWAY

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. NUNES. Mr. Speaker, I rise today with a heavy heart to pay tribute to a courageous person—a giant among men—that touched many lives in the short seven years he was with us.

Cavion Jamik Holloway slipped the surly bonds of this earth on the wings of angels to the heavens above on September 28th 2005 in Omaha, Nebraska. This is a boy who never gave up and had the courage of a lion, the ferocity of a bear, and the tenderness of a dove to fight the scourge of leukemia until it overcame his body—not his soul.

Cavion is survived by a loving mother, Danielle Holloway, a devout father, Billy Holloway and four compassionate grandparents, Americo and Mary Flaiban of Bohemia, New York and Billy and Anne Holloway of Warner Robins, Georgia.

For over a year, Cavion went toe-to-toe with a disease that ravages the body and demoralizes the soul. Despite this overwhelming challenge, Cavion stood tall with a smile on his face and faith in his heart that he would win this battle and return to a life free of doctors, needles and hospital rooms. With the total dedication of his parents, Cavion knew that courage, conviction, and faith would be his partners on the journey to a life free of this disease. Unfortunately, his body succumbed to the challenges his brain refused to accept. Simply put—Cavion never quit!

Now in the heavens above, Cavion is charged with the duty of serving our Heavenly Father by looking over the family that survived him. To quote one of the many well wishers who left notes for Cavion and his parents, "Cavion will sing to you in the wind; he will call to you from your dreams; he will walk beside you and whisper in your ears—he will always be there with you."

During this fight, Cavion had help from many compassionate folks around this country. I would like to take this opportunity to express a special thanks to the medical professionals that never gave up and were constantly a source of encouragement and compassion for Cavion and his parents. I would like to specifically thank the staff of the University of New Mexico's Pediatric Oncology Department, especially Dr. Jeff Hanrahan, aka "The Commissioner of the Albuquerque Chapter of Hoccerball" and their counterparts at the University of Nebraska's Medical Center, specifically Dr. Bruce Gordon, aka "Doc Hollywood".

Finally, I would be remiss if I did not mention the fact that each one of us has an opportunity to help champions like Cavion have a fighting chance at life. I would like to encourage every eligible person to enroll themselves in the the National Marrow Donor Program. This program helps people who need a life-saving marrow or blood cell transplant. The program connects patients, doctors, donors and researchers to resources they need to help folks live longer, healthier lives.

As the days move on, all who knew Cavion will work to lift their hearts and souls to carry on with life. In doing this, we will continue to

cherish his memory; we will point to his selfless example; we will aspire to his bravery; and we will carry on in a world that is better for knowing him. May God bless his soul and the family he is charged to protect.

CONGRATULATING DR. JOHN HALL FOR WINNING THE 2005 NOBEL PRIZE FOR PHYSICS

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today to note the tremendous accomplishment of one of my constituents. The Royal Swedish Academy of Science awarded the Nobel Prize for Physics to Dr. John Hall of Boulder, Colorado. Dr. Hall and Dr. Theodor Haensch of Munich, Germany won the Nobel Prize for the development of a laser-based precision spectroscopy.

Dr. Hall is a JILA fellow at the University of Colorado and a senior scientist with the National Institute of Standards and Technology's (NIST) Quantum Physics Division. Dr. Hall has received a series of awards in his distinguished career, including the Department of Commerce Gold Medal on three separate occasions in 1969, 1974, and 2002. He also became a member of the National Academy of Sciences in 1984.

In 1999, Dr. Haensch made a discovery that lasers with short pulses could be used to measure optical frequencies in cesium clocks. Through this the optical frequency comb technique that is based on the evenly distributed frequencies that appear like the teeth of a comb was developed. While the distance between frequencies can be defined through this technique, it did not determine the absolute value of the frequency. In 2000, Dr. Hall developed a simple formula to determine frequency displacement, thus stabilizing the frequency. Haensch and Hall worked together to develop an instrument that currently has wide commercial use.

This instrument can measure frequencies with an accuracy of fifteen digits. Their work has wide ranging application that can improve communication and animation technology, and potentially benefit navigation for spacecraft. Their work also can enable the study of stability of constants of nature over time, improve Global Positioning System, and develop more accurate clocks.

It is clear that their discoveries have opened doors into many sectors of research and industries. The potential for new knowledge is vast and wide ranging. NIST, JILA, and the University of Colorado can now boast three Nobel Laureates, which is testament to the groundbreaking and vital research being performed at these institutions. I am honored that these facilities are located within the Second Congressional District, and particularly honored that Dr. Hall has chosen to perform this research in Colorado. He is an asset to our scientific community, and is an inspiration for many young people who may want to pursue their interests in science.

I, again, congratulate Dr. Hall on his remarkable achievement and the honor that has been bestowed upon him.

RECOGNIZING JUDITH LAPP OF INVERNESS, FLORIDA

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to recognize Judith Lapp of Inverness, Florida. Mrs. Lapp was recently honored as "The Most Admired Mother in All of Citrus County" by the Citrus Altrusa Club, as well as the Citrus County Chronicle.

Born and raised in Buffalo, New York, Mrs. Lapp married her husband Roger in 1956. After Roger was drafted into the U.S. Army, the Lapps moved to Fort Benning, Georgia for his military service. In 1963, Mrs. Lapp and her husband moved to Clearwater, Florida to start a family. Sadly, only four months after their first son Eric was born, he had an extremely serious seizure that changed the Lapps' lives forever.

The seizure, which was caused by an encephalitis outbreak, left Eric with epilepsy, cerebral palsy, and mental retardation. When Judith first began to deal with the challenges of a disabled son, she found that there were few programs in the region that dealt with disabled and handicapped children. Spurred to action, Judith served on the board of both the Christian Care Foundation for the Mentally Retarded and the Isaiah Foundation. Her work on these charitable organizations improved respite care for the handicapped throughout Florida.

One of the most successful fundraisers Judith organized was for the Upper Pinellas County Florida Association for Retarded Citizens. Called "Favorite Recipes from Famous People," Judith was able to obtain recipies from the likes of Jackie Kennedy, Patricia Nixon, and Mamie Eisenhower.

While Eric is now grown and well cared for, Judith has shouldered burdens of her own. She has successfully battled cancer twice, all while being an incredibly supportive figure for her entire family.

Mr. Speaker, Judith Lapp is a courageous, giving woman. She is a role model for the entire Citrus County community, and deserves recognition for her service to the handicapped and disabled community, her son Eric, and to her family.

NATIONAL FORESTS REHABILITATION AND RECOVERY ACT OF 2005

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. UDALL of New Mexico. Mr. Speaker, today I am introducing legislation to authorize the Forest Service and Bureau of Land Management to carry out five collaboratively created pilot projects dealing with post-disturbance rehabilitation.

For those communities that remain at risk from wildland fire or other disturbances, it is important to consider, in advance, scenarios for rehabilitation should a wildland fire, insect infestation, hurricane, or other disturbance event occur. The National Forests Rehabilitation and Recovery Act does just that—this legislation promotes pro-active planning and collaboration to accelerate the approval of rehabilitation projects following uncharacteristic disturbance events.

The National Forests Rehabilitation and Recovery Act will create five pilot projects for post-disturbance rehabilitation. Federal forest land communities can apply to participate in the pilot program by meeting a number of different criteria, with specific consideration given to communities that have a proven track record of working in a collaborative manner to resolve natural resource issues.

This bill includes independent, third-party monitoring of the forest areas following rehabilitation operations to track the short-term and long-term impacts of logging, replanting, stream restoration, road removal, or other rehabilitation activities. The legislation further creates a National Oversight Committee of scientists to provide scientific and socioeconomic monitoring and evaluation of the pilot program. The National Oversight Committee will submit reports to Congress on the short and long-term results of the pilot project. The results of this report will allow Congress to make the most informed decisions on post-disturbance rehabilitation in the future.

Community collaboration has shown great promise in resolving controversial issues before Federal agencies. While I reserved concerns with the Healthy Forests Restoration Act of 2003, Public law 108–148, one good that came out of the legislation is that it recognized the promise in collaboration by encouraging the development of community wildfire protection plans. These plans have allowed communities across the country to work in a collaborative manner to resolve natural resource issues concerning wildfire protection.

There is no doubt that an ounce of prevention is worth a pound of cure. When Congress passed the Healthy Forests Restoration Act of 2003, Congress clearly recognized the priority of preventing wildfires through active thinning of Federal lands in the wildland-urban interface. It is just common sense that we need to invest more on the front end in the name of fire prevention to avert major spending postfire.

While I believe that there were inadequacies with the Healthy Forests Restoration Act, I do believe that we are being penny wise and pound foolish by cheating our budget for forest thinning. To date, forest thinning has not been funded nearly to the level of what was Congressionally authorized. This needs to improve for the sake of protecting our communities and public lands.

Mr. Speaker, the National Forests Rehabilitation and Recovery Act represents a balanced and collaborative approach to post-disturbance rehabilitation. I am pleased to introduce my legislation today with my colleagues Mr. NICK RAHALL and Mr. RAÚL GRIJALVA. I urge my other colleagues to support this bill so that we can promote a collaborative approach to restoring forest ecosystem health and diversity following unusually intense disturbances.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

SPEECH OF

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill. (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes:

Mr. Chairman, regarding the authority of Indian tribes under H.R. 3824, nothing in the Threatened and Endangered Species Recovery Act is intended, or shall be construed to expand, diminish or alter the authority of Indian tribes, as defined in this bill, with respect to the management of fish and wildlife on nonreservation lands.

In Addition, H.R. 3824 repeals the Endangered Species Act critical habitat requirements; however, it preserves the impact analysis requirement at the time of listing. Using language similar to that now located at Endangered Species Act section 4(b)(2), 16 U.S.C. 1533(b)(2), FWS is required to analyze the economic impact and benefit of the listing determination; the impact and benefit on national security of that determination; and any other relevant impact and benefit of that determination. For each listing, the Fish and Wildlife Service analysis may conclude that there is no benefit, or it may conclude that there is a benefit, and that benefit must be based on reasonably ascertainable and calculable data. H.R. 3824 clarifies that the listing decision continues to be made solely on the basis of the criteria enumerated in section 4(a)(1).

H.R. 3824 requires, and the Resources Committee fully expects, that the Fish and Wildlife Service will perform this analysis concurrently with all listing decisions. Further, by expanding the scope of the analysis to include all consequences of the listing (rather than those attributable to critical habitat designation), the Committee expects the impact analyses under H.R. 3824 will be better and more useful than those prepared under current law. This impact analysis requirement will provide not only legal notice, but truly meaningful information concerning proposed listing decisions to all those affected, including individuals, corporations, property owners, State and local governments, the military services, and other Federal agencies. It is expected that this opportunity for greater participation by all potentially affected parties at the front end of the listing process will provide additional assurance that the Fish and Wildlife Service will adequately consider all relevant data associated with each proposal to list a species. Further, the Committee expects that the Fish and Wildlife Service will take advantage of developments that have occurred in genetics testing and other technical advances in the years since enactment of the original Endangered Species Act, to make the most scientifically sound listing decisions possible.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

SPEECH OF

HON. C. L. "BUTCH" OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill. (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes:

Mr. Chairman, recently the House of Representatives passed H.R. 3824, the "Threatened and Endangered Species Act of 2005." During floor consideration of this important measure, the distinguished Chairman of the Resources Committee, Richard Pombo, offered an en bloc amendment to the bill. This amendment, which was adopted, included my provision to require the four Power Marketing Administrations, PMAs, to list Endangered Species Act-related costs as a line-item in each of their customers' monthly billings. These agencies—the Bonneville Power Administration, the Western Area Power Administration, the Southwestern Power Administration and the Southeastern Power Administration—market the surplus hydropower generated at Federal dams, selling this electricity to 1,450 wholesale customers throughout the Nation. These customers, in turn, provide this federally generated electricity to almost 54 million retail consumers.

The Endangered Species Act substantially impacts Federal electricity service and rates. For instance, the Bonneville Power Administration and the Western Area Power Administration experience high, double-digit compliance costs for Endangered Species Act and related statutes. During a hearing earlier this year, the House Resources Committee found that compliance played a significant role in recent rate increases and led to higher energy costs that were passed directly to consumers.

The Bonneville Power Administration spends the most of all Federal agencies to comply with the requirements of the Endangered Species Act. It also has similar responsibilities under the Northwest Power Act. Many have pushed the agency to increase the accountability of its rapidly growing fish and wildlife programs and to develop measurable performance objectives that will lead to long-term stability and recovery of certain species. The intent of this provision, however, is limited to requiring that the PMAs notify electric power customers how these programs impact their monthly electric rates.

As the bill language in Section 23 makes clear, the agency and the other PMAs shall inform their customers of all the direct and indirect costs associated with meeting Endangered Species Act and other related fish and wildlife obligations. While the PMAs have provided general costs associated with the Endangered Species Act in past years, the agencies have not provided their customers a detailed or "unbundled" explanation of these costs. This section simply gives electricity consumers the right to know how much of their monthly bills are being used to comply with the requirements of the Endangered Species Act and related programs. That enables customers to make informed decisions about their energy choices, as well as to better understand the market implications of public policies. Without such information, customers are deprived of the kind of cost signal that is essential to an efficient free-market economy.

It is my understanding that the authorizing committees expect the PMAs to provide a detailed explanation of these monthly costs in a readable and transparent format. It is important that the PMAs consult with their customers before implementing this provision. In addition, it is my understanding that the PMAs can comply with this section without hiring additional staff or upgrading computer systems since it simply involves the creation of new computer billing codes.

Mr. Chairman, in conclusion, I thank Chairman POMBO for including my provision in H.R. 3824. I look forward to working with him and my Senate colleagues in seeing this important bill enacted.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. BLUMENAUER. Mr. Speaker, had I been present for the following vote on Tuesday, September 27 and Wednesday, September 28, 2005, I would have voted as follows:

Rollcall vote 501: I would have voted "aye" on the Department of Justice Authorization Act, H.R. 3402. Despite passage of the Manager's amendment, this bill does ensure that programs which help prevent violence and assist survivors are continued. I also support provisions in this bill that help local communities with additional resources to provide better support and security to victims of domestic violence.

Rollcall vote 500: I would have voted "aye" on the Democratic Motion to Recommit, offered by Representative STUPAK, which would have given the Justice Department authority to prosecute oil companies engaged in price gouging.

Rollcall vote 499: I would have voted "nay" on the Managers Amendment offered by Representative SENSENBRENNER. The amendment significantly weakens the bill's emphasis on domestic violence grant funding for communities of color. Racial and ethnic minorities already face complex issues in reporting and accessing assistance for domestic violence; we cannot shortchange this population.

Rollcall vote 498: I would have voted "nay" on the Rule for consideration of H.R. 3402, because it did not allow for consideration of many important Democratic and bipartisan amendments.

Rollcall vote 497: I would have voted "aye" on the Motion to Instruct Conferees on H.R. 2360, offered by Representative SABO, which would have prevented the reorganization of the Department of Homeland Security from further weakening federal emergency preparedness capability.

Rollcall vote 496: I would have voted "aye" on H. Con. Res. 209, supporting the goals and ideals of Domestic Violence Awareness Month and expressing the sense of Congress that Congress should raise awareness of domestic

violence in the United States and its devastating effects on families.

Rollcall vote 495: I would have voted ''aye'' on H.R. 438, a bill to name a postal facility in Berkeley, California, after Maudelle Shirek. Ms. Shirek has provided a significant service to this country fighting against injustice, poverty, and housing discrimination.

Rollcall vote 494: I would have voted ''aye'' on H.J. Res. 66, supporting the goals and ideals of ''Lights On Afterschool,'' a national celebration of after-school programs.

IN HONOR OF GARY ANUND KNUTSON

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. FARR. Mr. Speaker, I rise today to honor and thank Gary Anund Knutson, a dedicated public servant. Mr. Knutson, County Auditor-Controller of Santa Cruz, will retire after 35 years of public service, 19 of which were spent as the County Auditor-Controller. Mr. Knutson will be retiring on December 30, 2005, bringing an end to nearly four decades of outstanding service.

Mr. Knutson, who has spent a great deal of time maintaining a great working environment in his office, has decided to pursue other ambitions. His retirement will be enjoyed spending time on other personal activities. Mr. Knutson has done an exceptional job and his service is truly appreciated.

Mr. Speaker, when he retires, Gary Anund Knutson will be leaving behind 35 years of excellence and professionalism. I applaud Mr. Knutson for his work and contributions. He has left a lasting impact on his community, and we would like to wish him well in his upcoming retirement.

ON THE OCCASION OF TAIWAN'S NATIONAL DAY OF CELEBRATION

HON. G. K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. BUTTERFIELD. Mr. Speaker, the Republic of China (Taiwan) will be celebrating its National Day this October 10, and I wish to express my congratulations to Taiwan President Chen Shuibian and the people of Taiwan.

Over the years, Taiwan and the United States have enjoyed strong trading relations. Trade between our two countries have been growing steadily. As a member of the House Agriculture Committee, I notice that Taiwan is one of our best buyers of agricultural products and services. Last month, Taiwan sent an agricultural goodwill mission to the United States and it pledged to purchase more than three billions dollars worth of U.S. corn, wheat, soybeans and hide in the next two years. I will encourage farmers in my home state of North Carolina to take advantage of Taiwan's ''Buy American'' program.

Also, as a member of the Armed Services Committee, I am hopeful that there will be permanent peace and stability in the Taiwan Strait in the very near future.

Mr. Speaker, I take this opportunity to praise the good work of Taiwan Representative David Tawei Lee. He is a fine diplomat who has kept us informed and well briefed on all of the latest developments in Taiwan.

Happy Birthday to Taiwan.

RECOGNITION OF DR. KERRY CLEGG

HON. HOWARD P. ''BUCK'' McKEON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. McKEON. Mr. Speaker, I rise to recognize Dr. Kerry Clegg, a school board member for the Sulphur Springs Union Elementary School District in my district, for his service as the 2004–2005 President of the California School Boards Association.

As a sixteen year member of the Sulphur Springs Union Elementary School District board of trustees, Dr. Clegg served three terms as president. In addition, Dr. Clegg served as president and secretary-treasurer for the Santa Clarita Valley School Trustees Association.

His contributions to the California School Boards Association have distinguished him as instrumental in answering the needs of California schools. In addition to his role as president this past year, Dr. Clegg served as a representative in CSBA's Delegate Assembly and as an active member of CSBA's Board of Directors for four years. Among Dr. Clegg's further contributions to the CSBA are his roles on CSBA's Budget Committee, Nominating Committee, Policy Platform Committee, Federal Issues Council, K-Higher Education Remediation Task Force, and as a site validator for CSBA's Golden Bell Awards. In 2004, Dr. Clegg also chaired CSBA's Legislative Committee, and this year, he is chairing the Joint Task Force on Science, the Education Legal Alliance Steering Committee, and the Superintendents Council. His contributions are currently reaching a national level as he serves as a delegate to the National School Boards Association.

Dr. Kerry Clegg graduated from the University of California, Los Angeles with a doctorate in Biology. Outside of his California School Boards Association duties, Dr. Clegg is a biological research manager for Sepulveda Research Corporation, and is also the CEO of a local Federal Credit Union. He and his wife, Rosanna, have five children.

Mr. Speaker, I ask my colleagues to join me in thanking Dr. Kerry Clegg for his service to the Sulphur Springs Union Elementary School District and for his service as president of the California School Boards Association.

CONGRATULATIONS TO THE UNITED STATES CAPITOL PAGE SCHOOL CLASS OF 1981 ON THEIR REUNION

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. CAPUANO. Mr. Speaker, it is great pride that I rise to congratulate the United States Capitol Page School Class of 1981 on their upcoming 25th anniversary. The Class of 1981 served the Congress honorably both in this chamber and in the other body.

Over the past 25 years these young men and women have started families and become leaders in our society.

As they gather in our Nation's Capital for their reunion this weekend, I offer my congratulations on behalf this body and ask all of my colleagues to welcome them back to the hallowed halls of Congress.

HONORING NATIONAL SCHOOL LUNCH WEEK

HON. JOHN A. BOEHNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. BOEHNER. Mr. Speaker, it is with great pleasure that I recognize National School Lunch Week. This year, the event is being held during the week of October 10–14, 2005. In honor of this event, I would like to take a moment to share with you a few facts relating to the National School Lunch Program:

President Harry Truman established the National School Lunch Program in 1946 in response to the large number of World War II recruits that were rejected due to malnutrition.

Today, the school lunch program serves more than 28 million students each day.

Just over half of those students who participate in the school lunch program receive their lunch free or at a reduced cost.

Over 92 percent of all students nationwide have access to school lunch and about 58 percent of those students participate on a given day.

The school lunch program operates in 99 percent of all public schools and 85 percent of private schools. That's a total of 99,538 public and non-profit private schools.

The National School Lunch Program is the largest of the federal child nutrition programs both in terms of spending and children served.

In fiscal year 2005, $6.8 billion was appropriated for the school lunch program.

For some children, a school lunch is the only healthy meal they eat all day. School lunches can contribute positively to children's health, and can improve academic performance by increasing children's learning capacity and lengthening their attention spans. The National School Lunch Program plays an important role in protecting the health and well-being of many of the nation's school-age children.

I commend the nation's dedicated educators, food service professionals, and most of all, parents who work to ensure the ongoing success of the National School Lunch Program, and to ensure that children have access to nutritious and balanced meals at school.

A TRIBUTE TO TIBOR (TED) RUBIN—RECIPIENT OF THE CONGRESSIONAL MEDAL OF HONOR

TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. LANTOS. Mr. Speaker, I invite my colleagues to join me today in paying tribute to

Tibor (Ted) Rubin, who received the Medal of Honor from President George W. Bush at a ceremony in the White House just a few days ago for his heroic and extraordinarily selfless acts during the Korean War. His story is inspirational and his deeds are stirring and should be known by all Americans.

Mr. Rubin was born between the First and Second World Wars in Paszto, Hungary, a small Jewish village of only 120 people in 1929. At age 13, he was shipped to the Mauthausen concentration camp in Austria, where he spent 14 months. When he was liberated by American troops, he was starving and on the brink of death. Although Tibor survived, both his parents and two of his sisters perished in the Holocaust.

Mr. Speaker, Tibor Rubin immigrated to New York in 1948 where he worked first as a shoemaker and later as a butcher. When he attempted to enter the U.S. Army butcher's school in 1949, he was denied admission after failing the English test, but in 1950 he passed. By July of that year, he was assigned to the infantry and stationed on the front lines in Korea. Mr. Rubin volunteered for missions that no one else would undertake. On one occasion, he secured the retreat route for his company by single-handedly defending a hill for 24 hours against waves of North Korean soldiers.

In October 1950 a massive Chinese attack was mounted across the border into North Korea. The offensive surprised Americans troops, including Tibor Rubin's unit. After most of his regiment had been wiped out and he was severely wounded, he was captured and spent the next 30 months in a prisoner of war camp. The Chinese offered him food and a chance to go back to Hungary throughout his ordeal, but he refused to leave his American brothers. Mr. Rubin would sneak out of the his prison every night and steal food from Chinese and North Korean supply depots and feed the rest of his fellow POWs with the food he found. His fellow prisoners felt that he single-handedly kept 35 men alive.

He became an American citizen after returning from Korea in 1953. Tibor was found to be 100 percent disabled by his war-time injuries by the Veterans Administration. He tried to return to his profession as a butcher, but his injuries prevented that. Today, Mr. Rubin lives in Garden Grove, California, with his wife of 42 years, Yvonne, a Dutch Holocaust survivor, and they have two children—a son, Frank, an Air Force veteran, and a daughter, Rosalyn.

Mr. Speaker, for his outstanding military service, Tibor Rubin was recommended four times for the Congressional Medal of Honor by his commanding officers and comrades, twice for the Distinguished Service Cross and twice for the Silver Star—but he did not receive any of these honors, though he did receive two Purple Hearts. Tibor's immediate superiors recommended him for the Medal of Honor, but before the paperwork could be processed these officers were killed, and a sergeant who might have sent the papers up refused to do so because Tibor was Jewish. "Not on my watch," he reportedly said.

Because of his remarkable bravery and courage in Korea, private bills were introduced in the Congress on a number of occasions to give him the honor he deserved. Finally, just a few days ago, the long-delayed but richly-deserved Medal of Honor was presented to Tibor Ruben by the President.

Mr. Speaker, I invite my colleagues to join me in paying tribute to the heroism of Ted Ruben, and extending to him our gratitude for his service to our country—service that was well above and beyond the call of duty.

WHAT EMANCIPATION MEANS TO JAMAICA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. RANGEL. Mr. Speaker, I rise today in recognition of the 167th anniversary of Jamaican Emancipation, established on August 1, 1838.

On August 1, 1838, when the enslaved Jamaicans found out that they were freed, tears flowed incessantly, while shouts of freedom rang from every direction. The sentiment of the day was jubilance; however, there was an underlying reverence for the freedom of hundreds of thousands enslaved men, women, and children. They had been freed from the oppressive social and economic system to which they had been subjected to for generations.

Similar to the Quakers in the United States, the Quakers of Jamaica were very instrumental in aiding the fight for the abolition of slavery. Many of them started campaigns against the slave system, one of which was led by the "Society for Effecting the Abolition of the Slave Trade". This community of abolitionists believed that slavery was against the will of God and a denial of civilization. Freedom and only freedom was and is the true natural state of man. The booming rise in the sugar industry quickly fostered economic excuses in favor of slavery, which quashed the Quaker's efforts within the 17th century.

However, entrance into the 18th century, and the initial decline of the sugar industry ushered in much opportunity that encouraged a resurgence of the abolitionist movement within Jamaica. In 1807, abolitionists gained their first victory through the "Total and Immediate Abolition of the Slave Trade" in the British Parliament, ending Jamaican involvement in the Trans Atlantic Slave Trade, cutting off their human cargo from Africa and the influx of more potential slaves. Meanwhile, enslaved Jamaicans were taking their freedom into their own hands through the many slave revolts staged across the island. The most famous revolt took place a few days after Christmas in 1831. Reverend Samuel Sharpe, who was a leader of a secret society of slaves, and is today recognized as a national hero of Jamaica, planned that the slaves should simply stop work, present their demand for freedom, and then hold fast in resistance until the demand was met, which was one of the first acts of organized civil disobedience, prior to our modern day examples. However, the slaves still armed themselves, in case they needed to defend themselves, as of course they did. The strike turned into a running series of fights, which accumulated and spread, to over two hundred plantations. Slaves did not take the initiative in attacking their white masters, but they did systematically destroy plantation houses and equipment. Within a short time, they had control over settlements and communications in virtually all the western end of the island. This 10 day rebellion mobilized some 60,000 slaves, numbers that quickly got the attention of Parliament.

With the possibility of a general uprising looming, the idea of abolishing slavery was once again proposed to Parliament. In 1833, it decided that slavery was no longer an effective economic system. The Emancipation Act of 1834 declared that all enslaved peoples under the age of six and those born after the enactment of the bill were legally free. Those who were older were forced to become apprenticed to their former masters up until August 1, 1838, after which they would be free. Indeed, in 1838 all those who were once enslaved were made free.

Emancipation Day is celebrated across the island within churches and town squares where there are a variety of all night vigils that take place. Then at midnight, there is a nation wide celebration of drumming, pealing of bells, and much more which carry on into the dawn of the "First of August". All this is done to simulate or re-create the atmosphere that existed during that morning when slavery was abolished. The celebration of Emancipation Day is of the utmost importance to the historical integrity of Jamaica. It not only pays homage to those millions of Africans that were subjected to one of the worst crimes against humanity, it provides a historical foundation for the country to evolve from. As Rev. Dr. Burchell K. Taylor, Pastor of Bethel Baptist Church, states "an event as significant as the Emancipation of our people from slavery and all it signifies in terms of human cruelty, suffering, sacrifice, folly, courage, deception, greed, triumph of the human spirit and faith and hope, cannot be allowed to slip from our collective memory. There are lessons to be learned that are of lasting value. Remembering Emancipation can itself be an ongoing liberating experience."

I submit to you an editorial written by the Honorable P.J. Patterson, Prime Minister of Jamaica, found in the August 9th edition of the CaribNews newspaper, addressing the people of Jamaica and the significant lessons that this celebration brings with its 167th year.

There are many lessons that we, the U.S., can learn from Jamaica and its national and cultural acceptance of their past. We truly cannot know where we as a country are headed unless we first recognize, reconcile and then celebrate our history, all of our history. Emancipation is a celebration that should not be reserved for those who are descendants of slaves and abolitionists. As the Prime Minister suggests, "the abolition of slavery meant more than the emancipation of slaves. It also meant the emancipation of those who held them in bondage, at least from the burden of callousness and greed-factors that devalue human life and desecrate any society intended to nurture that life." We too must engage in similar reconciliatory celebrations and find strength in our past.

WHAT EMANCIPATION MEANS TO JAMAICA AND ITS PEOPLE

(By P.J. Patterson)

One hundred and sixty seven years ago, our forebears gathered in churches all over this island (of Jamaica) to give thanks for the release of some 400,000 former slaves into full freedom. On that day, a clear message was sent to the world that, as children of a Common Creator, no one could rightly, justly or morally be the property of another.

The assertive character of Jamaican has never allowed us to sit idly by and allow that part of our history to be either forgotten or ignored. It is our solemn duty to secure the gains won by the invincibility of the human

spirit against such great odds with passionate and loving care.

We are about to celebrate yet again that freedom which set hundreds of thousands of our ancestors free and to give the society they were to inherit, as free men and free women, the capacity to become civil, tolerant and enduringly humane.

The great Haitian leader, Touissant l'Ouverture in his memorable reply to the President of France, the colonial ruler asserted (and I quote) ''It is not a circumstantial liberty conceded to us that we wish, but the unequivocal adoption of the principle that no man whether he is born red, black or white can become the property of his fellow man''.

It is that spirit of determination to effect human equity and equality for which we here in Jamaica have struggled, regardless of race, colour, political affiliation or creed.

The celebration of August First, then, remains an important observance for all who inhabit this land of ours. Today's challenges may appear formidable. But the fact that our forebears could overcome the greatest hardship of all—that of being enslaved—is cause enough, both for hope and for the strengthening of our resolve, to overcome every obstacle.

We dare not betray the trust placed in us who have come after the generation of 1838. We must never give up the fight to become the self-directed, liberated human beings we were created to be.

The abolition of slavery meant more than the emancipation of the slaves. It also meant the emancipation of those who held them in bondage, at least from the burden of callousness and greed—factors that devalue human life and desecrate any society intended to nurture that life.

So, let us again say thanks for that Emancipation which allowed thousands of others, whose descendants now call Jamaica ''home'', to enter a free society. They were still being exploited on contract during the period of indentured labour, but at least there were prescribed rules of engagement covering conditions of work.

They bequeathed this precious legacy to our workers and their trade unions, to our professionals and their staff associations, to our citizens and their right to choose their leaders who hold power in trust on their behalf. It was this legacy which was to help guide us into Independence, another milestone that we will observe in a few days. This legacy set us on the road to civil society, democratic governance and peaceful coexistence.

Our Emancipation Day observance is therefore a fitting tribute to that legacy of determination and inner strength which our freedom-loving ancestors have given to posterity.

May I wish blessed and pleasant Emancipation Day to everyone!

(P.J. Patterson is Jamaica's Prime Minister. The Emancipation Day Message was read to hundreds of worshippers at a Thanksgiving Service on Sunday afternoon at Hanson Place Central Methodist Church in Brooklyn by Dr. Basil Bryan, Jamaica's Consul-General in New York).

INTRODUCTION OF THE AFFORDABLE GAS PRICE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. PAUL. Mr. Speaker, I rise to introduce the Affordable Gas Price Act. This legislation reduces gas prices by reforming government policies that artificially inflate the price of gas. As I need not remind my colleagues, the American people have been hard hit in recent months by skyrocketing gas prices. In some parts of the country, gas prices have risen to as much as $4 per gallon.

This increase in the price of gas threatens our already fragile economy and diminishes the quality of life for all Americans. One industry that is particularly hard hit is the trucking industry. The effects of high gas prices on the trucking industry will be reflected in increased costs for numerous consumer goods, thus further harming American consumers.

Unfortunately, many proposals to address the problem of higher energy prices involve increasing government interference in the market through policies such as price controls. These big government solutions will, at best, prove ineffective and, at worst, bring back the fuel shortages and gas lines of the seventies.

Instead of expanding government, Congress should repeal Federal laws and policies that raise the price of gas, either directly through taxes or indirectly through regulations that discourage the development of new fuel sources. This is why my legislation repeals the Federal moratorium on offshore drilling and allows oil exploration in the ANWR reserve in Alaska. My bill also ensures that the National Environmental Policy Act's environmental impact statement requirement will no longer be used as a tool to force refiners to waste valuable time and capital on nuisance litigation. The Affordable Gas Price Act also provides tax incentives to encourage investment in new refineries.

Federal fuel taxes are a major part of gasoline's cost. The Affordable Gas Price Act suspends the Federal gasoline tax any time the average gas prices exceeds $3 per gallon. During the suspension, the Federal Government will have a legal responsibility to ensure the Federal highway trust fund remains funded. My bill also raises the amount of mileage reimbursement not subject to taxes, and, during times of high oil prices, provides the same mileage reimbursement benefit to charity and medical organizations as provided to businesses.

Misguided and outdated trade policies are also artificially raising the price of gas. For instance, even though Russia and Kazakhstan allow their citizens the right and opportunity to emigrate, they are still subject to Jackson-Vanik sanctions, even though Jackson-Vanik was a reaction to the Soviet Union's highly restrictive emigration policy. Eliminating Jackson-Vanik's threat of trade-restricting sanctions would increase the United States access to oil supplies from non-Arab countries. Thus, my bill terminates the application of title IV of the Trade Act of 1974 to Russia and Kazakhstan, allowing Americans to enjoy the benefits of free trade with these oil-producing nations.

Finally, the Affordable Gas Price Act creates a Federal study on how the abandonment of the gold standard and the adoption of freely floating currencies are affecting the price of oil. It is no coincidence that oil prices first became an issue shortly after President Nixon unilaterally severed the dollar's last connection to gold. The system of fiat money makes consumers vulnerable to inflation and to constant fluctuations in the prices of essential goods such as oil.

In conclusion, Mr. Speaker, I urge my colleagues to support the Affordable Gas Price Act and end government policies that increase the cost of gasoline.

IN HONOR AND RECOGNITION OF KEVORK ''GEORGE'' ARSLANIAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Mr. Kevork ''George'' Arslanian, loving family man, father, grandfather, great-grandfather and dear friend to many, as his friends and loved ones gather in honor and celebration of his 100th birthday.

Mr. Arslanian's life reflects a brilliant spectrum of survival, courage, tenacity, triumph, devotion to family and service to others. As a young child, Mr. Arslanian and his two brothers became orphans. During WWI, 40 members of the Arslanian family, including their father and mother, were killed in the horrific Armenian massacre by the Turkish military. The Armenian genocide resulted in the deaths of 1.5 million Armenians. A Turkish neighbor hid the three boys in her home, saving their lives. Soon after, they were sent to a Red Cross orphanage in Syria, where they barely survived among 60,000 other orphans.

Throughout their years of struggle, Mr. Arslanian and his brothers remained focused on the promise of a new life in America. They left the Syrian orphanage and journeyed to Cuba, from where they had heard that entry into the U.S. would be easier. They soon discovered this was not the truth. The children spent 5 years in Cuba, surviving with nothing more than their own determination, courage and the promise of reaching the shores of America. In 1927, the boys, who had by now become young men, made the escape out of Cuba as stowaways on a ship that delivered them to a life of freedom, hope and possibility in America.

The Arslanian brothers settled with relatives in Cleveland. Mr. Arslanian attended Miller Barber College in Cleveland, where he initially honed the art of his trade without pay. He then earned twenty dollars a week for 25 cent hair cuts. He soon became a licensed barber—the 11th in the State of Ohio, and in 1932, opened up his own shop in Garfield Heights. Six days a week for seventy-five years, Mr. Arslanian worked in the shop with his brother, and continued giving hair cuts until just a couple of years ago. Together, Mr. Arslanian and his beloved, late wife, Virginia, raised three sons. George and Virginia Arslanian were married for 67 years. Mr. Arslanian, one hundred years young, continues to be the foundation, center and light of his family—a family that includes his three sons, seven grandchildren and twenty great-grandchildren.

His life-long devotion to his family and to his shop extends throughout the community, and is evidenced within his strong faith and his dedication to preserving the history, faith and culture of Armenia. Mr. Arslanian continues to be deeply involved with the Armenian Orthodox Church, and led the effort to establish St. Gregory of Narek Armenian Church. His unwavering support for immigrant families and for the preservation of Armenian culture is reflected in his long-time involvement with the

Armenian General Benevolent Union and the Tekeyan Cultural Society.

Mr. Speaker and Colleagues, please join me in honor and recognition of Mr. Kevork ''George'' Arslanian, whose brave heart, warm smile and fascinating life continues to educate and inspire those who know and love him well, especially his family and friends. Mr. Arslanian's life, outlined by hard work, integrity and family, personifies the phrase 'American citizen.'

The remarkable story of the young Arslanian brothers, their courageous journey and creation of new lives in America, is the story of the American immigrant, retold in a thousand languages, connecting all of humanity by the will to survive and the promise of freedom and peace. The incredible journey of citizens such as Kevork ''George'' Arslanian is the strength and foundation of our country. In honor of Mr. Arslanian's 100th birthday, we offer him an abundance of peace, health and happiness, and offer our gratitude to him for enriching our community and our nation. His great love for his family, community and for his beloved Armenia, transcends time and distance, serving as a bridge of goodwill, forever connecting America to Armenia.

TRIBUTE TO CATHOLIC CHARITIES

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise to acknowledge and commend Catholic Charities, an organization that is celebrating 50 years of service to the Santa Clara Valley community.

Catholic Charities strives to empower the working poor to move beyond basic subsistence to a state of meaningful, quality living by encouraging economic, familial and emotional stability. It does this by developing cultural programs, supplying educational resources about ailments affecting older adults, and providing all of its services in various languages.

While born out of Catholic gospel values, Catholic Charities serves people of all beliefs, cultures, ethnicities and ages. The organization's mission is to create a more just and compassionate community in which people of all cultures and beliefs can fully participate and thrive. They serve a diverse population from various ethnic backgrounds including Vietnamese, Chinese, Filipino, Mexican, Sudanese and Bosnian people. The agency works under the premise that the most effective way to affect a person is to connect with them from their personal, cultural perspective.

Catholic Charities integrates services address the multiple factors that impact one's ability to be self sufficient and stable. Because these issues have an intergenerational impact, agency programs are geared across age groups to reach entire families. Their services include older adult programs, immigrant and refugee assistance, and housing programs. The agency also offers employment, youth, financial education and behavioral health services in addition to operating neighborhood centers.

I have worked with Catholic Charities for over twenty years, and I can tell you from first-hand experience that I am proud of the leadership, volunteers and network of supporters whose dedication have built Catholic Charities into an integral part of the fabric of our local community.

INDUCTION OF THOMAS JAMES KATONA INTO THE UPPER PENINSULA LABOR HALL OF FAME

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to a leader who truly left his mark on the labor movement in the Upper Peninsula of Michigan as well as throughout the United States. Thomas James Katona has increased union effectiveness by partnering the historic strengths of labor unions with the innovation of technology. Mr. Katona's induction into the Upper Peninsula Labor Hall of Fame is warranted and deserved.

As a dedicated Staff Representative for the Office and Professional Employees International Union (O.P.E.I.U.), Local Union 512 of the AFL–CIO and a proud member of the Industrial Workers of the World (IWW), Mr. Katona was a committed organizer of working people in the public and private sectors. He has devoted himself to their cause of fair and just representation in the work place.

Mr. Katona has been on the forefront of worker education by designing and delivering labor education classes for employees and staff. Always advocating for his membership, Mr. Katona was constantly arguing before the National Labor Relations Board, the Michigan Employment Relations Commission and Administrative Law Judges. He served his larger community as a volunteer mediator for the Delta County Resolution Services, UPCAP and was an active member and participant in the Association Conflict Resolution.

Mr. Katona has been described by his union brothers and sisters as a great leader showing persistence and assertiveness as an advocate and problem solver for hIs union and fellow workers. Mr. Katona was a trusted labor and community leader.

However, while Mr. Katona will always be remembered by his colleagues and friends for many accomplishments, he has left his mark through his tireless commitment to the development and propagation of ''cyber unionism'' as a means of strengthening and improving communications within the labor movement. As a published author on the subject, Mr. Katona blazed the trail for technological improvements including helping trade unionists design, post and maintain Web pages, Web sites and e-mail magazines.

Mr. Speaker, I ask the U.S. House of Representatives to join me in thanking Mr. Thomas James Katona and his family for his dedication and service to the labor movement and to the Office and Professional Employees International Union, Local Union 512, AFL–CIO. Mr. Katona has more than earned his place in Michigan's Upper Peninsula Labor Hall of Fame for his commitment to his community and the labor movement.

IN RECOGNITION OF HAROLD AND JUANITA BLAIR'S 57TH WEDDING ANNIVERSARY

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise to congratulate and honor Harold and Juanita Blair who celebrated their 57th wedding anniversary on September 15th. Harold and Juanita have been lifelong companions, having literally grown up next door to each other in North Braddock, Pennsylvania.

Their life together began when Harold asked Juanita out for a date on a dare during their high school years. Harold, who was 17 at the time, was a star on the high school basketball team, while Juanita, at 15, was focused on her school studies. As a result, Juanita didn't really take interest in him until after he had asked her out.

Because of America's culture of segregation during the 1940s, Harold was denied a basketball scholarship to any college, so he enlisted in the army, while Juanita attended college in Maryland.

After Harold was discharged from the Army, they married on September 15, 1948. However, because of their ages, they initially kept their marriage a secret from their families until they moved to Detroit, Michigan where they have lived since 1949.

They have three beautiful children: Harold Jr., Joseph and Lori, my daughter-in-law, and five beautiful grandchildren. Juanita still wears the original wedding ring that Harold gave her in 1948. And although over the years Harold has given Juanita newer and more expensive rings as a show of his love and affection, Juanita continues to wear the original ring that sealed their lifelong journey together.

In celebration of their more than half a century of devotion and love, I ask my colleagues in the House of Representatives to join me in honoring Harold and Juanita Blair as they celebrate their 57th wedding anniversary.

IN HONOR OF THE NATIONAL CONFERENCE OF STATE LEGISLATURES LEADERSHIP INSTITUTE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. COSTA. Mr. Speaker, I rise today to congratulate the National Conference of State Legislatures Leadership Institute for 10 years of dedication and excellence in the formation of effective public policy makers. Over 300 State Legislators have participated in the Leadership Institute through its first 10 years.

The National Conference of State Legislatures is a bi-partisan organization that serves the legislators and staffs of the United States and its commonwealths and territories. NCSL provides research, technical assistance, and a forum in which policy makers can exchange ideas.

The primary goals of NCSL are to improve the quality and effectiveness of state legislatures, to promote policy innovation and communication among state legislatures, and to

ensure state legislatures a strong, cohesive voice in the federal system.

The ideals of strong and effective leadership are the cornerstones upon which the NCSL Leadership Institute was founded. Leadership is an essential ingredient of any legislature. Moving beyond conflict and partisanship to meet the real needs of people is the fundamental test of legislative leadership.

The NCSL Leadership Institute seminars foster lively discussions and provocative case studies, where promising leaders can explore their common values and the future of the legislature in a bi-partisan setting.

Numerous State Legislators have attended the Leadership Institute in its 10 years of operation. The future of our government depends on the quality and creativity of the men and women who lead it and is imperative that we endorse programs that instill leadership qualities. On behalf of past, present and future Legislators, I extend my continued support and appreciation of the NCSL Leadership Institute.

HONORING THE MULTI-TALENTED SUGAR RAY ROBINSON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. RANGEL. Mr. Speaker, I rise to recognize and honor the esteemed boxer Sugar Ray Robinson for his positive impact on the athletic world as one of the greatest boxers of all time, and to honor his service as a role model with an extraordinary positive influence on his community. Sugar Ray Robinson was a prime example of an American role model, a man from an era where blacks were seen and treated as second class citizens and he focused on his talent in order to achieve greatness, the story of a true hero. At a time when African American youth did not have African American icons to idolize; Sugar Ray more than filled this void, by being an enormous boxing influence to a variety of African American children, some of whom became Muhammad Ali, and Sugar Ray Leonard whom even took Robinson's nickname. He gave these kids something to believe in and something to be proud of.

The phrase ''pound for pound the best'' was coined in honor of Sugar Ray's boxing success, and has been used to reference successful boxers ever since. Walker ''Sugar Ray'' Smith was born in Detroit, Michigan in 1921. He began boxing as an amateur in New York City, where he quickly advanced to the professional circuit in 1940. New York has always been a tough city and to make it there as Sugar Ray Robinson did, you have to be among the best of the best. From 1946 to 1951 he became the world welterweight champion and the world middleweight title holder. Sugar Ray's athletic ability clearly outmatched his opponents, fight after fight. A fierce competitor, Sugar Ray's final record was an utterly amazing 174 wins, 109 of them being knockouts, and only 19 losses and 6 draws; this being a remarkable testament to Sugar Ray's amazing athletic accomplishments within the boxing circuit.

Sugar Ray Robinson was a Renaissance man; he did not restrict himself to solely boxing and athletics. He used his fame as keys to experiment in the musical world and also acting. Nevertheless his fame is attributed to his remarkable achievements in his boxing. He was one of the first athletic stars to cross over into different mediums of public spotlight. Sugar was known for his huge entourages and public displays of success, truly a man who enjoyed the life he lived. He showed generations of young African Americans that raw physical talent was not enough. Skill, ability and education were also important.

In 1989 Sugar Ray Robinson died a month before his birthday, leaving behind a plethora of fans, along with countless influences and friends. Sugar Ray Robinson represented hope and optimism for the African American community during an era of blatant and systematic racial oppression. He aided in racial relations in athletics while giving African Americans a sense of pride as an example of African American perseverance and strength over the negative barriers. Sugar Ray broke these barriers, charging forward for his people to be seen, to be respected and to be loved. It was a fight to show that African American people were not inferior and should be granted equal opportunity.

The African American hero, the American idol, Sugar Ray Robinson showed the American people a black man that was a powerful warrior, and clearly the best of his time in and out of the ring. I have reintroduced legislation in the 109th Congress to recognize the stellar career of Sugar Ray Robinson. It is an honor which Sugar Ray Robinson very well deserves and I truly hope my colleagues will join me in this effort.

INTRODUCTION OF THE NURSING HOME EMERGENCY ASSISTANCE ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. PAUL. Mr. Speaker, I rise to introduce the Nursing Home Emergency Assistance Act. This act makes private, for-profit nursing homes eligible for the same federal aid as is currently available to public nursing homes. Under current federal law, only public nursing homes may receive federal disaster assistance. However, hurricanes, tornadoes, and earthquakes do not distinguish between private and public, or for-profit and not-for-profit, nursing homes.

As I have recently seen in my district, all nursing homes face unique challenges coping with natural disasters and their aftermaths. It is not fair to the taxpayers who work in, reside in, or have entrusted the care of their loved ones to, a private nursing home that private nursing homes are denied the same federal aid available to their public counterparts. Mr. Speaker, the Nursing Home Emergency Assistance Act ensures all residents of nursing homes can benefit from federal disaster aid. I encourage my colleagues to support this legislation.

IN RECOGNITION OF THE STOCKYARD REDEVELOPMENT ORGANIZATION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. KUCINICH. Mr. Speaker, I rise today to recognize the Stockyard Redevelopment Organization (SRO), which has done much to oversee the redevelopment of Cleveland's Stockyard neighborhood in Ohio's 10th Congressional District. Once the center of Cleveland's stockyard industry, this neighborhood, like many such neighborhoods in Cleveland and around the country in the decades following World War II, became blighted as companies fled to the suburbs, sunbelt, or overseas while residents followed the new freeways out of town.

In March 2000, when SRO's newly appointed director Alex Brazynetz visited my office for the first time, he brought big dreams, significant problems, and a small request. His dream was the revitalization of this long-neglected inner city neighborhood. The problem was that the privately owned and crumbling West 67th Place was not eligible for highway funding or local road maintenance, while the owner was unable to provide the maintenance. The request was for a creative way to get this street fixed to retain the last remaining businesses and to attract new business to this blighted neighborhood. The key to overcoming the obstacle and realizing the dream was a federal Economic Development Administration (EDA) grant to fix West 6th Place.

In conjunction with the SRO, the Westside Industrial Retention and Expansion Network (WIRE-Net) and the EDA, the City of Cleveland agreed to purchase West 67th Place for a nominal fee, making the street eligible for a federal grant. The $1.2 million grant was the key to completing a $1.8 million infrastructure investment. This investment then leveraged $24.7 million in additional and proposed investment in the immediate area, along with realizing 362 additional jobs.

Building on the success of the West 67th Place project, the SRO is currently undertaking a Land Use Study of the West 65th Street, Denison Avenue & Ridge Road corridors in collaboration with WIRE-Net and with support from Councilmen Matthew Zone (Ward 17) and Kevin Kelley (Ward 16) and the nearby City of Brooklyn, Ohio.

Mr. Speaker and distinguished colleagues, the success in Cleveland's Stockyard neighborhood proves that small federal investments in our nation's cities can be stretched and leveraged to go a long way to help rebuild our cities. More of these opportunities must be made available. We must continue to rebuild the commercial, industrial, and residential bases of our nation's cities like Cleveland and neighborhoods like the Stockyard, with the help of federal investments like what we've seen successfully done in conjunction with the federal Economic Development Administration, the City of Cleveland, and the Stockyard Redevelopment Organization.

THE 75TH ANNIVERSARY OF THE JUSTICE STUDIES DEPARTMENT AT SAN JOSÉ STATE UNIVERSITY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today to recognize the 75th Anniversary of the Justice Studies Department at San José State University.

The Justice Studies Department at San José State was the first degree-granting program in criminal justice in the United States. It was founded in 1930 by August Vollmer, then Chief of Police in Berkeley, California, and T.W. MacQuarrie, the President of San José State College. In 1935, nation's oldest professional law enforcement fraternity, Chi Pi Sigma, was founded at San José State.

The department prepares students for positions of responsibility and leadership in federal, state and local law enforcement, in government investigative branches, in institutional and community correctional offices, the court system, social services, public health, and in the educational field. Alumni of the program have gone on to become leaders and innovators in our community, and have made a positive impact on countless lives.

As a Member of Congress, I fully understand the importance and impact that this program plays in securing the safety of our community and ensuring that our laws are carried out fairly and responsibly. I am proud to stand here today to recognize the Justice Studies Department at San José State University and I urge them to continue the important work of educating the next generation of justice professionals.

INDUCTION OF ARNOLD KORPI INTO THE UPPER PENINSULA LABOR HALL OF FAME

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. STUPAK. Mr. Speaker, I rise today to pay tribute to an educator who has played a key role in organizing teachers in Michigan's Upper Peninsula for seventeen years. It is for this lifelong dedication to his noble profession of teaching and contributions to the labor movement that Arnold Korpi so richly deserves to be inducted into the Upper Peninsula Labor Hall of Fame.

After spending nearly two decades, from 1946 to 1964, as a business education teacher in Rockland and Wakefield, Michigan and as a professor at Gogebic Community College, Mr. Korpi became an early labor leader for the teachers of Michigan's Upper Peninsula.

Mr. Korpi was tireless in his commitment as a leader in the labor cause. Mr. Korpi held a number of prestigious positions throughout the Michigan Education Association (MEA) and civic organizations, including his service on the Board of Directors of the Michigan Education Special Services Association (MESSA), as President of Michigan Education Association Region 18, as President of the Upper Peninsula Business Teachers' Association, as President of the Gogebic County District of the Michigan Education Association, as President of the Wisconsin Alumni Association and as a board member and President of the Northern Michigan University "N" Club.

Mr. Korpi further served the MEA as President and Treasurer of the Michigan Education Association Professional Staff Association serving all Uni-Serv Directors in Michigan; as President of the National Staff Organization; and as the Uni-Serv Director for the Michigan Education Association/National Education Association from 1964 until 1981.

In addition to holding many high ranking positions within the MEA, Mr. Korpi was also the founder, leader, organizer and Treasurer of the Upper Peninsula Education Association, which continues to be a valuable organization for teachers bargaining labor contracts across the Upper Peninsula.

Arnold Korpi is known for far more than his brilliant organizing and advocacy skills. Described as an early leader and a moving force for the Michigan Teacher Tenure Act, Mr. Korpi helped lay the groundwork for the professional teachers' bargaining and job security issues. He was part of the historic Teacher Tenure legislation which enabled classroom educators to teach and act without fear of reprisal, thus fostering and encouraging the academic freedoms for all Michigan teachers.

Mr. Speaker, I ask the U.S. House of Representatives to join me in thanking Mr. Arnold Korpi and his family for his dedication to the education labor movement in Michigan. Arnold Korpi has more than earned his place in Michigan's Upper Peninsula Labor Hall of Fame for his commitment to his community and his teaching profession.

IN CELEBRATION OF VERA McDONALD'S 90TH BIRTHDAY

HON. JUANITA MILLENDER-McDONALD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. MILLENDER-McDONALD. Mr. Speaker, I rise to congratulate my mother-in-law, Mrs. Vera McDonald of Los Angeles, California, who celebrated her 90th birthday on July 18th of this year.

Vera Jackson McDonald was born in Memphis, Tennessee on July 18, 1915, to Walter and Lola Jackson. As a young girl and the oldest of 6 children, Vera spent her formative years assisting her parents in caring for her younger siblings and running the household while her parents worked.

In 1942 at the age of 22, Vera married Artie Lee Miller. Although they did not have any children of their own, they raised a large family after they took custody of their neighbor's six children following the parents' tragic and premature death.

On September 16, 1977, we welcomed Vera into our family when she married James McDonald, my father in law, following the passing of her first husband, Mr. Miller. At 90 years old, Vera remains a source of inspiration and happiness for our entire family. Vera would be the first to tell you that, despite her remarkable age, she remains active and independent. She doesn't suffer from arthritis or the aches and pains of age, and does not need to wear her glasses when reading. She is also a woman of strong Christian faith.

In recognition of a lifetime of generosity and love, I ask my colleagues in the House of Representatives to join me in honoring Vera McDonald as she celebrates her 90th birthday.

IN HONOR OF JIM BOREN, NATIONAL MEDIA CITATION AWARD WINNER

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. COSTA. Mr. Speaker, I rise today to honor Jim Boren for receiving national recognition as an outstanding journalist by the Journalism Education Association which recently awarded Mr. Boren with the National Media Citation Award.

Jim Boren is an established journalist who has won numerous awards and recognition from national organizations and community groups. Jim Boren was one of California State University, Fresno's finest graduates and had many opportunities to leave the Valley in pursuit of prestige. Being the dedicated Fresnan that he is, however, Jim chose to stay in his community and share his talent with his hometown.

Beginning his career in 1972, Jim joined the Fresno Bee. He worked his way up from a general assignment reporter to becoming the Fresno Bee's main political writer. He spent 15 years in that position keeping the San Joaquin Valley informed about local and national events by covering local elections, gubernatorial races and presidential campaigns. In 1995 Jim Boren became Editor of the editorial page in the Fresno Bee.

Jim Boren has a well-deserved reputation as a skilled and reliable investigative reporter. His journalistic abilities, compassion, and belief in justice are credited in the release of innocent prisoners charged for crimes they did not commit.

Mr. Boren has been the recipient of numerous awards for his talent as a journalist. He has received notoriety from various organizations, including an investigative reporting award from the Society of Professional Journalists, the Jim Tucker Award from California State University, Fresno, and the national honor of receiving the Friend of Scholastic Journalism Award from the Journalism Education Association.

For his contributions and loyalty to the community, it is with great pleasure that I extend the gratitude and appreciation of the residents of the San Joaquin Valley to Jim Boren.

A REDESIGN OF THE $1 COIN TO COMMEMORATE THE LIFE AND LEGACY OF MARTIN LUTHER KING, JR.

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. RANGEL. Mr. Speaker, I rise today to invite Congress to join me in cosponsoring

H.R. 1432 to require the Secretary of the Treasury to redesign the $1 coin to commemorate the life and legacy of Dr. Martin Luther King, Jr.

On December 5, 1955, after civil rights activist Rosa Parks refused to observe the segregation policy on buses, the residents of Montgomery, Alabama launched a bus boycott. The success of the boycott which desegregated the city bus system propelled Dr. King into national prominence. He organized and led strategic marches, protests and demonstrations for blacks' right to vote, desegregation, fair hiring practices and other basic civil rights. He led these marches under the philosophy of non-violence and civil disobedience, which gained national and international media attention. Through his influence, the world began to see first hand the inhumanity of segregation.

It wasn't until his 1963 "I have a dream" speech during the March on Washington, did America begin to see Dr. King as a prophetic visionary. The eloquence and optimism of his speech and vision truly inspired the collective conscience of the American public. As his message began to spread, the Nation began to change. The Civil Rights Act of 1964 and the Voting Rights Act of 1965 became manifestations of the dreams and hopes of equality and justice for all that Dr. King so effectively represented.

Although Dr. King, once Time Magazine's "Man of the Year 1963" and the youngest recipient of the Nobel Peace Prize was quickly and violently taken from us, his dream still lives on. He had insight into a reality that was not yet this world's reality. Peace on Earth and goodwill towards all was not yet this world's reality. But he believed that it could be; that it ought to be. His philosophy of nonviolent direct action, and his strategies for national and non-destructive social change, galvanized the conscience of this Nation and reordered its priorities. His wisdom, his words, his actions, his commitment, and his dream for a new way of life of equality and justice for all have been intertwined with the American experience.

There is no man more deserving to have their image engraved on the face of the $1 coin than, Dr. Martin Luther King, Jr. Not only would this be a national recognition of his many contributions to American history, but it would be a constant reminder that we have not yet fulfilled the dream, Peace on Earth and good will to all men, and equality and justice for all.

INTRODUCTION OF A BILL TO MAKE AMENDMENTS TO THE IRAN NONPROLIFERATION ACT OF 2000 RELATED TO INTERNATIONAL SPACE STATION PAYMENTS

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. PAUL. Mr. Speaker, I rise to introduce a bill to make amendments to the Iran Nonproliferation Act of 2000 related to International Space Station payments. It is critical that we pass this legislation to preserve NASA's ability to perform such core functions as transporting astronauts to the International Space Station. Indeed, the International Space Station program may be threatened if the United States is prevented from purchasing from Russia the space hardware and services required to meet U.S. obligations.

Currently, the Iran Nonproliferation Act of 2000 forbids any such purchase because Russia is said to be assisting Iran in pursuit of its atomic energy program. Mr. Speaker, this situation demonstrates very clearly the negative unintended consequences of our counterproductive policy of restricting trade and placing trade sanctions on other countries. It would be ironic if in our zeal to punish Russia for engaging in trade with Iran we in fact end up punishing scores of Americans who work in the space industry in the United States.

I very much hope that my colleagues will join me in this effort to prevent these indirect sanctions from unfairly harming the American space program.

IN HONOR OF THE ANNUAL PULASKI DAY CEREMONIAL OBSERVANCE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the Polonia Foundation of Ohio and the Ohio Polish Legion of American Veterans, U.S.A., as they unite the community in remembrance and celebration of Gen. Kazimierz Pulaski, for his legacy of courage and selfless dedication to the people of Poland and the people of the United States of America.

Born on March 4, 1747 in Warzka, Poland, General Pulaski achieved great military success in Poland with his focused leadership and brilliant strategies in fighting the Russian domination of Poland. By 1777, General Pulaski had become one of the most renowned cavalrymen in Europe, and while in Paris that year, he was actively recruited by Benjamin Franklin to assist in the American quest for liberation.

Sympathetic to the American cause, General Pulaski sailed to America and was made head of the newly formed American cavalry during the Revolutionary War. General Pulaski's deep level of commitment to the American cause was framed by energy and style. He reportedly wore a plumed hat, flashing saber, and an elaborate uniform, and spent his own money to feed and equip his troops. General Pulaski was involved in many significant battles during the Revolution. His ultimate stand took place in Savannah, GA in October 1779, where he led a valiant charge against British artillery. General Pulaski was shot and died a few days later.

Mr. Speaker and colleagues, please join me in honor and remembrance of Gen. Kazimierz Pulaski, who made the ultimate sacrifice in his valiant fight to secure the ideals of the American Revolution. An American hero, General Pulaski's life and legacy serves as a significant reminder of the vital contributions and great achievements by Polish immigrants within our Cleveland community, and throughout America.

H. RES. 466—ALZHEIMER'S SEMI–POSTAL STAMP

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. PELOSI. Mr. Speaker, I rise today in support of a bipartisan resolution urging the United States Postal Service to act on a pending petition for an Alzheimer's Semi-Postal Stamp. I am proud to have partnered with my colleagues, Representatives ED MARKEY, CHRIS SMITH, and JOHN BOOZMAN in introducing this legislation that encourages a long-overdue opportunity for the public to make an investment in the research that could find a cure to Alzheimer's disease.

Nancy Reagan described the slow decline of her husband, President Reagan, to Alzheimer's disease as "the long goodbye." Far too many Americans are enduring that same long goodbye today. More than 4 million Americans have Alzheimer's disease, a number that is expected to triple within the next 50 years. Nineteen million Americans are caring for someone with Alzheimer's. That is why I have fought so hard to increase federal funding for Alzheimer's disease research.

Scientists around the world, including some of our best minds at the National Institutes of Health, believe we are on the verge of breakthroughs in Alzheimer's detection, diagnosis, and prevention. With an annual cost of more than $100 billion to care for people with Alzheimer's, and an immeasurable amount of heartache, America must invest in hastening the day when Alzheimer's disease is no longer—we cannot afford not to.

That is why we are encouraging the Postal Service to act now on an Alzheimer's stamp. Semi-postal stamps are authorized by Congress as a tool for the Postal Service to raise funds and awareness of worthy causes. Tens of thousands of Americans, from across the country, have signed a petition of support for this stamp, yet its issue is still pending with the Postal Service after four years. There is no more worthy cause today than a fight against Alzheimer's disease, and time is of the essence. By allowing the public to directly contribute to research funds through a postal stamp, we could be one step closer to a treatment, or even a cure.

I hope that my colleagues will join me to encourage the Postal Service to allow Americans to invest in the fight against Alzheimer's disease through a semi-postal stamp.

A TRIBUTE TO JAMAICAN CUISINE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. RANGEL. Mr. Speaker, in celebration of Jamaica's 43rd anniversary of independence I rise today to insert in the RECORD an article from the July 20th New York Times highlighting Jamaican cuisine and its impact on New York City.

The influx of Jamaican cuisine in New York and other cities throughout the U.S. is a testament to the richness which immigration has brought to the city of New York and our Nation. The diversity of cuisine now available to

us is but one example of the benefits we New Yorkers and Americans derive from the cultures and customs brought to the U.S. from all over the world.

The vibrant cuisine of Jamaica is a reflection of its culture and is as diverse as its people, drawing inspiration from a medley of sources. Jamaican cooking can be best described as a culinary melting pot that combines a hint of Spanish, a dash of English and a heaping teaspoon of Indian and Chinese with a cup or two of African ingredients to serve up some of the Caribbean's most creative cuisine.

As a native New Yorker I have been a Jamaican food enthusiast since my youth. It is a cuisine full of flavor and vibrancy.

Jamaicans have been immigrating to the United States for centuries and have undeniably left their mark on cities throughout our Nation. Their contributions can be seen at the center of our neighborhoods and industries, in every sector from music to cuisine.

The Jamaican American community is a prime example of a community which has and is contributing greatly to New York City and their adopted nation. Special praise is due for what the entrepreneurs of this community are contributing to the cuisine of the city and their efforts are appropriately recognized in this article.

ISLAND FLAVORS IN A YELLOW ENVELOPE

(By Julia Moskin and Kim Severson)

Long before the BlackBerry and the PlayStation Portable, New Yorkers loved their hand-helds. The folded pizza slice, the hot dog and the crusty knish have a built-in mobility that lets hungry New Yorkers eat on the street, and enough density to carry them through to the next meal.

New immigrants have added to the on-the-go family, introducing Colombian arepas, Mexican tacos and Uzbek samsas. But the hand-held with the best shot at making the list of classic New York noshes is the Jamaican beef patty, a rectangle of flaky yellow crust filled with ground beef shot through with onion, thyme and the inimitable heat and perfume of Scotch bonnet chili peppers.

The patties are familiar to New Yorkers who order bland commercial versions sold at numerous pizzerias. But they cannot compare to the fresh, handcrafted patties found at a handful of Jamaican bakeries here. The flakiest crusts are still made with a hefty percentage of beef suet, and the most memorable fillings are unabashedly hot.

''That little country pepper takes you right back to Jamaica,'' said Ronald Patterson, a customer at Buff Patty in Fort Greene, Brooklyn, using a Jamaican term for the Scotch bonnet chili pepper, which has a fruity, almost floral taste that balances its considerable heat.

Since the 1970's, Jamaicans have been among the largest immigrant groups in New York City, with many arrivals settling in Brooklyn. There are large Jamaican communities in the Wakefield section of the Bronx and (coincidentally) in Jamaica, Queens. But the city's best Jamaican food is concentrated in Brooklyn, along Flatbush, Nostrand and Utica Avenues.

''We use Black Angus beef and fat from the caps of the prime rib,'' said Desmond Patterson, an owner of Jamaican Pride Bakery in Prospect-Lefferts Gardens, Brooklyn. There, Mr. Patterson and his crew turn out 2,000 patties from scratch every morning and bake them throughout the day.

Jamaican Pride's ground beef filling combines plenty of black pepper and Scotch bonnet, and a whiff of fresh thyme and allspice (Jamaicans call it pimento), two signature seasonings in Jamaican cooking. It is slightly soupy, not unlike a sloppy Joe. Patties at most New York shops tend to be drier, with the meat pastelike, in the traditional style.

Patties, it turns out, are an immensely personal matter. Preferences for meat texture, crust style and spicing levels are often determined by how and where one was raised.

Jamaican cooking combines local ingredients with an overlay of Spanish, British, Indian and Chinese influences. The patty could be a descendant of the empanada or of the meat pasty, the traditional lunch of miners in Cornwall in southwest England, who needed portable lunches that they could take deep into the mines.

Other islands with British influence make patties. In Trinidad a distinct curry flavor reflects that island's many Indian cooks (try the patties at Al Cholo Bakery in the Bronx); the bakers at Shaborn Juice Bar, a Guyanese bakery in Flatbush, make round patties no bigger than the palm of a hand. The filling is flavored with a little basil, and the crust is rich and crumbly.

The Jamaican patty is served wrapped in coco bread, which is like an oversize, slightly sweet hamburger bun. It is called coco bread not because it contains coconut (it doesn't), but because you split it open like a coconut. Although the combination first appears dauntingly starchy, the soft sweetness of the bread nicely offsets the spicy filling and the crisp crust.

''You eat it with the coco bread to soak up the spice and the juice,'' said Shana Bennett Reid, who works at Angel Flake Patties in Flatbush.

In different times and places, the distinctive yellow-orange color of the classic patty crust has come from palm oil, annatto seeds, yellow food coloring and turmeric. Some upscale patties bear a natural pale-brown crust, rather than the traditional yellow. In developing a recipe for home cooks, we found that using turmeric and a bit of West Indian curry powder added a pleasant pungency and the classic yellow color. We also found that although vegetable shortening makes a perfectly good crust, beef suet makes a spectacular one.

Not all patties are spicy. Vegetable patties in a whole-wheat crust may seem like an American health food invention, but they are authentically Jamaican. Many Jamaicans are at least part-time vegetarians because of the dietary laws of Rastafarianism.

Jerk chicken patties, a relatively new creation gaining popularity here and in Jamaica, can be hot or not, but they are always heavily perfumed with allspice and thyme, the classic jerk spices. At Jamican Pride, one popular patty is filled with ackee, a soft, slippery-sweet fruit that resembles scrambled eggs when baked inside a crisp crust.

Besides coco bread, the squeal of brakes seems to be a constant accompaniment to patties; many of the best patty shops are near bus and subway stops. At any time of day, customers rush in holding two dollar bills, the usual tariff for a patty in coco bread.

''In Jamaica people eat patties first thing in the morning and last thing at night,'' said Patrick Anthony, whose father owns the One Stop Patty Shop on Amsterdam Avenue in Harlem. ''Every neighborhood has its own patty shop, and every patty shop has its own recipe.''

Kingston, the capital of Jamaica, is the hotbed of the country's patty wars, with chains of Tastee Patties and Juici Patties battling for dominance.

''I have heard of people making a living buying Tastee Patties by the case in Kingston airport and flying them to Miami, just going back and forth,'' Ronald Patterson said. His favorite patty shop, Buff Patty, carries Royal Caribbean patties, a local commercial product that stood out in our tastings. They are sold nationally under the Caribbean Food Delights label in Costco stores and in other large grocery chains.

Caribbean Food Delights, Tower Isle and Golden Krust, which sells its patties to hundreds of franchisees, are the big players in the market. The companies, which turn out hundreds of thousands of patties a day, are determined to make patties as popular as hamburgers and pizza.

Vincent and Jeanette HoSang, who founded Royal Caribbean, import Scotch bonnets and thyme from Jamaica so their patties will taste the way they do on the island. ''But everyone buys them,'' said their daughter, Sabrina, the bakery's director of operations. ''Not only Jamaicans, but Caucasians and especially Hispanics—a patty is a lot like an empanada.''

Or a lot like a calzone, a samosa or even a knish. But no matter what your roots, the patty travels well. Especially through the streets of New York.

WELCOME TO HIS HOLINESS ARAM I

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. ROYBAL-ALLARD. Mr. Speaker, it gives me great pleasure to join the many Armenian Americans whom I represent in welcoming His Holiness Aram I, Catholicos of the Great House of Cilicia, to California's 34th Congressional District on October 14, 2005. The pontiff is visiting California at the invitation of His Eminence, Archbishop Moushegh Mardirossian of the Western Prelacy of the Armenian Apostolic Church of America.

His Holiness is one of the most prominent Christian leaders in the Middle East and a spiritual leader for hundreds of thousands of Armenians around the world. The pontiff presently serves as the moderator for the World Council of Churches. The World Council of Churches represents over 400 million Christians throughout the globe, and is comprised of more than 340 churches from different cultures and countries. Currently serving his second term, His Holiness is the first Orthodox and the youngest person to be elevated to moderator. As the moderator of the World Council of Churches, the pontiff has led the way to build bridges between people of faith.

On this special day, His Holiness will meet at Los Angeles City Hall with a number of local, State and Federal public officials who represent the nearly 400,000 Armenian Americans who live in and around southern California. His Holiness will also present the main address at a symposium to be held at the University of Southern California that will focus on how Christians respond to violence.

I am confident that when he delivers his address on October 14 entitled, ''Christianity in the Middle East—Challenges Facing Inter-religious Dialogue'' at the Los Angeles World Affairs Council, Armenian Americans and Los Angeles residents will hear a valuable message.

Mr. Speaker, I am proud that His Holiness has included a visit to California's 34th Congressional District during his upcoming visit to

California, The main theme of his pontifical visit, ''Towards the Light of Knowledge'' is a welcome reminder of the powerful role a good education can have in promoting a better and more peaceful world. I know that my colleagues join me in recognizing His Holiness Aram I, a man who has been a strong voice for mutual understanding among religions, cultures and civilizations; a true spiritual leader committed to peace, justice, and human rights.

NATIONAL LATINO AIDS AWARENESS DAY AND THE REAUTHORIZATION OF THE RYAN WHITE CARE ACT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. TOWNS. Mr. Speaker, today I rise to support the National Latino HIV/AIDS Awareness, October 15, 2005. The National Latino HIV/AIDS Awareness Day is a time of national reflection for all Americans affected by HIV/AIDS.

Residents of Brooklyn, NY disproportionately represent newly reported HIV/AIDS cases in the U.S. According to national figures, New York City Latinos account for 7 percent of the U.S. Latino population, but more than 25 percent of the Latino AIDS cases nationwide. Simply put, the City of New York has more Latinos diagnosed with AIDS than Miami and Los Angeles combined.

For nearly 25 years, tremendous strides have been made in developing comprehensive approaches to education, prevention, diagnosis and treatment for those infected by this destructive disease. Yet, far too many people are becoming infected by HIV/AIDS and are without access to quality care.

As we move toward the reauthorization of the Ryan White Care Act, let the National Latino HIV/AIDS Awareness Day provide a time to remember the significant role this key legislation has made in the decline of HIV/AIDS cases throughout this country. Future Ryan White funding levels must be adequate to respond effectively to those who desperately need the medical care, prescription drugs, and key support services these funds provide.

I urge my colleagues of both sides of the aisle to act together to reauthorize and adequately fund the Ryan White CARE Act in a timely manner as we commemorate the goals and ideals of the National Latino HIV/AIDS Awareness Day.

IN HONOR OF SACRAMENTO'S PRESTIGIOUS FIRE DEPARTMENTS

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. MATSUI. Mr. Speaker, I rise in tribute to the men and women of Sacramento Fire Department's Swiftwater Rescue Team and the Sacramento Urban Search and Rescue Team for their tireless and heroic actions in response to Hurricane Katrina. Between the Sacramento Fire Department and the Sacramento Metropolitan Fire District, sixty-one senior level managers, firefighters and rescuers went to the devastated areas in New Orleans and across the Gulf Coast to help those most in need. I ask all my colleagues to join me in honoring and thanking some of our nation's finest first responders.

At the behest of FEMA, senior leaders from both departments were called on to manage the rescue efforts that grew to include hundreds of personnel from across the country. Sacramento Metropolitan Fire District Chief Rick Martinez led an Incident Support Team in Gulfport, Mississippi with Assistant Chief Mike Johnson, Dave Stoddard, Dave Odgers and Hank Linscott. Coordinating rescue efforts in New Orleans from this Incident Support Team was Assistant Chief Ed Vasques, Ford Davies and Larry Hopkins from the Sacramento Fire Department, along with Ron Pierce and Hernando Carson from the Sacramento Metropolitan Fire District.

Sacramento's Swiftwater Rescue Team quickly responded to the tragedy of Hurricane Katrina by immediately flying to New Orleans to assist in the rescue efforts. Trained on the often unpredictable currents of the Sacramento and American Rivers, they quickly adapted to the situation in New Orleans. This team led by Sacramento Fire Department Assistant Chief Jay Bowdler and Battalion Chief Kristi Seargeant included Chris Costamagna, Craig Wiedenhoeft, Michael Bartley, Charley Sprague, Jeff Cooke, Niko King, Brian Morr, Chris Swarbrick, Martin Cordeiro, Sage Peart, Dave Baldwin and Greg Powell.

Once on site, the team worked long days in the flooded city to rescue hundreds of people stuck on rooftops, trapped in their attics and stranded in the streets. Working in challenging and unfriendly conditions—at risk to their own health and safety—these dedicated individuals brought hope and medical care to those most in need.

Members of Sacramento's well praised and highly trained Urban Search and Rescue Team also spent over two weeks working in many severely damaged communities along the Gulf Coast—searching for survivors trapped in their homes and in other buildings where they had sought shelter from the storm. Many on this team had previously responded to crises in Oklahoma City and at the World Trade Center following the terrorist attacks of September 11, 2001. Leading this team was Dave Whitt, a Battalion Commander with the Sacramento Fire Department.

Serving on the Urban Search and Rescue Team from the Sacramento Metropolitan Fire District were Dave Brown, Jeff Metzinger, Kyle Johnson, Mark Wells, Mike McGuirk, Ron Von Allworden, Randy Gross, Mike Daw, Mike Hazlett, Jim Johnson, Chris Anaya, Bob Gorman, Randy Wootton, Tyler Wagaman, Mike Wiggington, Bob Santee and Phil Allen.

Also on this team from the Sacramento Fire Department were Erik Saari, Rick Lee, Teresa Ortenberger, Lisa Stumpf, Doug Ross, Ernie Partridge, Randy Browning, Rodney Tateishi, Micki Anacleto, Scott Williams, Ken Murray, Joe Jackson and Ed Crum. They were joined by Dr. Dennis Gardner, Blake Rothfuss and Mike Kaszpurenko who served as medical and structural support staff. Teresa Ortenberger handled the cadaver dog.

Additionally, Darren Taylor, Scott McKenney and Larry Savage of the Sacramento Metropolitan Fire District headed-up an Incident Logistic Management Team at the Stennis Space Center in Mississippi.

Each of these men and women left their families and loved ones in Sacramento; placing their lives on the line to come to the aid of their fellow citizens from the devastation of Hurricane Katrina. And when Hurricane Rita hit land mere weeks later, many again answered the call for assistance. For their efforts, we owe them our thanks. I am truly honored to represent these renowned individuals and the fire departments they work for in Congress. Once again, I thank the women and men of the Sacramento Fire Department's Swiftwater Rescue Team and the Sacramento Metropolitan Fire District's Urban Search and Rescue Team for their unwavering dedication and service to our country during this tragedy.

THE LIFE AND LEGACY OF JOSEPH H. RAINEY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. RANGEL. Mr. Speaker, I rise today to pay homage to one of the most significant men in my life and in the Congressional history, John H. Rainey, the first African American to serve in the United States House of Representatives and the second Black U.S. Congressman. Without his courage, strength and will to represent the issues and concerns of the once voiceless community of freed slaves, I would not be what and who I am today.

Joseph H. Rainey was born on June 21, 1832 in Georgetown, South Carolina. His parents were both slaves, but his father, Edward, had a successful business as a barber, enabling him to purchase his family's freedom shortly after Joseph Rainey's birth. As an adult, Rainey followed his father by becoming a barber. In 1861, with the outbreak of the American Civil War, Rainey was drafted by the Confederate government to,work on fortifications in Charleston, South Carolina, as well as to work as a laborer on blockade-runner ships. In 1862, he and his wife were able to escape to the West Indies. They settled in St. Georges, Bermuda, where Rainey continued to work as a barber for the duration of the war.

In 1866, following the war's end, Rainey returned to South Carolina. He quickly involved himself in politics, joining the executive committee of the state Republican Party. In 1868, he was a delegate to the convention which wrote the state's new constitution. In 1870, Rainey was elected to the State Senate of South Carolina. Later that year, he was elected to fill a vacancy in the Forty-first Congress of the United States as a Republican. This vacancy had been created when the previous incumbent, B. Franklin Whittemore, was censured by the House for corruption and subsequently re-elected, after which the House refused to seat him. Rainey was seated December 12, 1870 and was re-elected to Congress four times; he served until March 3, 1879, which made him the longest-serving black Congressmen prior to William L. Dawson in the 1950s.

During his term in Congress, Rainey focused on supporting legislation to protect the

civil rights of Southern blacks. This pursuit eventually proved unsuccessful, with the end of Reconstruction effectively meaning that the black electorate lost all political power. In 1876, Rainey won re-election against Democratic candidate John Smythe Richardson;

Richardson however challenged the result as invalid on the grounds of intimidation by federal soldiers and black militias. Two years later, as the opponents of Reconstruction solidified their control over South Carolina politics; Rainey was defeated in a second contest with Richardson.

After leaving Congress, Joseph Rainey was appointed internal-revenue agent of South Carolina. He held this position for two years, after which he began a career in private commerce. Rainey retired in 1886 and died the following year in Georgetown, the city in which he was born.

Joseph H. Rainey set a standard which all U.S. Representatives should seek to emulate. His strength and courage was unparalleled, and his will and commitment to his people, his state and his country were admirable. Thank you, Mr. Rainey for paving the way for African Americans like me in Congress, and for reminding us that we too must continue the fight for true liberty and justice for all.

The Honorable Chaka Fattah, Member of Congress and the Honorable Robert W. Ney, Chairman, the House Fine Arts Board, cordially invite you to the Official Unveiling of the Portrait of the Honorable Joseph H. Rainey, the first African-American to serve in the United States House of Representatives, the Rayburn Foyer, Rayburn House Office Building, Washington, D.C., Wednesday, September 21, 2005, 2:00 p.m.

TRIBUTE TO KKLA–FM CHRISTIAN TALK RADIO

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. ROHRABACHER. Mr. Speaker, I rise today to acknowledge and celebrate the 20th Anniversary of KKLA–FM Christian Talk Radio in Los Angeles, California.

KKLA–FM began broadcasting out of a small studio in North Hollywood on October 15, 1985. The launch of an afternoon drive call-in talk show, ''Live From L.A.,'' in 1986 moved the station into position as the voice of the Southern California Christian community on local and national issues. KKLA–FM was the first station in Los Angeles—and the second in the country—to stream programming live on the Internet, beginning in late 1995.

In the late 1990s, KKLA–FM's success led parent company Salem Communications Corporation to acquire and develop other stations around it in a cluster, including News/Talk 870 KRLA–AM, 95.9 KFSH–FM (The Fish), News/Talk 590 KTIE–AM and 1190 KXMX–AM. Salem Los Angeles, as the cluster is known today, encompasses nearly the entire 5th floor of its Glendale headquarters with 11 studios and production suites, and satellite offices in Orange County and the Inland Empire.

For 20 years, KKLA–FM has provided a place for Southern Californians to tune in and listen to the Christian perspective on national events. Their success is also due to the generosity of their listeners who voluntarily contribute to pay for programming rather than expecting it from the taxpayer. I congratulate them on 2 decades of excellence and look forward to another 20 years of quality Christian talk radio.

CELEBRATING THE 80TH ANNIVERSARY OF ST. ANN CATHOLIC SCHOOL

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. SHAW. Mr. Speaker, I rise today to recognize St. Ann Catholic School on the occasion of its 80th Anniversary.

Located in the heart of downtown West Palm Beach, Florida, St. Ann is the oldest continually active Roman Catholic Church and school in South Florida. Built in 1925, St. Ann is an integral part of a historic campus with four buildings. In 2004, the City of West Palm Beach designated the campus buildings as local historic district. St. Ann has been nominated for listing in the National Register of Historic Places.

Under the leadership of Principal Karen DeMar and Father Seamus Murtagh, St. Ann School provides a wonderful education choice for parents in Palm Beach County. The philosophical basis for the curriculum is the belief that each child is unique and free to develop spiritually, intellectually, physically and socially to the full extent of his or her potential.

St. Ann Catholic School has a diverse population of approximately 300 students, pre-K through eighth grade. Many parents selected the school not only for its curriculum but to be close to their children while they work in the governmental and professional offices in the surrounding neighborhood.

Mr. Speaker, I am pleased to congratulate the families, friends, faculty and staff as they celebrate the 80th Anniversary of St. Ann Catholic School.

TRIBUTE TO THE PUERTO RICAN PANORAMA AND DIEGO CASTELLANOS

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to congratulate the Puerto Rican Panorama and Diego Castellanos.

Puerto Rican Panorama is a weekly television show on 6 ABC, the leading television station in Philadelphia. Although the show is broadcast in English, it deals exclusively with Hispanic issues and Latin culture. Panorama has been on the air uninterrupted since September 1970, making it the world's longest-running TV show of its type thus landing its host, Diego Castellanos, in the Philadelphia Broadcast Pioneers Hall of Fame.

Dr. Castellanos is a native of Puerto Rico who has resided in the Greater Philadelphia area most of his life. He was trained as a journalist at Marquette University in Milwaukee, holds a master's degree from Montclair State University, and earned a doctor's degree in education from Fairleigh Dickinson University. He also graduated from the New Jersey Military Academy and served as a commissioned officer in the New Jersey National Guard. He is a licensed pilot, a published author, has taught at several colleges and universities and has the skilled talent of playing the guitar.

His show, Puerto Rican Panorama, has served not only to inform the Hispanic community of issues that affect their lives, but just as important, to provide an opportunity for the mainstream audience to learn about Latinos and their culture.

Through Dr. Castellanos' hard work and dedication to his career he has been able to share a wonderful culture with many others. In recognition of his years of service to the Latino community I ask that you and my other distinguished colleagues rise to congratulate him.

HONORING THE SPINA BIFIDA ASSOCIATION OF AMERICAN AND COMMEMORATING OCTOBER AS NATIONAL SPINA BIFIDA AWARENESS MONTH

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. BURTON of Indiana. Mr. Speaker, I rise today to pay tribute to the Spina Bifida Association of America (SBAA)—an organization that has helped those living with and affected by this debilitating disease for over 30 years—and recognize the observance of October as National Spina Bifida Awareness Month, and to pay tribute to the more than 250,000 Americans in the Spina Bifida Association of America Community.

Currently, it is estimated that approximately 70,000 people in the United States are living with Spina Bifida, the most common permanently disabling birth defect. For those of my colleagues who may be unfamiliar with this disease, Spina Bifida is the broad term used to describe a series of neural tube defects that occurs in the first month of pregnancy when the spinal column doesn't completely close. In fact, there are three different distinct forms of Spina Bifida, often referred to as Occulta, Meningocele and Myelomeningocele.

The Occulta form of Spina Bifida is often referred to as hidden Spina Bifida, as the spinal cord and the nerves are usually normal and there is no opening on the back. Instead, in this usually harmless form of Spina Bifida, there is a small defect or gap in a few of the small bones (vertebrae) that make up the spine. There may be no motor or sensory impairments evident at birth, but subtle, progressive neurologic deterioration often becomes evident in late childhood or early adulthood.

The Meningocele form of Spina Bifida is when the protective coating covering the spinal cord (meninges) push outward through an open part of the spine like a sac. Cerebrospinal fluid fills the sac, but there is usually no nerve damage. Individuals may suffer minor disabilities at the onset, but new problems can develop later in life. Finally, the Myelomeningocele form of Spina Bifida—the most serious type of Spina Bifida, which causes nerve damage and more severe disabilities—occurs when the meninges and the

spinal nerves both come through an open part of the spine.

While medical science has not yet discovered the exact cause of Spina Bifida—it is a birth defect that can strike anyone—we do know that a woman taking 400 mcg of folic acid whether as part of a multivitamin/drug formula or alone, prior to and in the early weeks of pregnancy, reduces her risk of having a baby with Spina Bifida or another neural tube defect by as much as 70 percent. That is why since February 1996 and at the direction of Food and Drug Administration, all U.S. food manufacturers started adding folic acid to most enriched breads, flours, corn meals, pastas, rice and other grain products to reduce the risk of birth defects in newborns. Following the fortification of cereal grains, the incidences of these types of birth defects decreased by about 20 percent.

However, surveys and research suggest that only about 30 percent of American women consume the daily recommended amount of folic acid. As a result, today in America there are still some 60 million women at risk of having a baby born with Spina Bifida, and everyday, an average of 8 babies are affected by Spina Bifida or a similar birth defect of the brain and spine. Annually, approximately 3,000 pregnancies are affected by these birth defects.

These devastating birth defects cannot be cured, so they must be prevented, and the evidence of folic acid's benefits as a preventative is extremely compelling. The solution is education and awareness. Since 1973, the Spina Bifida Association of America—the nation's only organization solely dedicated to advocating on behalf of the Spina Bifida community—has been leading the charge. Through their almost 60 chapters in more than 125 communities, the SBAA has helped bring thousands of expectant parents together with parents of children who suffer from the disease. This type of one-on-one interaction helps concerned parents get answers to their questions, but most importantly it lends support and gives people essential information and hope. Thanks to SBAA's efforts, millions of people have received vital information about Spina Bifida and how it affects those who live with it; countless women have learned about the importance of taking folic acid prior to pregnancy to reduce the risk of Spina Bifida and other neural tube defects; and, countless individuals afflicted with Spina Bifida have gotten the help they need to live life to its fullest and achieve their full potential.

A very special lady who works with me in my office, Ms. Donna Jones, in fact happens to have Spina Bifida. Since the day she came on board, she has done a great job and helped me understand first-hand the challenge of living with this disease. Ever since I've known her, Donna has always believed that change can come if even one individual believes in themselves and strives to make a difference no matter how hard the challenge. And she has never let the challenge of living with her disease slow her down or stop her from pursuing her dream of making a difference and advocating for persons with disabilities. I was happy to be able to give her the opportunity to come to Washington and try to make her dream a reality; and I have no doubt that because of her tireless efforts to raise awareness of Spina Bifida on Capitol Hill, the incidence of Spina Bifida will decrease and fewer children will have to endure the road she has had to travel.

Even with all the challenges she faces, I have never seen Donna without a smile on her face. She definitely has an infectious love of life, and when the world looks at her it doesn't see a person unobtrusively going through the motions of everyday life, it sees an outspoken, dynamic and active person willing to get involved in the issues that she cares about, particularly those that affect disabled individuals in our country.

I believe that Donna is perhaps the best advocate the Spina Bifida community could have on Capitol Hill because each and every day, she serves as living proof that someone with Spina Bifida need never take a back seat to anyone. I wish more young people in America had the same fire and commitment as Donna. In fact, it is largely thanks to Donna that I became aware of and joined the Congressional Spina Bifida Caucus. I hope that many of my colleagues listening today will also join the Caucus and work to spread awareness and education about this disease. Working together we can do so much to improve the quality of life to those living with Spina Bifida.

Just this past Wednesday, October 5, 2005, the SBAA's held its 17th Annual Gala here in Washington to benefit the Association and its many chapters around the nation. The event was a tremendous success and the funds raised will help the SBAA and its chapters around the country continue the good work they do in preventing more occurrences of this devastating disease, and reducing the suffering of those 70,000 Americans living with Spina Bifida. I firmly believe that we owe SBAA a great debt for what they have accomplished.

In my home State of Indiana, SBAA, the Spina Bifida Association (SBA) of Central Indiana and the SBA of Northern Indiana have formed a collaborative partnership to make a difference in the lives of Hoosier families living with Spina Bifida by helping them meet the challenges and enjoy the rewards of raising their children. In addition, in response to the devastation of the Gulf region of this country by Hurricanes Katrina and Rita, Indiana's Spina Bifida chapters answered the call by participating in the Spina Bifida Hurricane Emergency Life Support Program (SBHELSP). Established by the SBAA, the SBHELSP, assisted in getting vitally needed supplies to victims of the hurricanes and to put displaced families affected by Spina Bifida in touch with others who understand their special needs and can help them. I cannot say enough good things about the hard work, dedication and compassion of the volunteers and staff at all the Indiana chapters of SBAA; I can only thank them on behalf of all Hoosiers for all they have done and all that they will continue to do.

SBAA and its local chapters are making a difference one life at a time. With National Spina Bifida Awareness Month upon us again, I would say to my colleagues in closing that the time for us to start making a difference is now.

CONTINUING APPROPRIATIONS, FISCAL YEAR 2006

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

Mr. LANGEVIN. Mr. Speaker, I rise in opposition to H.J. Res. 68, the Continuing Appropriations Resolution for FY 2006. By funding the government at the lower of the House bill, the Senate bill, or current rate, this continuing resolution would require immediate cuts in programs that address the very problems that America's families are facing this fall—unemployment, education, health care, and emergency preparedness.

Right now, there are 7.4 million unemployed Americans—1.4 million of whom have been jobless for more than 26 weeks. Thousands more are applying for benefits in the wake of Katrina and Rita, yet this bill would cut essential Federal training and employment services below last year's level, including $138 million, or 4 percent, from job training formula grant programs. Just as students are going back to school, this legislation calls for an $800 million cut in education programs. With 45.8 million uninsured Americans, this bill fails to provide necessary assistance to the Community Health Centers that serve these very citizens. In a time when emergency preparedness should be a high priority, the bill cuts Hospital Preparedness Grants by $15 million and Public Health Preparedness Grants by $66 million.

In light of these pressing concerns for all Americans and rising defecits, we must spend our dollars wisely. Yet, we have been presented with a bill that shortchanges the very programs that promise to rebuild our workforce, educate our children and protect the health and well being of our citizens. I urge my colleagues to join me in supporting fiscal responsibility by voting against H.J. Res. 68.

A SPECIAL TRIBUTE TO STARR COMMONWEALTH ON THE OCCASION OF ITS EXPANDED MONTCALM SCHOOL FOR GIRLS

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. GILLMOR. Mr. Speaker, it is my privilege to pay tribute to a special organization in Ohio's Fifth Congressional District. This October, the Montcalm School for Girls at Starr Commonwealth's Van Wert campus celebrates its first anniversary celebration.

Mr. Speaker, Starr Commonwealth has been nationally recognized for serving thousands of children, families and professionals throughout America. For nearly a century, the dedicated staff of Starr Commonwealth has committed themselves to diffusing violence, healing racism and developing positive environments in the children which they serve. With five locations in Michigan and Ohio, Starr Commonwealth operates dozens of programs for troubled youth and their families. By instilling the core values of integrity, excellence, compassion and faith, Starr Commonwealth has been effective at redirecting misdirected children across our nation.

In 1951, Floyd Starr expanded Starr Commonwealth to a campus outside of Van Wert in Ohio's Fifth Congressional District. Staff members at the Van Wert campus help boys with social, emotional and behavioral problems as they attempt to turn their lives around. In addition, the school is celebrating its one-year anniversary of operating the Montcalm School for Girls. The Montcalm School provides residential treatment for young women who have experienced abuse, depression, behavioral or academic problems.

The services provided by Starr Commonwealth and the Montcalm School are good for our children and good for our society. Students who attend the Montcalm School have fallen off the path in life and need our assistance to become productive members of society once again. These students have engaged in activities which warrant our attention but they also possess a passion to be rehabilitated. By attending the Montcalm School, students are provided with a therapeutic environment to allow them to grow as individuals and avoid a life of delinquency. The school boasts a 95 percent success rate and has given back to our society those who had before been forgotten.

Mr. Speaker, it is not everyday that we can recognize programs which provide such an important service to our community as Starr Commonwealth. In Van Wert, citizens of the Fifth District have committed to protecting and rehabilitating our children through the Montcalm School. Mr. Speaker, I ask my colleagues to join me in paying special tribute to Starr Commonwealth for its commitment to a better America. As all who benefit from Starr Commonwealth gather to celebrate the one-year anniversary of the Montcalm School, I am confident that the services provided in Van Wert will continue to better our society into the future.

TRIBUTE TO THE LATE HOWARD BEAVER

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. GRIJALVA. Mr. Speaker, it is with regret and deep sadness that I rise to honor Howard Beaver, a resident of Tucson, AZ, who passed away on October 3, 2005. For over 27 years he sold or rented thousands of musical instruments to Tucson children. I myself bought my first harmonica at his store. He was a pillar of Tucson society, an impassioned musician, beloved husband, father, and grandfather.

Howard Beaver was born in Beaver, AR, and raised in Odessa, TX. He moved to Tucson in 1949 for his freshman year at the University of Arizona, where he received his bachelor's degree in music. He later went on to earn a master's degree from Northern Arizona University.

Howard opened Beaver's Band Box in 1964, a music store where he rented and sold instruments as well as provided music lessons. In 1991 he sold the store to his son, Dan, who then proceeded to open a second Beaver's Band Box.

He was a very dynamic member of the Tucson music community; in 1966 he founded Beaver's Tucson Concert Band, was influential in the beginning of the UA alumni band and was active in many community bands.

Howard's life was filled with music and family, two things that were very important to him. His love of music began early in life, with his first Trombone in seventh or eighth grade, though he would later know how to play them all. The other love of his life was family. He is survived by his wife Liz, five children (Dan, Heidi, Carl, Krista, and Erica) and 15 grandchildren.

TRIBUTE TO HISPANICS ACHIEVING AND CELEBRATING EXCELLENCE

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. MCGOVERN. Mr. Speaker, I rise today to recognize the achievements of Ms. Lucia Alfaro, Ms. Cristina Cartagena, Ms. Amanda Gonzalez, Ms. Genesis Melendez, Ms. Daniela Ortiz Bahamonde, Mr. Esteban Pacheco, Ms. Sylvia Roman, Mr. Enrique Sanchez, Ms. Elizabeth Zamora, Mr. David Hernandez, Ms. Mayra Jara, Mr. Josue Malaver, Ms. Sujeilly Rohena, Ms. Linette Serrano, Mr. Nolberto Alvarenga, Mr. Angel Amarat, Mr. Eric Familia, Mr. Karl Gonzalez, Ms. Makisha Rodriguez, Mr. Cruz Rosado, Mr. Benito Vega, Ms. Katherine Cortes, Ms. Carol Esparza, Mr. Narcisco Fernandez, Mr. Miguel Fuentes, Ms. Jessica Perez, Mr. Eric Sanchez, and Ms. Christina Gonzalez. These fine young people from the city of Worcester have recently been recognized at the annual HACE Youth Awards and Recognition Dinner.

The Hispanics Achieving and Celebrating Excellence Committee, HACE, was created in 1985 by the faculty and staff at Quinsigamond Community College. The goal of HACE is to raise community awareness of the richness of Hispanic culture. The organization recognizes the achievements of young people, provides positive role models, and encourages youths to focus on education. Honorees are nominated by school principals, teachers, coaches, community leaders and agencies. Along with the honor, each student receives a scholarship.

Each year, HACE holds an annual dinner to recognize youth leaders. The honorees from this year's annual dinner, include 28 students from Worcester high schools. These select few have distinguished themselves in five categories: the arts, athletics, academics, community service and/or leadership. This year's honorees will receive a gift in the amount of $200, as an incentive and encouragement to continue along the path of excellence.

Over a span of 20 years, HACE is proud to have given monetary awards totaling over $57,000 in recognition of the achievements each honoree has accomplished.

The committee members who dedicate themselves to coordinating HACE include Ms. Maria Addison, Ms. Olga Lopez-Hill, Mr. John Rodriguez, Mr. Dan de la Torre, Ms. Susan Laprade, Ms. Brenda Safford, Ms. Kirshner Donis, Ms. Viviana Troche, Honorable Harriette Chandler, Ms. Maria Florez, Mr. Javier Salort, Mr. Albert Vasquez, and Ms. Dolly Vazquez.

I am sure all my colleagues and fellow constituents will join me in applauding the accomplishments of these young leaders, and praise HACE for the great service they perform in the city of Worcester.

TRIBUTE TO SERGEANT ANDREW JOSEPH DERRICK

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. WILSON of South Carolina. Mr. Speaker, Sgt. Andrew Joseph Derrick of Columbia, South Carolina died in Baghdad, Iraq on September 25, 2005. I am greatly saddened by his death and humbled by his sacrifice. As citizens throughout our community continue to cope with this tragic loss, my thoughts and prayers will remain with Sgt. Derrick's family, his friends and his fellow service members.

The following obituary was published in The State newspaper on Saturday, October 1, 2005.

Joseph was a loving son, brother and fiance. Known for his positive attitude and playfulness, he was able to uplift the spirits of everyone he encountered. He was a superlative soldier and a man of honor and integrity. As a man of strong Christian faith, he was selfless, giving, kind, tenderhearted and never afraid to share the hope he had in Christ. He now rests in eternal peace with his Savior.

Sgt. Derrick died Sunday, September 25, 2005, while stationed in Baghdad, Iraq. Born in Columbia, he was a son of Suzanne McCormick Shealy and Andrew Carroll ''Butch'' Derrick. He was a 1998 graduate of Marion Military Institute and attended Francis Marion University. While a student at Marion Military Institute, Joseph played and lettered in Varsity football, baseball and basketball. He was named the Class of 1998's ''Best All Round Athlete'' and was named to the State of Alabama's All Star Baseball Team in 1998.

During his military career, Joseph graduated from the Primary Leadership Development Course and was awarded the Bronze Star, the Purple Heart, the Army Achievement Medal (with one Oak Leaf Cluster), the National Defense Service Ribbon, the Iraqi Campaign Medal, the Global War on Terror Medal, the Korean Defense Service medal, the Army Service Ribbon, the Combat Action Badge, the Marksmanship Badge, the Good Conduct Medal, and the Army Commendation Medal.

Surviving are his mother, Suzanne ''Suzy'' McCormick Shealy of Columbia; stepfather, Carey William Shealy of Columbia; brother, William James Shealy of Columbia; sister, Elizabeth Anne Shealy of Columbia; father, Butch Derrick of Columbia and his wife, Deborah R. Derrick; half sister, Chelsea Campbell Derrick and Austin Reid Royal; paternal grandmother, Barbara Jean Shealy of Columbia; maternal aunt and uncle, Mr. and Mrs. L. Stephen Quatannens (Jo Anne) of Campobello, S.C.; Shealy paternal aunt and uncle, Mr. and Mrs. Whitfield Milling Howard (Rebecca) of Surfside Beach, S.C.; paternal uncle, Robert William Derrick of Columbia; paternal aunt, Barbara Rainey of Greensboro, Ga.; first cousins, Mrs. Jamey Scheuch (Andrea), Mrs. Bob Elder (Catherine) and Mr. Kenneth Whitfield Howard; and numerous second cousins. He is also survived by his fiancee, Miss Shaunna Marie Miller of Phoenix, Ariz.

He was predeceased by his uncle, Kenneth James Shealy; grandparents, Samuel James

McCormick, Jr., Marjorie N. McCormick, Marvin Jacob Shealy, Katherine Yates Derrick and Robert Heyward Derrick.

THE OPENING OF THE DE YOUNG MUSEUM

HON. NANCY PELOSI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. PELOSI. Mr. Speaker, it gives me great pleasure to announce the reopening and dedication of the de Young Museum in San Francisco on October 15, 2005. I join with the Mayor and the people of San Francisco in celebrating the new de Young in our vibrant arts community.

Founded in 1895, the de Young Museum has been an integral part of San Francisco's Golden Gate Park for over 100 years. We have the de Young family to thank for establishing this vital center for the arts. M.H. de Young was the driving force behind establishing a permanent home for exhibits featured in the California Midwinter International Exposition of 1894. He set about establishing a diverse and fascinating permanent collection accessible to all San Franciscans that he hoped one day would become ''the pride of the Golden State.''

After sustaining extensive damage in the 1989 Loma Prieta earthquake, the de Young building was closed in 2000 to make way for a new and seismically stable home for the city's treasured art collections. Designed to complement its natural surroundings, the new de Young will allow museum guests and park visitors alike to travel effortlessly from the park's pathways to the museum's entryways and the sculpture and children's gardens surrounding the museum. The new de Young offers twice the exhibition space of the old building, doubles its arts education space and programming in the new Hamon Education Tower and allows access to a third of the museum free of charge.

In addition to showcasing the permanent collection, the new building will mean that the de Young is once again the Bay Area's premier venue for special exhibitions. The de Young will inaugurate its new special exhibition galleries with an ambitious exhibition showcasing objects from Egypt's Golden Age, Hatshepsut: From Queen to Pharaoh.

Over one hundred objects from this period will be on view, including treasures from these conquered territories, ornate royal possessions, and monumental sculptures and reliefs.

Its groundbreaking design will provide a spectacular art habitat for the extensive and diverse collections of the de Young, which will encompass American painting and decorative arts, and arts of the Americas, the Pacific Island, and Africa. The new de Young will present visitors with an exceptional view of the distinctions and connections among the art of different cultures and eras of creativity.

I would also like to recognize the work of Dede Wilsey, President of the Fine Arts Museums of San Francisco's Board of Trustees. Mrs. Wilsey has served as Chairman of the de Young's capital campaign since 1995 and President of the Board of Trustees since 1998. As Chairman of the capital campaign, she has successfully led the museum in securing over $190 million in funding from nearly 7,000 private donors, making the new de Young the largest privately funded cultural gift ever amassed for the City of San Francisco. Mrs. Wilsey mobilized a broad spectrum of support from trustees, museum members, community leaders and elected officials to support and contribute to the new de Young.

Harry S. Parker III, Director for the Fine Arts Museums of San Francisco, has spearheaded the design and collections to be housed in the new de Young. His critical eye, his unwavering commitment, and his distinct understanding of art have brought the de Young to its stature in the world.

The de Young and its sister museum, the Legion of Honor, make up the Fine Arts Museums of San Francisco—the largest public arts institution in the City of San Francisco and one of the largest and most celebrated arts museums in the United States. The Museums remain committed to presenting stellar art collections for San Franciscans and visitors to San Francisco. Today we have a world-class museum, and a national treasure, in our community to share with the world.

THE INTERROGATION PROCEDURES ACT OF 2005

HON. JANE HARMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. HARMAN. Mr. Speaker, last night the Senate passed an amendment to the Defense Appropriations Act that would establish clear guidelines for interrogating prisoners we capture in war zones or counter-terrorism operations.

The amendment was co-sponsored by Sens. MCCAIN, LINDSAY GRAHAM, WARNER, HAGEL, GORDON SMITH, and COLLINS and passed overwhelmingly by a vote of 90–9. Today we are introducing a bill which is identical to the Senate-passed amendment.

Our legislation would clarify that no person may be subject to torture or cruel, inhuman, and degrading treatment—regardless of whether they are Americans, and regardless of whether they are held outside the U.S. (i.e., in Guantanamo Bay).

The legislation would also mandate that all DOD personnel employ only those interrogation techniques that are authorized by the Army Field Manual.

Interrogations are vital to obtaining intelligence in the fight against terrorism. But cruel, inhuman, and degrading treatment violates U.S. treaty obligations and undermines our moral authority. It has also been shown to be ineffective at eliciting actionable intelligence.

Our troops and intelligence personnel have been forced to operate in a ''fog of law''—a patchwork of post 9/11 legal memos and policies that appeared to have condoned cruel, inhuman, and degrading treatment. Our legislation would clarify the rules governing interrogations so that there can be no doubt what conduct is authorized.

Our legislation has been endorsed by a group of 29 retired military officers, including 3 ''four stars''—General Joseph Hoar, General John Shalikashvili, and General Donn Starry. It has also been endorsed by a broad cross-section of civil liberties groups.

There are some complimentary proposals which may be introduced at a later date. But in the meantime, this excellent proposal has momentum and bipartisan support, and we urge the House to support it.

INTRODUCTION OF THE FUEL SAVINGS, SMARTER TRAVEL, EFFICIENT ROADWAYS (FASTER) ACT

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. HOLT. Mr. Speaker, I rise today to introduce legislation that calls on the Secretary of Energy to examine the potential of intelligent transportation systems to conserve fuel and help consumers plan their travel and avoid delays.

Imagine driving to work and having real-time information tell you the best route to save 10 minutes off your commute. Or imagine accessing information on your cell phone that tells you not only when the bus is scheduled to arrive, but also where the bus actually is at any given moment.

In recent years Intelligent Transportation Systems have made significant advancements towards making these ideas a reality. This innovative technology is beginning to alter the transportation sector and has the potential to reduce congestion, increase safety, improve the efficiency of transit and commercial vehicles, and reduce the environmental impact of our growing transportation needs.

However, the potential fuel savings from intelligent transportation systems and the various ways these systems could help consumers plan their travel and avoid delays is not fully known. That is why I have introduced legislation calling on the Secretaries of Energy and Transportation to report on the potential benefits associated with using intelligent transportation systems. My legislation will provide current and future users of these systems with detailed information regarding potential fuel savings, system costs, universal applicability and evaluation of case studies, best practices, and emerging technologies from the private and public sector.

I believe that we need to further examine this exciting new technology and its possible applications. I urge my colleagues to support this legislation.

HONORING THE BIRTHDAY OF CATHERINE GIVENS RIFENBERG

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. HIGGINS. Mr. Speaker, I rise today to honor the birthday of Catherine Givens Rifenberg, born Catherine Hanorah Givens on October 16, 1905 in Holland Center, Ontario, Canada.

Born to Hanorah Kenefick Givens and James Givens, Katherine was the youngest of her six brothers and two sisters: Robert ''Jack,'' James ''Ted,'' Philip, Leo, Albert, Harvey, Mary and Margaret. Catherine and her family faced several tragedies, including the

early death of their mother and the total destruction by fire to their family home. As a result, Catherine was raised by her mother's relatives, the Kenefick family, and remained in Canada through her early teenage years.

As a young adult, Catherine migrated to the United States, settling in Detroit, Michigan with her brother, Albert, and his wife, Ruby, before moving to Niagara Falls, Ontario, Canada to join her sister Mary. Catherine finally moved to Buffalo, New York in the mid 1920's where she continues to live her long, healthy and happy life.

Catherine Givens married Francis Rifenberg in 1930 and the two of them spent the greater part of their adult lives together in the Elmwood Avenue area of Buffalo, an area that Catherine truly loves for its excitement, diversity and warmth of the people. She has resided in the Stuyvesant Apartments for the last twenty years, where she continues to cook her own meals and be amazingly self-sufficient.

Catherine worked as a waitress for over forty-five years in Buffalo. Her genuine love of people and warm and welcoming ways made her a favorite at area restaurants; including, the renowned, historic "Kathryn Lawrence's Tea Room," "Laube's Old Spain" and "The Place Restaurant."

Catherine has kept close contact with her beloved Givens family offspring living in the United States and Canada. Her large family of nieces and nephews and extended family of three generations fondly refer to her as Aunt Kitty. Kitty has enjoyed a friendship of over sixty years with her dear friend Mary Marchese and she will happily tell the world that Dr. Jeremiah O'Sullivan has the answer to all her health care needs.

Catherine Givens Rifenberg, residing in the City of Buffalo, will be celebrating her 100th Birthday on the 16th day of October in the year 2005. I join today with her family and friends from near and far in celebrating this very special occasion.

INTRODUCING A RESOLUTION ON NATIONAL LATINO AIDS AWARENESS DAY

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. SOLIS. Mr. Speaker, I rise today to introduce a resolution supporting the goals and ideals of the 3rd National Latino Aids Awareness Day on October 15, 2005. This is a national day of awareness and prevention against HIV/AIDS in the Latino community.

The epidemic of HIV/AIDS continues to have a deleterious effect on minority communities nationwide. The Latino community has been disproportionately affected by AIDS. According to the latest data and statistics from the Centers for Disease Control and Prevention, Latinos represent 14 percent of the population of the United States but account for 20 percent (over 164,000) of AIDS cases nationally. AIDS-related illnesses represent the fourth leading cause of death among Latinos ages 25 to 44. By the end of 2002, nearly 88,000 Latinos had died with AIDS.

Latino communities face challenges in their fight against HIV/AIDS, including cultural stigma associated with HIV/AIDS, language barriers, lack of access to adequate healthcare, and high poverty levels. 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.

National Latino AIDS Awareness Day salutes the more than 76,000 Latino AIDS survivors in the United States and the efforts of victims, volunteers, and professionals who combat AIDS each day. It also recognizes and applauds national and community organizations for their work in promoting awareness about AIDS, providing information, and offering treatment to those who suffer from the disease. National Latino AIDS Awareness Day is a renewed commitment to ending the spread of HIV/AIDS and ensuring quality of life to those with HIV/AIDS in the Latino community. This day of observance is an important opportunity to bring the community together to focus on the current state of HIV/AIDS in Latino communities across the nation.

I encourage Latinos and all Americans to learn more about HIV/AIDS prevention, testing and treatment. I ask that we remember those who have lost their lives to AIDS, show compassion toward and support for those currently living with the disease, and pray for all families and communities whose lives have been touched in some way. This nation can no longer afford to close its eyes and avoid the impact of HIV/AIDS. Let us commit to eliminating HIV/AIDS, not only in the Latino community, but also from all communities throughout the country and the world. I urge my colleagues to join me in supporting National Latino AIDS Awareness Day.

THREATENED AND ENDANGERED SPECIES RECOVERY ACT OF 2005

SPEECH OF

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 29, 2005

The House in Committee of the Whole House on the State of the Union had under consideration the bill. (H.R. 3824) to amend and reauthorize the Endangered Species Act of 1973 to provide greater results conserving and recovering listed species, and for other purposes:

Mr. GARY G. MILLER of California. Mr. Chairman, I rise in support of H.R. 3824, a bill to bring much-needed reforms to the outdated Endangered Species Act (ESA). While I believe Congress must work to ensure its policies protect and preserve our nation's natural resources and environment, the current interpretation of the ESA has strayed significantly from the original intent of the law and done little to protect our nation's endangered species.

While the ESA has the laudable goal of preventing the extinction of species, the fact is the law is broken and has created an adverse relationship between the government and America's farmers, ranchers, and private property owners. For example, of the 1,304 species that have been listed as endangered over the last 31 years, only 12 have been de-listed, a one percent success rate. Although our understanding of what is required to protect and recover endangered species has grown and become more sophisticated, the ESA has remained a blunt set of mandates that do not reflect or accommodate these advancements. I firmly believe we must allow the states and the federal government to work together to ensure the true intent of the ESA, to help preserve and recover endangered species, can be accomplished.

H.R. 3824, the Threatened and Endangered Species Recovery Act, repairs many of the problems inherent in the ESA by requiring the use of the best scientific data in all listing decisions, replacing the broken critical habitat program with a more integrated recovery planning process, and strengthening the role of states. In addition, this bill makes great strides to ensure regulatory certainty for private property owners by providing compensation for lands vital to species rehabilitation, increasing transparency throughout the process, and encouraging voluntary conservation efforts. These provisions will help ensure that species conservation efforts take a more collaborative and less confrontational approach to protecting endangered species.

Now is the time to modernize the ESA and move forward to update this law to bring it into the 21st century. I urge my colleagues to pass this important measure to ensure the protection and recovery of America's wildlife, while balancing the needs of the communities in which we live and work.

RECOGNIZING THE CONTRIBUTIONS OF GERALD K. SUMIDA

HON. NEIL ABERCROMBIE

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. ABERCROMBIE. Mr. Speaker, I rise today to recognize Gerald K. Sumida as he retires after serving nearly 23 years as Program Director of the Hawaii Senior Companion Program (SCP).

Gerald's career with the Hawaii state government began in July 1975, where he worked in the then Corrections Division and the Adult Services Unit of the then Department of Social Services and Housing. On March 16, 1983, he began his tenure with SCP and has dedicated his time and compassion in helping improve the lives of our beloved kupuna or elders. Under the direction of Gerald, the SCP and the Respite Companion Service Program (RCSP) have gained the recognition and respectability in the aging community.

Through Gerald's guidance the Senior Companion Program has expanded its senior companion services to include Oahu, Hawaii, Maui, Molokai, Lanai, and Kauai. Gerald's tireless efforts have provided Hawaii the opportunity to be continually blessed with two federally funded programs providing much needed services to the frail elderly population. Through Gerald's foresight, the SCP and RCSP have continued to improve the quality of life for thousands of frail elderly individuals, and the RCSP has provided hundreds of its participants the opportunity for unsubsidized employment as "older workers" in today's workforce.

Gerald's gentle and compassionate nature has given many elderly low-income individuals, with limited resources and command of

the English language, hope and encouragement to become productive seniors in the community. He will truly be missed at the Hawaii Senior Companion Program, but I believe that he will remain an active member of the community. Mahalo nui loa for all of your hard work, Gerald! Aloha and Imua!

HONORING HULET HORNBECK

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today to pay tribute to Mr. Hulet Hornbeck, a long-time friend and strong advocate for the East Bay Regional Park District in California, on the occasion of his 86th birthday and the dedication of the Hornbeck Trail at Carquinez Strait Regional Shoreline.

The East Bay Regional Park District is bestowing the honor of naming a segment of the California Hiking and Riding Trail at Carquinez Strait Regional Shoreline in recognition of Hulet's many and significant contributions to the East Bay Regional Park District as well as to the environmental and trails movement throughout the United States.

Hulet Hornbeck, a Contra Costa County resident, has been a leader in the grassroots citizen's movement, which resulted in the annexation of most of Contra Costa County to the East Bay Regional Park District in 1964. He served the East Bay Regional Park District as Chief of Land Acquisition from 1965 through 1985 leading land acquisition efforts during one of the Park District's greatest expansion period. During this time the Park District grew from 8 parks totaling 13,000 acres to 46 parks encompassing 62,000 acres at his retirement in 1985.

During his tenure with the Park District and continuing over the next 20 years, Hulet was a leading force in the initiation of the East Bay Regional Park District's regional trail system as well as being an active volunteer advocate for the acquisition and development of trails locally, nationally and internationally. He has been a life-long conservationist, outdoorsman, and environmentalist who has provided leadership for such organizations as the California Conservation Council, the American Hiking Society, the National Trails Council, the Martinez Land Trust, the Trails and Greenways Foundation, American Trails, Heritage Trails Fund, Amigos de Anza, the California Recreational Trails Committee, the East Bay Area Trails Council, the American Trails Association, Solano County Farmlands and Open Space Foundation, and the San Francisco Bay Chapter of the Sierra Club.

I am pleased to have this opportunity to recognize Hulet Hornbeck for his vision and leadership in providing trails and regional parks throughout Contra Costa County and congratulate him on the occasion of his 86th birthday and the naming of the Hornbeck Trail at Carquinez Strait Regional Shoreline.

TRIBUTE TO THE LATE MIKLÓS VÁSÁRHELYI, HUNGARIAN PATRIOT AND MAN OF PRINCIPLE

TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. LANTOS. Mr. Speaker, I invite my colleagues in the Congress of the United States to join me today in paying tribute to the late Miklós Vásárhelyi, a Hungarian of great courage and integrity who played a critically important role before and during the 1956 Hungarian Revolution, and again in the 1970s and 1980s, in the struggle to transform Hungary from a one-party communist state into a multiparty democracy.

On October 14, Mr. Speaker, members of Miklós Vásárhelyi's family, friends, and admirers will gather in the city that was called Fiume, Hungary, when he was born there on October 9, 1917, and which today is Rijeka, Croatia. They will place a plaque honoring him on the wall of the very house where Mr. Vásárhelyi was born.

Mr. Speaker, I would like to recognize his significant contributions to the cause of freedom and democracy. After university studies in Rome and Debrecen (Hungary), he became involved in anti-Fascist political activities. As a result, he spent two years in a forced labor battalion during World War II, and he joined the anti-Nazi resistance.

From 1953 to 1955, Mr. Vásárhelyi served as press secretary to Hungary's reform-minded Prime Minister, Imre Nagy. In that capacity, he successfully fought for more freedom of the press from central control. During the 1956 Hungarian Revolution, he again assumed a key role in the Imre Nagy government that was established after the uprising broke out. He was one of three high-ranking officials who convinced Prime Minister Nagy to open a dialogue with the freedom fighters.

When the Soviet Union crushed the 1956 Revolution, Mr. Vásárhelyi was one of the senior government officials who with Nagy accepted an offer of asylum at the Yugoslav embassy. They left the embassy under a guarantee of safety by the Hungarian government, but he and the others were immediately seized by Soviet troops and taken to Romania. In a secret trial he was given a five-year prison term, and he remained in prison until an amnesty in 1960.

In the 1970s and 1980s, Miklós Vásárhelyi continued the struggle against repression. Combining courage and personal charm, and maintaining a unique sense of optimism about the future, he was a leader of the democratic opposition that brought immense changes in 1989.

In the late 1980s, Mr. Vásárhelyi was the founder of the Hungarian Open Society Foundation. He was one of the leaders who laid the groundwork for a vibrant civic society in his country.

He not only worked through the Open Society Foundation in Hungary, but he became one of the leading figures in the democratic opposition that began to emerge in the late 1980s. In 1990, a grateful nation elected him to serve in Hungary's free parliament as a reprsesentative of the Association of Free Democrats.

I am pleased to add that Mr. Vásárhelyi was not only a genuine democrat but also a true friend of the United States and of Hungarian-American cooperation.

Mr. Speaker, I welcome the commemorative event that is taking place on October 14 at the house in Rijeka/Fiume where Miklós Vásárhelyi was born. I invite my colleagues to join me in commending his family, friends, and colleagues to celebrate the memory of this quiet, persistent, and effective man who kept faith with his ideals under the most difficult of circumstances.

A RESOLUTION THAT COMMEMORATES THE 40TH ANNIVERSARY OF NOSTRA AETATE

HON. RUSH D. HOLT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. HOLT. Mr. Speaker, earlier this week the Jewish community in the United States and around the world celebrated Rosh Hashanah and the start of the Jewish New Year. With the new year comes a new sense of hope and optimism that anti-Semitism and religious hatred will finally be overcome. October also is the start of the Ramadan and month of fasting for Muslims around the globe.

These events remind us that we need to be accepting and tolerant of all people and their religions. We need also to celebrate our religious diversity. It is essential that we encourage cooperation and dialogue between members of all religions. Interreligious respect is vitally important in the fight against religious bigotry.

Today, I introduced a resolution that commemorates the 40th anniversary of Nostra Aetate, a hallmark declaration by the Catholic Church on religious tolerance and interfaith relations. My resolution also calls for the United States to continue to condemn and combat anti-Semitism and all forms of religious hatred and racial bigotry worldwide.

On October 28, 1965, after an overwhelming vote of 2221 to 88 by the bishops of the Catholic Church, Pope Paul VI issued Nostra Aetate, officially known as the Declaration on the Relationship of the Church to Non-Christian Religions. Nostra Aetate, for the first time in 2,000 years, was an authoritative declaration on Catholic-Jewish relations and also on Catholic-interfaith relations.

Nostra Aetate, "In Our Time" in English, opened the doors for interfaith dialogue and respect between Catholics and Non-Christian religions. It originally began as a declaration on solely Catholic-Jewish relations but was expanded to include Islam, Hinduism, Buddhism, and other traditional religions. The declaration that resulted revolutionized attitudes within the Christian world towards Jews and members of the world's other religions. It was Pope John XXIII who initiated the Second Vatican Council, the event which gave birth to the "Nostra Aetate" declaration, a document that highlighted the Jewish roots of Christianity, in an attempt to repair centuries of hostilities between the two religions.

The 40th anniversary of Nostra Aetate is a time for all people to become reacquainted with its historic importance and to work for even greater religious tolerance and dialogue. In Nostra Aetate the Catholic Church for the first time condemned anti-Semitism and other

forms of religious bigotry. The declaration says that ''no foundation therefore remains for any theory or practice that leads to discrimination between man and man or people and people, so far as their human dignity and the rights flowing from it are concerned.'' It also deplored ''all hatreds, persecutions, displays of anti-Semitism directed against Jews at any time or from any source.''

Over the past 40 years, there have been visible triumphs of the spirit and ideals of Nostra Aetate. Pope John Paul II took the message of Nostra Aetate to heart when he visited a synagogue in Rome in 1986, the first such visit by a Catholic Pope, and again when he visited Israel in 2000. But we need to ensure we carry this message of religious tolerance in our own hearts and in our own daily lives. We cannot sit idly by while anti-Semitic comments are made or other forms of religious bigotry and hate are spewed forth. We must continue to oppose these forms of hatred and support continued interreligious dialogue.

That is why I have introduced this resolution today. My resolution:

Commemorates the 40th anniversary of Nostra Aetate;

Celebrates the historic relationship between Jews, Catholics and other religions worldwide that has resulted;

Expresses the need for continued interreligious dialogue and cooperation between all people of all faiths; and

Condemns anti-Semitism and encourages the United States to be a leader in ending religious intolerance and discrimination worldwide.

Forty years after Nostra Aetate's adoption we have a wonderful opportunity to celebrate the progress that has occurred in religious cooperation and tolerance and remind ourselves of the work that remains to be done. We can, and we must, continue to strive to be a more tolerant people. Our common humanity deserves and demands nothing less.

THE EROSION OF AMERICAN DENTAL HEALTH STANDARDS

HON. CHARLIE NORWOOD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. NORWOOD. Mr. Speaker, when this House passed CAFTA, I objected to provisions that overturn the state licensing standards of doctors and dentists.

I was told that my fears—and those of the American Dental Association—were unfounded.

This, in spite of the fact CAFTA contains clauses that allow foreign dentists to challenge U.S. licensing standards in international tribunals.

Then according to the September 16 San Antonio Express, we had the CDC ''working feverishly'' to allow Mexican dentists to practice in Texas without a Texas Dental license, as part of Hurricane relief efforts. That is so easy to do under NAFTA.

Everyone realizes disaster relief is a unique situation. We must also realize that a precedent is now set—the U.S. Government stating that Mexican health care providers be allowed to circumvent our state licensing standards.

We can fully expect this precedent to be cited in future cases by those CAFTA tribunals.

Now we also have U.S. citizens without dental licenses, without even dental degrees, being allowed to circumvent the state licensing process in Alaska.

The Federal government has decided to overrule the Alaska Board of Dental Examiners, and to instead create a new federal license—a Dental Health Aide license.

According to the September 10 Anchorage Daily News, the Alaska Attorney General has ruled that these new federal regulations preempt state health licensing laws.

This allows dental health aides to practice in Native Health Clinics with licenses granted by the federal Community Health Aide Certification Board instead of the State of Alaska.

We again recognize a unique situation of remote Native villages.

However, as a licensed Dental Surgeon, I can testify to my colleagues that many of the procedures performed by dentists are surgical procedures, which should be performed only by someone who has graduated from an accredited dental school and is licensed to do so by their state.

There is a real need for dental health aides in remote locations for disease prevention and detection services, and coordinating necessary surgical care with a licensed dentist when needed.

The ADA and the Alaska Board of Dental Examiners have supported an expanded role for dental health aides in this limited and properly coordinated capacity.

But once again the Federal government has chosen to disagree and set a new precedent that undermines our historic dental licensing standards.

Mr. Speaker, dental health care quality is now on a very slippery slope as a result of these federal actions.

We need look no further than our southern border to see where this downhill slide will lead if we continue.

In the Mexican border towns, dental care costs less than half of what we pay here in the United States.

But according to travel industry warnings, 60% of those performing dental services are not properly licensed or trained, even by Mexican standards.

Accessing quality care under these eroded licensing conditions is simply a matter of luck of the draw.

In spite of the need to improve the overall American health care system, there is one thing we can all be proud of—we have the highest quality health care in the world.

And here is an awesome fact to consider as to the origins of these unparalleled quality standards.

The Federal government didn't have one darn thing to do with them.

They came entirely from the minds and hearts of physicians and dentists, who wanted to improve the quality of health care delivery and their professions.

They did so in the most appropriate way—through the states.

The licenses to practice medicine and dentistry throughout our Nation's history have been granted virtually exclusively by the States, not the Federal government.

Now the Federal government, which has convoluted and corrupted public health policy in countless instances, wants to slither into licensing—then share the spoils in trade agreements and international tribunals.

No one can doubt that there will be continuing harmonization of standards across many industries with our international trading partners.

But this body needs to resolve that at least in health care, the United States will lead that process, rather than follow.

We should export our standards—the highest, the toughest, the noblest in the world—rather than import incompetence, charlatanism, infection, and death.

Mr. Speaker, we don't need unqualified dental health aides cutting into people in Alaska.

We don't need to accept Mexican and Guatemalan dental licenses in Texas or Georgia, licenses highly likely to have been issued from the nearest false document mill spawned by illegal immigration.

Ironically, this body doesn't really need to do anything, other than keep the bureaucrats of the Federal government and the New World Order out of the way of our 50 sovereign States.

And it's past time we started doing just that.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11173–S11208

Measures Introduced: Twenty-nine bills and three resolutions were introduced, as follows: S. 1826–1854, and S. Res. 268–270. **(See next issue.)**

Department of Defense Appropriations: Senate continued consideration of H.R. 2863, making appropriations for the Department of Defense for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Pages S11174–S11205**

Adopted:

Stevens (for Reed) Modified Amendment No. 1943, to express the sense of the Senate on the transfer of amounts for increased personnel strengths for the Army and the Marine Corps from Additional War-Related Appropriations to the recurring appropriations for fiscal year 2006. **Page S11182**

Stevens (for Mikulski) Amendment No. 1997, to provide that, of the amount made available under title III for the Air Force for other procurement, up to $3,000,000 may be made available for the Laser Marksmanship Training System. **Page S11182**

Stevens (for Levin) Amendment No. 1929, to make available $5,000,000 from Research, Development, Test, and Evaluation, Army, for Medium Tactical Vehicle Modifications. **Page S11186**

Stevens (for Levin) Amendment No. 2000, to provide that the governments of Indian tribes be treated as State and local governments for purposes of the disposition of real property recommended for closure in the report to the President from the Defense Base Closure and Realignment Commission, July 1993. **Page S11186**

Stevens (for Kennedy) Amendment No. 1924, to make available $1,000,000 from Research, Development, Test, and Evaluation, Army, for Integrated Starter/Alternator for Up-Armored High Mobility Multi-Wheeled Vehicles. **Page S11186**

Stevens (for Dayton) Further Modified Amendment No. 1896, to make available up to $60,000,000 for Operation and Maintenance, Defense-wide, for certain childcare services and family assistance centers for members of the Armed Forces and their families, and up to $40,000,000 for the purpose of National Guard counterdrug support activities. **Pages S11185, S11185–88, S11189–90**

Stevens (for Chambliss) Amendment No. 1981, to make available, from funds appropriated for operation and maintenance, Defense-wide, up to $2,000,000 for the establishment, in consultation with the Reach Out and Read National Center, of a pilot project on pediatric early literacy on military installations. **Pages S11194–96**

Stevens Amendment No. 2053, to increase the rate of basic pay for the enlisted member serving as the Senior Enlisted Advisor for the Chairman of the Joint Chiefs of Staff. **Pages S11194–96**

Stevens (for Frist) Amendment No. 2054, to support certain youth organizations, including the Boy Scouts of America and Girl Scouts of America. **Pages S11194–96**

Stevens (for Byrd) Amendment No. 2055, to make appropriations for certain activities related to Hurricane Katrina relief. **Pages S11194–96**

Rejected:

Coburn Amendment No. 2005, to curtail waste under the Department of Defense web-based travel system. (By 65 yeas to 32 nays (Vote No. 253), Senate tabled the amendment.) **Pages S11174, S11182–85**

Pending:

Reed/Hagel Amendment No. 1943, to transfer certain amounts from the supplemental authorizations of appropriations for Iraq, Afghanistan, and the Global War on Terrorism to amounts for Operation and Maintenance, Army, Operation and Maintenance, Marine Corps, Operation and Maintenance, Defense-wide activities, and Military Personnel in order to provide for increased personnel strengths for the Army and the Marine Corps for fiscal year 2006. **Page S11174**

During consideration of this measure today, Senate also took the following action:

Senator Stevens point of order and Senator Dayton's motion to waive relative to Stevens (for Dayton) Modified Amendment No. 1896 (listed above), were both rendered moot when the amendment was further modified and then agreed to. **Page S11190**

A unanimous-consent agreement was reached providing that Senator Santorum be recorded as voting

yea rather than absent, relative to Vote No. 252 on the motion to invoke cloture on the measure, agreed to on October 5, 2005. **Page S11200**

Nominations Received: Senate received the following nominations:

Terrence L. Bracy, of Virginia, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2010.

David Steele Bohigian, of Missouri, to be an Assistant Secretary of Commerce.

Antonio Fratto, of Pennsylvania, to be an Assistant Secretary of the Treasury.

Susan C. Schwab, of Maryland, to be a Deputy United States Trade Representative, with the rank of Ambassador.

Jeffrey Thomas Bergner, of Virginia, to be an Assistant Secretary of State (Legislative Affairs).

Nicholas F. Taubman, of Virginia, to be Ambassador to Romania.

Susan Rasinski McCaw, of Washington, to be Ambassador to the Republic of Austria.

Sarah M. Singleton, of New Mexico, to be a Member of the Board of Directors of the Legal Services Corporation for a term expiring July 13, 2008.

Ron Silver, of New York, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2009.

Judy Van Rest, of Virginia, to be a Member of the Board of Directors of the United States Institute of Peace for a term expiring January 19, 2009.

Eric Nicholas Vitaliano, of New York, to be United States District Judge for the Eastern District of New York.

23 Air Force nominations in the rank of general.

4 Army nominations in the rank of general.

1 Navy nomination in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. **Pages S11206–08**

Messages From the House: **(See next issue.)**

Executive Communications: **(See next issue.)**

Executive Reports of Committees: **(See next issue.)**

Additional Cosponsors: **(See next issue.)**

Statements on Introduced Bills/Resolutions: **(See next issue.)**

Additional Statements: **(See next issue.)**

Amendments Submitted: **(See next issue.)**

Notices of Hearings/Meetings: **(See next issue.)**

Authority for Committees to Meet: **(See next issue.)**

Privilege of the Floor: **(See next issue.)**

Record Votes: One record vote was taken today. (Total—253) **Page S11185**

Recess: Senate convened at 9:30 a.m., and recessed at 1:39 a.m., on Friday, October 7, 2005 and will reconvene at 8:15 a.m. on the same day. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on pages S11205–06.)

Committee Meetings

(Committees not listed did not meet)

MARRIAGE DEVELOPMENT ACCOUNTS

Committee on Appropriations: Subcommittee on District of Columbia concluded a hearing to examine the potential for Marriage Development Accounts, which would allow low-income singles and engaged and married couples in the District of Columbia to set up pre-marriage and marriage development accounts that would match $3 for every $1 invested to use toward buying a home, a child's college education or business start-up, with credit counseling and debt management counseling available to participants, after receiving testimony from District of Columbia Delegate Norton; Ron Haskins, Brookings Institution, Thabiti Anyabwile, Capitol Hill Baptist Church, Colleen Dailey, Capital Area Asset Building Corporation, Curtis Watkins, East Capitol Center for Change, Winston Graham, and Sandra Corley, all of Washington, D.C.; D. Malcolm Smith, Center for Fathers, Families and Workforce Development, Baltimore, Maryland; W. Bradford Wilcox, University of Virginia, Charlottesville; and George Williams, National Center on Fathering, Kansas City, Missouri.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Michael W. Wynne, of Florida, to be Secretary of the Air Force, and Donald C. Winter, of Virginia, to be Secretary of the Navy, after the nominees testified and answered questions in their own behalf.

DEFENSE TRADE: EXON-FLORIO

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the implementation of the Exon-Florio provision by the Committee on Foreign Investment in the United States (CFIUS), which seeks to serve U.S. investment policy through reviews that protect national security while maintaining the credibility of open investment policy, after receiving testimony from Katherine Schinasi, Managing Director, Acquisition and Sourcing Management, and Ann Calvaresi Barr, Director, Industrial Base Issues, both of the Government Accountability Office.

KATRINA'S EFFECTS ON ENERGY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine Hurricanes Katrina and Rita's effects on energy infrastructure and that status of recovery efforts in the Gulf Coast region, after receiving testimony from Red Cavaney, American Petroleum Institute, and Kevin S. Curtis, National Environmental Trust, both of Washington, D.C.; Andrew Liveris, Dow Chemical Company, Midland, Michigan, on behalf of the American Chemistry Council; Christopher A. Helms, NiSource Inc., Merrillville, Indiana, on behalf of the Interstate Natural Gas Association of America; and Curt Hebert, Jr., Entergy Corporation, New Orleans, Louisiana.

WATER BILLS

Committee on Energy and Natural Resources: Subcommittee on Water and Power concluded a hearing to examine S. 1025, to amend the Act entitled "An Act to provide for the construction of the Cheney division, Wichita Federal reclamation project, Kansas" to authorize the Equus Beds Division of the Wichita Project, S. 1498, to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District, S. 1529, to provide for the conveyance of certain Federal land in the city of Yuma, Arizona, S. 1578, to reauthorize the Upper Colorado and San Juan River Basin endangered fish recovery implementation programs, and S. 1760, to authorize early repayment of obligations to the Bureau of Reclamation within Rogue River Valley Irrigation District or within Medford Irrigation District, after receiving testimony from William Rinne, Deputy Commissioner of Reclamation, Department of the Interior; Mayor Larry Nelson, Yuma, Arizona; Jerry Blain, City of Wichita, Water and Sewer Department, Wichita, Kansas; James S. Witwer, Northern Colorado Water Conservancy District, Berthoud; and Tom Blickensderfer, Colorado Department of Natural Resources, Denver.

NOMINATIONS

Committee on Environment and Public Works: Committee ordered favorably reported the nominations of Santanu K. Baruah, of Oregon, to be Assistant Secretary of Commerce for Economic Development, George M. Gray, of Massachusetts, to be an Assistant Administrator of the Environmental Protection Agency, Lyons Gray, of North Carolina, to be Chief Financial Officer, Environmental Protection Agency, H. Dale Hall, of New Mexico, to be Director of the United States Fish and Wildlife Service, Department of the Interior, and Edward McGaffigan, Jr., of Virginia, to be a Member of the Nuclear Regulatory Commission.

KATRINA RECOVERY

Committee on Environment and Public Works: Committee concluded a hearing to examine actions of the Environmental Protection Agency, the Army Corps of Engineers and the Federal Highway Administration relating to Hurricane Katrina recovery efforts, after receiving testimony from J. Richard Capka, Acting Administrator, Federal Highway Administration, Department of Transportation; Lieutenant General Carl A. Strock, Chief of Engineers, U.S. Army Corps of Engineers; Marcus Peacock, Deputy Administrator, Environmental Protection Agency; and John Paul Woodley, Jr., Assistant Secretary of the Army for Civil Works.

TAX POLICY FOLLOWING DISASTERS

Committee on Finance: Committee held a hearing to examine the future of the Gulf Coast, focusing on the use of tax policy to help rebuild businesses and communities and support families after disasters, receiving testimony from former Representative Jack Kemp; John W. Snow, Secretary of the Treasury; Jane G. Gravelle, Senior Specialist in Economic Policy, Congressional Research Service, Library of Congress; Harry Connick, Jr., Habitat for Humanity International, Washington, D.C.; Mississippi State Treasurer Tate Reeves, and Dianne Bolen, Mississippi Home Corporation, both of Jackson; and James R. Kelly, Catholic Charities of the Archdiocese of New Orleans, New Orleans, Louisiana.

Hearing recessed subject to the call.

U.S.-BAHRAIN FREE TRADE AGREEMENT

Committee on Finance: Subcommittee on International Trade held a hearing to examine the United States-Bahrain Free Trade Agreement, receiving testimony from Shaun E. Donnelly, Assistant United States Trade Representative for Europe and the Mediterranean, Office of the United States Trade Representative; Megan Aslaksen, Hewlett-Packard Company, Palo Alto, California; Lionel C. Johnson, Citigroup, Barbara R. Spangler, Wheat Export Trade Education Committee, on behalf of the National Association of Wheat Growers, and U.S. Wheat Associates, Robert C. Baugh, AFL–CIO Industrial Union Council, and David Hamod, National U.S.-Arab Chamber of Commerce, all of Washington, D.C.

Hearing recessed subject to the call.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Jennifer L. Dorn, of Nebraska, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development, who was introduced by Senators Hagel and Dole, and Donald A. Gambatesa, of Virginia, to be Inspector General,

United States Agency for International Development, after the nominees testified and answered questions in their own behalf.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of David B. Dunn, of California, to be Ambassador to the Togolese Republic, Carmen Maria Martinez, of Florida, to be Ambassador to the Republic of Zambia, and Michael R. Arietti, of Connecticut, to be Ambassador to the Republic of Rwanda, after the nominees testified and answered questions in their own behalf.

FEMA

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine Federal Emergency Management Agency (FEMA) status report on recovery efforts in the Gulf States, after receiving testimony from R. David Paulison, Acting Director, Federal Emergency Management Agency, Department of Homeland Security.

DOD LOGISTICS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine the status of the Department of Defense supply chain and logistics, focusing on efforts to improve the Department's business transformation strategy and supply chain management, after receiving testimony from Kenneth J. Krieg, Under Secretary of Defense for Acquisition, Technology, and Logistics; Clay Johnson III, Deputy Director for Management, Office of Management and Budget; and William M. Solis, Director, Defense Capabilities and Management, Government Accountability Office.

FEDERAL LEASED PROPERTY

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security concluded a hearing to examine how the Federal government lease needed space, focusing on Federal real property as a high-risk area and specifically on the government's reliance on costly leased space, after receiving testimony from Mark L. Goldstein, Director, Government Accountability Office; William H. Matthews, Assistant Commissioner, Office of Real Property Asset Management, Public Buildings Service, General Services Administration; and Robert L. Neary, Jr., Acting Chief Facilities Management Officer, Department of Veterans Affairs.

BUSINESS MEETING

Committee on the Judiciary: Committee resumed markup of S. 1088, to establish streamlined procedures for collateral review of mixed petitions, amendments, and defaulted claims, but did not complete action thereon, and recessed subject to call.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Wan J. Kim, of Maryland, to be Assistant Attorney General, Civil Rights Division, who was introduced by Senators Hatch and Lautenberg, Steven G. Bradbury, of Maryland, to be Assistant Attorney General, Office of Legal Counsel, who was introduced by Senator Smith, Sue Ellen Wooldridge, of Virginia, to be Assistant Attorney General, Environment and Natural Resources Division, who was introduced by Representative Lungren, and Thomas O. Barnett, of Virginia, to be Assistant Attorney General, Antitrust Division, who was introduced by Senator Allen, all of the Department of Justice, after the nominees testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 44 public bills, H.R. 3968–4011; and 10 resolutions, H. Con. Res. 259–262; and H. Res. 479–480, 482–485, were introduced. **Pages H8732–34**

Additional Cosponsors: **Pages H8734–36**

Reports Filed: Reports were filed today as follows: 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 (Rept. 109–244, Pt. 1); and

H. Res. 481, 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). **Page H8732**

Speaker: Read a letter from the Speaker wherein he appointed Representative Pence to act as Speaker pro tempore for today. **Page H8649**

Chaplain: The prayer was offered today by Rev. David Kassos, Pastor, First United Methodist Church, Prescott, Arkansas. **Page H8649**

Board of Visitors to the United States Military Academy—Appointment: The Chair announced the Speaker's appointment of Representatives Hinchey and Tauscher to the Board of Visitors to the United States Military Academy. **Page H8652**

United States Holocaust Memorial Council: The Chair announced the Speaker's appointment of Representatives Lantos and Waxman to the United States Holocaust Memorial Council. **Page H8652**

Presidential Message: Read a letter from the President wherein he notified Congress of his 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—referred to the Committee on Armed Services and ordered printed (H. Doc. 109–59). **Pages H8651–52**

Recess: The House recessed at 10:22 a.m. and reconvened at 2:01 p.m. **Page H8652**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Redesignating the Crowne Plaza in Kingston, Jamaica, as the Colin L. Powell Residential Plaza: S. 1413, to redesignate the Crowne Plaza in Kingston, Jamaica, as the Colin L. Powell Residential Plaza; clearing the measure for the President; **Pages H8652–53**

Authorizing the use of the Capitol Grounds for an event to commemorate the 10th Anniversary of the Million Man March: H. Con. Res. 161, to authorize the use of the Capitol Grounds for an event to commemorate the 10th Anniversary of the Million Man March; **Pages H8653–54**

Authorizing 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: 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, by a yea-and-nay vote of 420 yeas with none voting "nay", Roll No. 509; clearing the measure for the President; **Pages H8654–56, H8693–94**

Supporting the goals and ideals of National Campus Safety Awareness Month: H. Res. 15, amended, to support the goals and ideals of National Campus Safety Awareness Month; **Pages H8656–58**

Supporting the goals and ideals of Pancreatic Cancer Awareness Month: H. Res. 276, to support the goals and ideals of Pancreatic Cancer Awareness Month, by a yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 510; **Pages H8658–59, H8694**

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: H. Con. Res. 59, to recognize the contributions of African-American basketball teams and players for their achievements, dedication, and contributions to the sport of basketball and to the Nation; **Pages H8659–62**

Designating the facility of the United States Postal Service located at 201 North 3rd Street in Smithfield, North Carolina, as the "Ava Gardner Post Office": 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"; **Pages H8662–63**

Hurricane Katrina Emergency Housing Act of 2005: H.R. 3894, amended, 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, by a yea-and-nay vote of 418 yeas with none voting "nay", Roll No. 511; **Pages H8663–68, H8694–95**

Agreed to amend the title 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.". **Page H8695**

Rural Housing Hurricane Relief Act of 2005: H.R. 3895, amended, to amend title V of the Housing Act of 1949 to provide rural housing assistance to families affected by Hurricane Katrina, by a yea-and-nay vote of 335 yeas to 81 nays, Roll No. 513; **Pages H8668–70, H8706–07**

Agreed to amend the title 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.". **Page H8707**

Hurricane Katrina Emergency Relief CDBG Flexibility Act of 2005: H.R. 3896, to temporarily suspend, for communities affected by Hurricane Katrina, certain requirements under the community

development block grant program, by a yea-and-nay vote of 415 yeas with none voting "nay", Roll No. 514; **Pages H8670–74, H8707**

Agreed to amend the title 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.". **Page H8707**

Social Security Emergency Relief and Recovery Act of 2005: H.R. 3971, Social Security Emergency Relief and Recovery Act of 2005; and **Pages H8678–83**

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: H. Res. 261, amended, to express 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. **Pages H8683–85**

Agreed to amend the title 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." **Page H8685**

Suspensions—Proceedings Postponed: The House began consideration of the following measure under suspension of the rules. Further consideration will continue tomorrow, October 7th.

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: H. Con. Res 248, to honor 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. **Pages H8674–78**

Department of Homeland Security Appropriations Act, 2006—Conference Report: The House agreed to the conference report to accompany H.R. 2360, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2006, by a yea-and-nay vote of 347 yeas to 70 nays, Roll No. 512; **Pages H8695–H8706**

H. Res. 474, the rule providing for consideration of the conference report, was agreed to by voice vote after agreeing to the previous question. **Pages H8685–93**

Senate Message: Message received from the Senate today appears on page H8649.

Senate Referrals: S. 392 was referred to the Committee on Financial Services and S. 1197 was held at the desk. **Page H8730**

Quorum Calls—Votes: Six yea-and-nay votes developed during the proceedings of today. There were no quorum calls.

Pages H8693–94, H8694, H8695, H8705–06, H8706–07, H8707

Adjournment: The House met at 10 a.m. and adjourned at midnight.

Committee Meetings

HURRICANE KATRINA—OVERSIGHT SUPPLEMENTAL APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on Financial Oversight of Supplemental Appropriations for Hurricane Katrina. Testimony was heard from the following officials of the Department of Homeland Security: Michael P. Jackson, Deputy Secretary; Richard L. Skinner, Inspector General; Andy B. Maner, Chief, Financial Officer; and R. David Paulison, Acting Director, FEMA.

HURRICANE KATRINA—TRANSPORTATION DEPARTMENT

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on Department of Transportation (Hurricane Katrina). Testimony was heard from Norman Mineta, Secretary of Transportation.

AFTER THE HURRICANES: IMPACT ON FY 2007 BUDGET

Committee on the Budget: Held a hearing on After the Hurricanes: Impact on the Fiscal Year 2007 Budget. Testimony was heard from Douglas J. Holtz-Eakin, Director, CBO.

FCC'S E-RATE PLANS—ASSIST GULF COAST RECOVERY

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "FCC's E-rate Plans to Assist Gulf Coast Recovery." Testimony was heard from the following officials of the FCC: Thomas Navin, Chief, Wireline Competition Bureau; and H. Walker Feaster III, Inspector

General; Gary Rawson, State E-rate Coordinator, Department of Information Technology Services, State of Mississippi; and a public witness.

SIX-PARTY TALKS—NORTH KOREAN NUCLEAR ISSUES

Committee on International Relations: Held an oversight hearing entitled ''The Six-Party Talks and the North Korean Nuclear Issues: Old Wine in New Bottles?'' Testimony was heard from Christopher R. Hill, Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State.

INDIA'S UNFINISHED AGENDA

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held an oversight hearing entitled ''India's Unfinished Agenda: Equality and Justice for 200 Million Victims of the Caste System.'' Testimony was heard from public witnesses.

NATURAL GAS PIPELINE PROPERTY—PREVENT DISCRIMINATORY TAXATION

Committee on the Judiciary: Subcommittee on Commercial and Administrative Law held a hearing on H.R. 1369, To prevent certain discriminatory taxation of natural gas pipeline property. Testimony was heard from public witnesses.

OVERSIGHT—IMPROVING FEDERAL COURT ADJUDICATION OF PATENT CASES

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Improving Federal Court Adjudication of Patent Cases. Testimony was heard from T.S. Ellis III, U.S. District Judge, Eastern District of Virginia; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following bills: H.R. 122, Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project; H.R. 2341, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the design, planning, and construction of a project to reclaim and reuse wastewater within and outside of the service area of the City of Austin Water and Wastewater Utility, Texas; H.R. 3418, Central Texas Water Recycling Act of 2005; and H.R. 3929, To amend the Water Desalination Act of 1996 to authorize the Secretary of the Interior to assist in research and development, environmental and feasibility studies, and preliminary engineering for the Municipal Water District of Orange County, California, Dana Point Desalination Project located at Dana Point, California. Testimony was heard from Jack Garner, Acting Deputy Commissioner, Bureau of Reclamation, Department of the Interior; and public witnesses.

GASOLINE FOR AMERICA'S SECURITY ACT

Committee on Rules: Granted, by voice vote, a structured providing one hour of debate in the House on 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, equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce. The rule waives all points of order against consideration of the bill. The rule provides that the amendment in the nature of a substitute recommended by the Committee on Energy and Commerce now printed in the bill, modified by the amendment printed in part A of the Rules Committee report accompanying the resolution, shall be considered as adopted and shall be considered as read. The rule waives all points of order against the bill as amended. The rule makes in order the amendment printed in part B of the Rule Committee report accompanying the resolution, if offered by Representative Stupak of Michigan or his designee, which shall be considered as read, and which shall be debatable for 40 minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against the amendment printed in part B of the report. Finally, the rule provides one motion to recommit with or without instructions. Testimony was heard from Chairman Barton of Texas, Chairman Boehlert and Representatives Peterson of Pennsylvania, Flake, Tiahrt, Gutknecht, Dingell, Stupak, Inslee, Bishop of New York, Abercrombie, Larson of Connecticut, Edwards, and Dicks.

OVERSIGHT—KATRINA RECOVERY ENSURING FEMA IS UP TO THE TASK

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings and Emergency Management held an oversight hearing entitled ''Recovering after Katrina: Ensuring that FEMA is up to the task.'' Testimony was heard from Representative Baker; from the following officials of the Department of Homeland Security: Ken Burris, Chief, Operating Officer, FEMA; and Richard L. Skinner, Inspector General; and public witnesses.

COMMITTEE MEETINGS FOR FRIDAY, OCTOBER 7, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Homeland Security and Governmental Affairs: business meeting to consider the nomination of Julie L. Myers, of Kansas, to be an Assistant Secretary of Homeland Security, and an original bill to repeal the increased micro-purchase threshold, 10 a.m., SD–342.

House

Committee on Agriculture, to consider H.R. 3405, Strengthening the Ownership of Private Property Act of 2005, 10 a.m., 1300 Longworth.

Committee on Energy and Commerce, Subcommittee on Oversight and Investigations, to consider the following: a motion to adopt a bipartisan staff report regarding the E-rate program; and a motion authorizing the issuance of subpoenas for testimony in connection with the Subcommittee's investigation into the health and welfare of jockeys and other workers in the thoroughbred horse-racing industry; followed by a hearing to review GAO's findings and recommendations regarding the Department of Energy's efforts to consolidate Surplus Plutonium Inventories, 9:30 a.m., 2123 Rayburn.

Committee on Homeland Security, to consider pending Committee business, 10 a.m., 311 Cannon.

Committee on International Relations, to mark up the following measures: H.R. 972, Trafficking Victims Protection Reauthorization Act of 2005; H. Con. Res. 252, Expressing the sense of Congress that the Government of the United States should actively support the aspirations of the democratic political and social forces in the Republic of Nicaragua toward an immediate and full restoration of functioning democracy in that country; H. Res. 192, Expressing the sense of the House of Representatives encouraging the active engagement of Americans in world affairs and urging the Secretary of State to take the lead and coordinate with other governmental agencies and non-governmental organizations in creating an online database of international exchange programs and related opportunities; H. Res. 368, Congratulating the State of Israel on the election of Ambassador Dan Gillerman as Vice-President of the 60th United Nations General Assembly; and H. Res. 472, Recognizing the commencement of Ramadan, the Islamic holy month of fasting and spiritual renewal, and commending Muslims in the United States and throughout the world for their faith, 10:30 a.m., 2172 Rayburn.

Committee on Resources, Subcommittee on Forests and Forest Health, oversight hearing entitled ''Restoration after Recent Hurricanes and Other Natural Disasters: Federal Role in Recovery after Catastrophic Events Affecting Forest Lands,'' 9 a.m., 1324 Longworth.

Committee on Science, hearing on NOAA Hurricane Forecasting, 10 a.m., 2318 Rayburn.

Committee on Small Business, hearing entitled ''Small Businesses and Hurricane Katrina: Rebuilding the Economy,'' 10:30 a.m., 2360 Rayburn.

Committee on Ways and Means, Subcommittee on Health, hearing on Gainsharing, 9:30 a.m., 1100 Longworth.

Joint Meetings

Joint Economic Committee: to hold hearings to examine the employment situation for September, 9:30 a.m., 1334 LHOB.

Next Meeting of the SENATE

8:15 a.m., Friday, October 7

Senate Chamber

Program for Friday: Senate will continue consideration of H.R. 2863, Defense Appropriations and Senator Landrieu will be recognized to speak until 9:15 a.m., following the remarks of Senator Frist, to be followed by a vote on final passage of the bill. Also, Senate expects to complete action on the conference report to accompany H.R. 2360, Homeland Security Appropriations.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, October 7

House Chamber

Program for Friday: Consideration of H.R. 3893, Gasoline for America's Security Act of 2005 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Abercrombie, Neil, Hawaii, E2042
Blumenauer, Earl, Ore., E2028
Boehner, John A., Ohio, E2029
Brady, Robert A., Pa., E2038
Brown-Waite, Ginny, Fla., E2027
Burgess, Michael C., Tex., E2011, E2012, E2014, E2016
Burton, Dan, Ind., E2038
Butterfield, G.K., N.C., E2029
Capuano, Michael E., Mass., E2029
Castle, Michael N., Del., E2015
Chabot, Steve, Ohio, E2021
Costa, Jim, Calif., E2032, E2034
Doolittle, John T., Calif., E2024
Eshoo, Anna G., Calif., E2020
Farr, Sam, Calif., E2029
Frank, Barney, Mass., E2018
Gillmor, Paul E., Ohio, E2039
Grijalva, Raúl M., Ariz., E2040
Harman, Jane, Calif., E2041
Hart, Melissa A., Pa., E2012, E2014
Herseth, Stephanie, S.D., E2015
Higgins, Brian, N.Y., E2024, E2041
Holt, Rush D., N.J., E2041, E2043
Kelly, Sue W., N.Y., E2016
Kildee, Dale E., Mich., E2020
Kucinich, Dennis J., Ohio, E2026, E2031, E2033, E2035
Langevin, James R., R.I., E2039
Lee, Barbara, Calif., E2015, E2025
Lipinski, Daniel, Ill., E2011, E2013
Lofgren, Zoe, Calif., E2018, E2032, E2034
McCarthy, Carolyn, N.Y., E2021
McGovern, James P., Mass., E2040
McHenry, Patrick T., N.C., E2026
McKeon, Howard P. ''Buck'', Calif., E2029
Matsui, Doris O., Calif., E2024, E2037
Meehan, Martin T., Mass., E2016
Meek, Kendrick B., Fla., E2011, E2012, E2014
Millender-McDonald, Juanita, Calif., E2032, E2034
Miller, Gary G., Calif., E2042
Miller, George, Calif., E2015, E2043
Moore, Dennis, Kans., E2021
Moore, Gwen, Wisc., E2012, E2013
Musgrave, Marilyn N., Colo., E2011, E2013
Ney, Robert W., Ohio, E2011, E2012, E2014, E2016, E2018, E2021
Norwood, Charlie, Ga., E2044
Nunes, Devin, Calif., E2026
Ortiz, Solomon P., Tex., E2012, E2014
Otter, C.L. ''Butch'', Idaho, E2028
Paul, Ron, Tex., E2031, E2033, E2035
Payne, Donald M., N.J., E2026
Pelosi, Nancy, Calif., E2035, E2041
Platts, Todd Russell, Pa., E2014
Pombo, Richard W., Calif., E2028
Rahall, Nick J., II, W.Va., E2017
Rangel, Charles B., N.Y., E2030, E2033, E2034, E2035, E2037
Rohrabacher, Dana, Calif., E2038
Roybal-Allard, Lucille, Calif., E2036
Sanders, Bernard, Vt., E2015
Saxton, Jim, N.J., E2020
Serrano, José E., N.Y., E2018
Shaw, E. Clay, Jr., Fla., E2038
Solis, Hilda L., Calif., E2042
Stark, Fortney Pete, Calif., E2019
Stupak, Bart, Mich., E2032, E2034
Tancredo, Thomas G., Colo., E2023
Towns, Edolphus, N.Y., E2037
Udall, Mark, Colo., E2027
Udall, Tom, N.M., E2027
Wilson, Joe, S.C., E2040

(Senate proceedings for today will be continued in the next issue of the Record.)

Congressional Record The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through *GPO Access*, a service of the Government Printing Office, free of charge to the user. The online database is updated each day the *Congressional Record* is published. The database includes both text and graphics from the beginning of the 103d Congress, 2d session (January 1994) forward. It is available through *GPO Access* at www.gpo.gov/gpoaccess. Customers can also access this information with WAIS client software, via telnet at swais.access.gpo.gov, or dial-in using communications software and a modem at 202–512–1661. Questions or comments regarding this database or *GPO Access* can be directed to the *GPO Access* User Support Team at: E-Mail: gpoaccess@gpo.gov; Phone 1–888–293–6498 (toll-free), 202–512–1530 (D.C. area); Fax: 202–512–1262. The Team's hours of availability are Monday through Friday, 7:00 a.m. to 5:30 p.m., Eastern Standard Time, except Federal holidays. ¶The *Congressional Record* paper and 24x microfiche edition will be furnished by mail to subscribers, free of postage, at the following prices: paper edition, $252.00 for six months, $503.00 per year, or purchased as follows: less than 200 pages, $10.50; between 200 and 400 pages, $21.00; greater than 400 pages, $31.50, payable in advance; microfiche edition, $146.00 per year, or purchased for $3.00 per issue payable in advance. The semimonthly *Congressional Record Index* may be purchased for the same per issue prices. To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 371954, Pittsburgh, PA 15250–7954, or phone orders to 866–512–1800 (toll free), 202–512–1800 (D.C. area), or fax to 202–512–2250. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Printing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.