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House of Representatives

The House met at 10:30 a.m. and was called to order by the Speaker pro tempore (Mr. PRICE of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
October 18, 2005.

I hereby appoint the Honorable TOM PRICE to act as Speaker pro tempore on this day.

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

MORNING HOUR DEBATES

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

The Chair recognizes the gentleman from Illinois (Mr. EMANUEL) for 5 minutes.

HONORING THE FALLEN IN IRAQ

Mr. EMANUEL. Mr. Speaker, tomorrow will mark the 4-year anniversary of our troops' deployment in Afghanistan. In honor of their service and their memory, Democrats and Republican colleagues of mine have been reading their names, the names of those who have died in Iraq and Afghanistan, into the CONGRESSIONAL RECORD so that our Nation will never forget their sacrifice. Prior to the summer recess, a number of us have read a little over 1,800 of their names into the RECORD. Since that time in July, an additional 188 have fallen. To date, 244 American service men and women have perished in the Afghanistan theater of combat. Additionally, 1,957 members of our armed services and fellow citizens have died fighting in Iraq. We owe these brave men and women and their families a debt of gratitude that can never fully be repaid. At the very least we must pay tribute to our fallen servicemembers.

Staff Sergeant Jefferey J. Farrow
Private Lavena L. Johnson
Sergeant Arthur R. McGill
Corporal Steven P. Gill
Petty Officer Third Class Travis L. Youngblood
Sergeant Bryan James Opskar
Sergeant Jason T. Palmerton
Specialist Jacques Earl ''Gus'' Brunson
Specialist Ernest W. Dallas, Jr.
Staff Sergeant Carl Ray Fuller
Sergeant James Ondra Kinlow
Staff Sergeant Jason W. Montefering
Sergeant Milton M. Monzon, Jr.
Sergeant Christopher J. Taylor
Sergeant John Frank Thomas
Private First Class Ramon A. Villatoro, Jr.
Specialist Adam J. Harting
Staff Sergeant Michael W. Schafer
Specialist Adrian J. Butler
Captain Benjamin D. Jansky
Specialist Edward L. Myers
Specialist John O. Tollefson
Lance Corporal Christopher P. Lyons
Corporal Andre L. Williams
Private Ernesto R. Guerra
Sergeant First Class Victor A. Anderson
Sergeant Jonathon C. Haggin
Staff Sergeant David R. Jones, Sr.
Private First Class Jason D. Scheuerman
Sergeant Ronnie L. ''Rod'' Shelley, Sr.
Private First Class Robert A. Swaney
Specialist James D. Carroll
Corporal Jeffrey A. Boskovitch
Lance Corporal Roger D. Castleberry, Jr.
Sergeant David J. Coullard
Lance Corporal Daniel Nathan Deyarmin, Jr.
Sergeant James R. Graham, III
Lance Corporal Brian P. Montgomery
Sergeant Nathaniel S. Rock
Petty Officer First Class Thomas C. Hull
Staff Sergeant James D. McNaughton
Lance Corporal Timothy Michael Bell, Jr.
Lance Corporal Eric J. Bernholtz
Lance Corporal Nicholas William B. Bloem
Lance Corporal Michael J. Cifuentes
Lance Corporal Christopher Jenkins Dyer
Lance Corporal Grant B. Fraser
Specialist Jerry Lewis Ganey, Jr.
Specialist Mathew V. Gibbs
Sergeant Bradley J. Harper

Over the next couple of weeks, I will continue to read the names until we complete the 188 that have fallen since the summer.

I want to also read the words of then President Franklin Delano Roosevelt: ''Each of these heroes stands in the unbroken line of patriots who have dared to die that freedom might live and grow and increase its blessings.''

Mr. Speaker, it is difficult to read all the names and think of the lives that have been lost in service to our country. My colleagues and I will continue to pay tribute to those who have made the ultimate sacrifice for our Nation. Your Nation thanks you and we will never forget you.

INCREASING DOMESTIC PRODUCTION AND REFINING OF OIL

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

Mr. STEARNS. Mr. Speaker, as summer turns towards winter, the American people will continue to face high

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prices of gasoline and soon will face even higher costs for natural gas. Short of moving to Florida or another warm weather State, the American people are looking to Congress to solve this problem. Recent events such as Hurricanes Katrina and Rita have highlighted a very serious problem with the Nation's crude oil and gasoline supply/demand balance. One way to fix this balance is for the United States to increase its refining and production capacity. No new refinery has been built in the United States in nearly 30 years. Total current capacity at operating refineries is 17 million barrels per day while total U.S. demand is nearly 21 million barrels per day. Therefore, the only way to bridge this gap is to increase the amount of imported refined products from foreign sources. Currently the U.S. imports 7.9 percent of its total refined petroleum products. By 2005, the U.S. is expected to import 10.7 percent of its total.

Mr. Speaker, these staggering numbers further underscore the dire need for new and increased refining capacity in the United States. If not, we will continue to rely on unstable, anti-American governments to meet our growing demand for gasoline. Not only will this situation be a blow to economic growth in this country but it will also represent a serious national security risk for all of us.

Even before Hurricanes Katrina and Rita, a number of market factors contributed to the record high gas prices: An increased demand at home and abroad, political unrest in the Middle East and in Africa and product disruptions contributed to the already tightening supply of crude oil. Until refining capacity and production capacity grow faster than demand, oil markets will remain tight and vulnerable to unforeseen and unpreventable events such as natural disasters. The high cost of gasoline and other fuels has the potential to stifle economic and job growth and is putting a strain on the wallets of American families.

Of course the most efficient way to reduce our dependence on oil and gas is to encourage conservation. Making sure your tires are inflated properly, carpooling and using public transportation are all fast and easy ways to conserve gasoline. In homes, buying energy-efficient appliances and making sure doors and windows are properly sealed are effective ways to conserve. But, Mr. Speaker, these are short-term fixes. Curbing demand is necessary, but in the long term it is not merely enough. We need to increase domestic production of oil. Currently the U.S. imports about 60 percent of all of its oil. The Department of Energy projects this number to increase to 73 percent by the year 2025. In order to ensure reliable and secure supplies of oil, we have no choice but to increase the domestic supply.

One way to increase production is to finally open ANWR to oil and gas exploration in Alaska. The United States Geological Survey estimates that there is between 5.7 and 16 billion barrels of oil that is technically recoverable. This estimate does not take into account that with new technology, the share could become even higher. A resource of this magnitude cannot simply be ignored. ANWR alone would be capable of reversing the decline in U.S. petroleum supply within a decade. It is not a quick fix. There are no quick fixes. But it is the quickest and most reliable option we now have to reverse the decline brought upon us by years of neglect of our domestic capacity.

In addition to gasoline, oil and natural gas play a key role in the homes of all of us. Oil and natural gas help generate the electricity that powers lights, appliances and entertainment systems. They also provide the building block for plastics, resealable food storage containers, and durable appliances and electronics, all of which contribute to a convenient and safe environment for all of us.

In closing, Mr. Speaker, even under the best circumstances, storms like Hurricanes Katrina and Rita would have had a noticeable impact on oil markets. However, at a time of extremely high demand and tight supplies, practically shutting down the United States' largest oil and refining region caused even greater pressure on our oil markets. In order to alleviate this pressure, we must increase our domestic refining capacity and production. If not, gasoline and home heating prices will continue to climb.

REPUBLICAN CORRUPTION AND ITS IMPACT ON AMERICA

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

Mr. PALLONE. Mr. Speaker, at a time when working families are trying to pinch pennies to pay for skyrocketing gas, record high heating bills and ever-increasing health insurance premiums, this is not the time for Washington to ignore the real needs of the American people.

But that is exactly what has happened over the last 5 years under Republican leadership in Congress. Mr. Speaker, a culture of cronyism exists here in Washington unlike anything we have ever seen before. At the White House, we have the President's chief political adviser and the Vice President's chief of staff under investigation for illegally leaking a covert CIA operative's name to reporters. Today we learn that the Vice President himself may also be under investigation in that case. Evidently, according to today's Washington Post, the special prosecutor is assembling evidence that, and I quote, ''Cheney's longstanding tensions with the CIA contributed to the unmasking of operative Valerie Plame.''

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend. Members are reminded to avoid remarks personally offensive to the Vice President.

Mr. PALLONE. Thank you, Mr. Speaker.

Despite the fact that President Bush promised 2 years ago to fire anyone that was involved in the leak, both Karl Rove and Scooter Libby remain on the White House payroll.

And it is just not over at the White House. Here on Capitol Hill, you have the Republican Senate leader under investigation by the SEC for possibly having inside information on stocks that he sold off earlier this year. Over on this side of the Capitol, the Republican majority leader was forced to step down from his leadership post——

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The gentleman will suspend. Members are reminded that they are to avoid personalities toward Senators, as well.

Mr. PALLONE. Okay, Mr. Speaker.

Shortly after the majority leader stepped down, Time Magazine's Jonathan Alter wrote about the majority leader's tenure as majority leader and how the Republican majority leads this House. Alter recalls his first visit with DELAY a decade ago. These are Alter's own words, and I quote: ''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——

PARLIAMENTARY INQUIRY

Mr. STEARNS. Mr. Speaker, a point of order.

The SPEAKER pro tempore. The gentleman will state his point of order.

Mr. STEARNS. Can a Member of Congress intimate as the gentleman from New Jersey is doing about Mr. DELAY in reference to a black book and all the innuendo that he is doing on the House floor? Can he do that?

The SPEAKER pro tempore. Is the gentleman stating an inquiry or making a point of order?

Mr. STEARNS. I am stating an inquiry.

The SPEAKER pro tempore. The gentleman from New Jersey has not yielded for purposes of a parliamentary inquiry.

Mr. PALLONE. Mr. Speaker, I am just reading from Time Magazine, so I do not see why I cannot continue.

As I said, the gentleman from Texas may no longer be the majority leader, but he is still wielding power here in this Chamber and that power is not benefiting the American people. Instead, the actions of the House Republican majority benefit only a small few to the actual detriment of everyday Americans.

Mr. Speaker, it is no wonder that this House only brings legislation to the floor that benefits the wealthiest few in our Nation, because these are the people who are in TOM DELAY's black book. The House Republican leadership has heard that the American people are struggling to afford skyrocketing gas prices, so what do they do? House Republicans pass an energy law this summer that even the Bush administration admits will do nothing to lower gas prices for the American consumer. Instead, the energy law provided billions of dollars in tax breaks for oil and gas companies, and these are companies that are already experiencing record profits.

What about the American people? Well, as Alter explains in the Time Magazine article, they are not in the Republican leadership's black book and so their concerns really don't matter to the Republican leadership.

Mr. Speaker, whether you are in New Jersey or wherever you happen to be, the American people do not like what is happening here in Washington. They see examples of cronyism in every Republican corridor and they want it to stop. The American people want us to get back to addressing their needs and their concerns. It is time for the House Republican leaders to throw away their special interest black books like the one that TOM DELAY has so they can finally listen to the real needs and concerns of ordinary Americans.

IRAQI ELECTIONS

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

Mr. GOHMERT. Saturday was a great day in American history. It was a great day in international history. And for those of us that do not read Time Magazine, it was a great day for democracy.

The Iraqi elections came off Saturday. The results are still coming in. We do not know all that occurred. But there are great things that already can be gleaned from what happened. The Iraqis showed an extraordinary amount of courage. Whereas in America on election day we have people who say, I don't know if I can brave going down and standing in line for 5 or 10 minutes. That may be more than I can handle.

Or, gee, the traffic is kind of heavy today. I don't know if I am going to go vote. I don't know, it looks like it might rain. I may catch the next election.

Not in Iraq. The Iraqis had the opportunity to vote on a constitution. They had an opportunity to vote for governing themselves for the first time in the history of mankind in what many acknowledge to be the cradle of humanity, where mankind began, and they came out and voted.

When I was in Iraq earlier this year, it was after the January elections, and they talked in terms of 8 by 11 flyers that were posted all over the countryside, around the voting areas, that simply said, If You Vote, You Die. Those people that voted knew they were going to have to dip their fingers into permanent blue ink that would be on their fingers for probably a couple or 3 weeks. They knew they could be targets by what they had marked on their fingers. Yet they had the courage to step forward.

Some of the things people do not hear and do not read because not all magazines give you all the facts, but there were many places where Iraqi policemen stepped up to protect the voters. These were not American soldiers. These were not American police. They were Iraqis protecting Iraqis who had developed national pride in what they were trying to accomplish. I did not hear it on any of the media, I certainly did not read it in Time Magazine, but there were a couple of policemen who gave their lives in stepping forward and trying to protect voters. I was told by the Iraqis when I was over there, the voters never got out of line because they realized if they got out of line from voting and ran for cover, those guys that died protecting them while they tried to vote would have died for nothing, much like if we cut and ran from Iraq before this process is finished, then those valiant, brave people whose names we have just heard more of would have died for nothing. Thank God we have a President who is seeing this through to the end.

There was an additional policeman, I was told by Iraqis, who found a suicide bomber in the voting place. He grabbed him, rushed him outside, threw him to the ground, threw himself on top of him and they were both killed in the ensuing explosion. Nobody got out of line, they told me, because they knew that would have meant that the policeman died for nothing. They stayed, they voted, and thank God they have some great days ahead. It is not easy days. It is difficult days. We have got to stay the course.

Some of the headlines I did read, not in magazines necessarily but some of the periodicals said it turned out to be the most peaceful day in months, this preceding Saturday when it was voting day. Only one of Baghdad's 1,200 polling stations came under attack, another article read. The relatively small number of insurgent attacks compared with the last poll may be a sign of how Sunni involvement in politics can complicate matters for insurgent leaders whose aim is to destroy the political process.

Just as evil unimpeded and unobstructed by good people will spread in an insidious way, so will good and democracy spread just like sunlight during the dawn of a new day as it touches more and more land and spreads. That process is in its infancy in the Middle East, but it is a beautiful thing to see occurring and we can thank God and thank those people who have served their country and given their lives.

Here are other comments. Secretary of State Condoleezza Rice said the Sunnis are now invested in this process. There is no political base any longer for this insurgency.

I was told by a former general under Saddam Hussein this past spring in Iraq that if you will just stand behind us in America until we get our constitution voted in, until we have an election under the constitution, you will see violence subside.

We are very grateful for all those who have contributed.

THE GROWING NATIONAL DEBT

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

Mr. COOPER. Mr. Speaker, any day now, the United States of America will have borrowed over $8 trillion. That is not an occasion to celebrate. That is an occasion to be very worried about the future of our country. $8 trillion is a fantastic sum of money. To see how long it is, all those numbers stretched out, just look outside the office of any Blue Dog Member of this Congress and you will see a chart like this, because it will show you that as of today, the debt is $7.989 trillion. That means we are only $11 billion away from passing the $8 trillion threshold.

How quickly are we approaching that threshold? We are borrowing almost $1 billion a day. That means within the next week or two, we will pass the $8 trillion threshold. Of course, much of the money we are borrowing, we are borrowing from foreigners, and increasingly from the Chinese. So all Americans need to be on alert, because this is something that has never happened before in all of American history. We have had ups and downs, we have had the Depression, we have had the Civil War, but we have never been borrowing money at this rate.

Let me put it in historical perspective. It took the first 204 years of our Nation's history to accumulate $1 trillion in debt. And now we are doing that every 2 or 3 years. Our Nation's top accountant, David Walker, of the GAO has said that arguably the year 2004 was the worst year in America's entire fiscal history. Why would our top accountant say something like that? First of all, because he believes it is true, and it is also because this Congress promised $13 trillion worth of new spending in one year, none of which is paid for. Imagine promising $13 trillion and not even beginning to pay for it.

Later this week under a newly resolved Republican majority, they are planning on increasing the amount of reconciliation that we will undertake by some $15 billion. That sounds mighty good on the surface, but that is about 2 weeks' worth of this borrowing. I do not think 2 weeks' worth is going

to be good enough for our kids and grandkids who want to know that we are leaving our Nation stronger than the way we found it. Instead what this Congress is doing and this administration is leaving us weaker than we used to be. There should be more leadership in this body, but with 435 people all contending to represent their districts back home, it is hard to characterize Congress as much more than an organized appetite. That is why our wise Founding Fathers gave us what they thought would be presidential leadership. That is why they gave the President the veto, for example, so that he could take a congressional bill and veto it.

Right now under President George W. Bush, we have the first President since James Garfield in 1881 never to have vetoed a single bill. 1881 was a long time ago. Poor President Garfield was only in office for 6 months. President Bush has been in office for 5 years, without a single veto. So you really have to go back even further than President Garfield to find a President who has accepted every bill that Congress sent him as if it were perfect. For that, to find a President who served two full terms, you have to go back to President John Quincy Adams. You can see his portrait right outside this Chamber. That is not a record to be proud of. Because this Congress needs to be tamed, it needs to be disciplined and the veto is the constitutional power the President has to do that.

But that is not the only power the President has. He also has the power of rescission. Every President since Richard Nixon has had that power. Every President since Richard Nixon has used that power except for President George W. Bush. He has never used the power. Let me give you an example. President Clinton used it 163 times. President Bush, Sr. used it, I think, 400 times. President Reagan used it 600 times, saving billions and billions of dollars of unnecessary spending as they use it. President Bush has never used that power.

IRAQI ELECTIONS

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

Mr. POE. Mr. Speaker, this year in January, I had the honor to go to Iraq for their first elections in history for a democracy. Iraq is where the world began, between the Tigris and Euphrates Rivers. Myself and Congressman CHRIS SHAYS of Connecticut were the two Members of Congress that were in Iraq on election day.

You remember, Mr. Speaker, those were the times when the skeptics and the terrorists said, Oh, there won't be an election. The Iraqis won't do it. They won't go and vote. Yet they did. Sixty-one percent of those people went and voted.

While there, I learned a lot from the Iraqis. I learned, first of all, they are a very proud people, that they are somewhat underestimated about their ability to have and believe in a democracy. I also learned that those people are just like us and all people in the world, because, Mr. Speaker, down in our soul, where we are made, every person has the yearning to be free. The Iraqis are no different than Americans or other peoples in the world.

I also learned, Mr. Speaker, that they will not be intimidated by the terrorists. The terrorists in January told the Iraqis that if they go and vote, they will be killed. They were told that if they were seen with that purple finger, they would be killed. Yet the Iraqis voted. They willingly stuck their finger in that inkwell and stained their finger for several days. I remember here on the House floor where many of us stood when the President of the United States in his State of the Union message talked about those Iraqi people and how we stood defiant as well as those people with our finger in the air, showing that freedom will prevail and rule the day.

Mr. Speaker, this has been an interesting year for the Iraqi people. They started a country in January with their Parliament. They then elected a Prime Minister, a President. They wrote a constitution, they voted on it, and they have all done it in less than 10 months. Remarkable. We sometimes forget history. We forget our own history that it took us 13 years after 1776 to get our Constitution. In fact, only nine States ratified it at first, and the two big ones, New York and Virginia, were late comers to the table. In fact, North Carolina did not ratify it until the next year and Rhode Island took 2 more years to ratify the U.S. Constitution. Not all Americans supported the Constitution. One of my favorite Revolutionary War people, Patrick Henry, did not believe that the new Constitution should be ratified. He believed in a stronger State instead of a Federal Government.

We sometimes forget our own history and we sometimes sell the Iraqi people short as many people have done this year. Those people, the Northeast elites and the west coast Hollywood leftists, said it would not happen, that the Iraqis would not have a government this year. But they did. Maybe those folks seem to be somewhat disappointed that the Sunnis, the Kurds and the Shiites all came to the table and voted for this Constitution. Those Northeast elites and those west coast Hollywood leftists were the same ones who said that we couldn't help Germany and Japan in World War II. We fought those two countries, those two regimes of totalitarian states, but the United States went in and set up democracies in both of those countries. Now those countries are not only free but they are world powers and they are our allies.

And what if it happens? What if Iraq and Afghanistan do the same thing that Germany and Japan did, become world powers, become democracies and, more importantly, become free and our allies?

Mr. Speaker, democracy is the enemy of terrorism and freedom is the enemy of anarchy, and the people are the enemy of dictators. The United States in its history has gone to war numerous times, but we go to war not to conquer but to liberate. We go to war not to enslave but to set free. And so our troops that I met with in January and the troops that are serving there today are serving a purpose in Iraq. I have talked to them and they are proud that they are able to represent the United States and fight the war on terror. But they are also proud of the fact that they are setting up a democracy in that land far, far away.

Mr. Speaker, history will look favorably on our role in Iraq and Afghanistan. History will record what amazing people these Americans were. It will be a good time in history for the United States and the Iraqi people.

Mr. Speaker, freedom once again has ruled the day.

WHITE HOUSE HAS NOT BEEN HONEST WITH AMERICAN PEOPLE ABOUT CIA LEAK

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentlewoman from California (Ms. WATSON) is recognized during morning hour debates for 5 minutes.

Ms. WATSON. Mr. Speaker, for 2 years now, the White House has not leveled with the American people about its involvement in the leaking of a covert CIA operative's name to the press. As a former Ambassador, you have covert agents operating within your authority. To let those names become public could destroy the whole mission.

On October 1, 2003, White House press secretary Scott McClellan was asked about both Karl Rove and Scooter Libby's possible involvement in the leaking of Valerie Plame's identity. Mr. McClellan told reporters that they assured him they were not involved. One month earlier, McClellan told reporters, ''If anyone in this administration was involved in it, they would no longer be in this administration.''

Well, Mr. Speaker, it is clear that both Rove and Libby were involved and yet they both remain in the administration. Does the President forget how serious this issue is? Remember, it was his own father, a former CIA director, who said in 1999 that he had ''nothing but contempt and anger for those who betray the trust by exposing the name of our sources. They are, in my view, the most insidious of traitors.''

Mr. Speaker, it is time the President addresses these negative matters that are infecting all areas of the Republican Party here in Washington.

IRAQI ELECTIONS A PHENOMENAL EVENT

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

Mr. PRICE of Georgia. Mr. Speaker, when I am at home and speaking to groups, I oftentimes ask them, the constituents that I am talking to, have you heard any good news lately on the radio or heard any good news on television or have you read any good news in the newspaper? Most often the silence is deafening.

But we do not have to look far for good news, either here at home or around the world. Much of that good news is directly related to the actions of Americans. That certainly has been true with the outpouring of support and relief for our fellow citizens who have been victims of recent hurricanes and other natural disasters, and this past Saturday the world witnessed not just good news but great news. The election in Iraq this past weekend was a phenomenal event, a remarkable step toward an independent, sovereign, democratic nation. What good news this is.

This is a momentous event, a huge step forward, and toward the approaching day when we will be able to bring home our service men and women.

Did you hear the good news, Mr. Speaker? Listen to some of the voices.

Lieutenant Colonel Steve Boylan in Baghdad said: ''Nationwide security was a resounding success, with all of the 13 recorded attacks aimed at election targets failing.''

Prime Minister Ibrahim al-Jaafari, talking about TV coverage, said: ''I have seen pictures of citizens who are proud to be shown on camera having voted. There were no such pictures from these places in the last election. The victory for Iraq is that they are voting.''

Listen to the voices, Mr. Speaker. Abdul Hussein Ahmed emerged from a polling station in the southern city of Najaf with his purple ink-stained finger raised aloft and he said: ''Five members of my family were killed by Saddam and his people but now with this constitution everyone is equal under the law.''

Listen to the voices, Mr. Speaker. Razifa Hussein Abdullah arrived at the polling station with tears in her eyes. Her husband, Hussein Salim, leaned on her for balance as they walked. They had returned several months ago from exile in Iran where they had fled during the Iran-Iraq war of the eighties. ''We suffered a lot,'' she said, ''and today I came to get revenge for all of these years I stayed away from my country to feel that I am an Iraqi again. It was a dream to get rid of Saddam and today is another dream come true,'' she said.

There is the quote from this poster, Mr. Speaker. Listen to the voices. ''I voted then for Saddam, of course, because I was afraid, but this time I came here by my own choice. I am not afraid anymore. I am a free man.''

Some editorials have finally recognized the importance of this occurrence. The New York Post said, ''The referendum results vindicate U.S. policy and are a giant step toward regional peace.'' The New York Times, yes, the New York Times, said, ''What we know already and can't fail to be impressed by is that large numbers of Iraqis of all persuasions turned out in defiance of terrorist threats to decide their constitutional future. They have exercised a basic democratic right that would have been inconceivable just a few years ago.'' Even the New York Times.

Mr. Speaker, oftentimes we are too close to the happenings of the day to appreciate their gravity and I think we are just a little too close now. This past Saturday was a red letter date in the history of the world, and the naysayers notwithstanding, this is a day and a time to celebrate and congratulate. I am proud to be an American. I am proud of and humbled by the selfless acts by so many of our fellow citizens in Iraq. In the 1800s, de Tocqueville said that America is not good because it is great, it is great because it is good. It is that goodness that continues to strive for liberty for all. What a momentous time we are in as we celebrate and witness that march of liberty around the world.

Mr. Speaker, it is good news. Let's spread that good news.

REPORT OF CONGRESSIONAL DELEGATION TO IRAQ

The SPEAKER pro tempore. Pursuant to the order of the House of January 4, 2005, the gentlewoman from Virginia (Mrs. DRAKE) is recognized during morning hour debates for 5 minutes.

Mrs. DRAKE. Mr. Speaker, I came today to talk about the great privilege I had just 2 weeks ago to lead a congressional delegation to Iraq. It was my very first trip. I did not know what to expect. But as we approached the airport and you could look down, all you saw was very brown, very barren, very flat land. I realized as we were coming into Kuwait City that we had done a very, very poor job as elected leaders to tell the American people what our military men and women are doing in Iraq, why they are doing it, the incredible progress that they are making and the consequences not only to Iraq and to the Middle East, to the U.S. but to the entire world if they were to fail.

Since this was an armed services trip, our mission was to meet with the troops, to meet with their commanders, to learn more about their mission, to see some of the technology that they are able to use to help them, to hear of their successes and to hear of the problems or things that we as Members of Congress could help them with.

The very first person that I met was a young man on that airstrip in Kuwait City as we were waiting to board a C–130. As I was talking to him, he looked up to me and he said, ''Ma'am, don't worry about me. I know what I'm doing and I know why I'm doing it, and I can tell you that there will never be another attack on our nation if I have anything to do with it. So don't worry. Just pray for me.'' And he walked away. What an overwhelming feeling that that was from somebody probably in their very, very early twenties.

That same evening as we had dinner with troops from Virginia, and I would like to take a moment and thank the Peterson Foundation and AT&T who provided us with telephone cards to give to our very brave men and women so that they could call home, but there was a young woman from Virginia who looked me straight in the eye and I already knew this, I had already sensed it and felt it, but she looked at me and said, ''Why aren't our elected leaders telling America what we're doing?'' I had no answer for her, except to make the commitment to her that we would do that.

Please understand that there are very huge successes that have been made in Iraq. We hear the stories, and any story is one too many, about our men and women who are injured or killed by the IEDs. The stories that we do not hear are about how successful our military men and women have been at finding these devices, at exploding them or disarming them before someone is hurt.

We watched the Predator land on film as it has been patrolling around Iraq and certainly been a great asset to the military. We talked about civil things, such as the need for electricity, the talk about blackouts, and what we learned is that, yes, there are blackouts in Iraq but the biggest reason is because of increased demand for electricity. I did not know that Iraqis were out buying TV sets and refrigerators and other appliances and have greatly increased it. I was not aware of the condition that Saddam Hussein put his own country in and that for 6 years prior to this conflict that he was allowing raw sewage from Baghdad to flow into the Tigris River.

During Saddam Hussein's reign, there were no independent TV stations. Today, there are 44. No independent commercial radio stations. Today, there are 72. No independent newspapers and magazines. Today, there are 100. We also do not talk about the huge successes of the Iraqi security force and the fact that we as Americans have turned over 24 fully operational bases to the Iraqi government.

We flew from Baghdad to Balad air base by helicopter. We flew very low and very fast. I was surprised, first of all, to see how green the nation was in that area, and more surprised to see the people who were working those agricultural fields who waved to that helicopter as it went by. When we landed

in Balad, I talked to General Frank Gorenc, who used to be the commander at Langley Air Force Base in Virginia and whom I know, and I said, ''Frank, they're waving at us.'' They laughed and they said, ''Thelma, they always wave at us. They're very glad that we're here.''

I believe that these young men and women who are serving in Iraq are true American heroes. I believe that history will give them a name, just as they named my father's generation during World War II. I do not know what that name will be, but I can assure you that these young men and women understand the threat to our world but they need to know that America supports them and that America understands their mission.

I told them stories from back home about a presentation at Sea World, about what a great job they were doing and about how Americans stood and clapped. And how in Ireland on our way back Marines entered that airport and they stood and clapped.

RECESS

The SPEAKER pro tempore (Mr. PRICE of Georgia). Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 17 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SHIMKUS) at noon.

PRAYER

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

Watchmen over the Nation, awake! Come to attention all you, chosen by the people, to guard and guide the destiny of the Lord's people. Turn to the Lord when it is dark and you cannot read the shifting winds. The Lord will guide you from within and bring to surface your deepest instincts for what is good and where lies lasting justice.

You are stationed at the far corners of this mighty fortress that you may see what the people need. But your centered ground is what binds God's people together and builds security and peace.

As the Constitutional Congress of this Nation, you are the Lord's own watchmen over the Nation. Come now, let us bless the Lord on this new day. Let us act as God's blessing now and forever. 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. AL GREEN) come forward and lead the House in the Pledge of Allegiance.

Mr. AL GREEN of Texas led the Pledge of Allegiance as follows:

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

WELCOMING PRESIDENT PARVANOV TO THE UNITED STATES

(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, as we continue to wage a war against terrorism, I am inspired when I look at a vibrant young democracy that only recently started out on the road to freedom. The country of Bulgaria existed under an oppressive Communist regime for nearly 50 years, but now it serves as a beacon of hope for people throughout the world who seek liberty.

Today, I am honored to welcome Bulgarian President Georgi Parvanov to Capitol Hill. He is a man of great accomplishment and a champion of the Bulgarian Miracle promoting economic success and enhanced security. He has led his country to become a strategically located member of NATO, and is now implementing the reforms to join the European Union.

We appreciate Bulgaria's strong friendship which President Parvanov and President Bush recognized yesterday at the White House as the warmest ever in the history of our diplomatic relations.

Bulgarian Ambassador Elena Poptodorova to Washington has worked professionally with former U.S. Ambassador Jim Pardew and now Ambassador John Beyrle for a mutually beneficial partnership.

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

TEMPORARY PROTECTED STATUS FOR PAKISTANI NATIONALS

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

Mr. AL GREEN of Texas. Mr. Speaker, I rise today to appeal for temporary protective status for Pakistanis who are temporarily in our country. This would allow them, Mr. Speaker, to stay in this country for up to 18 months at a time when their country has experienced a devastating impact from an earthquake.

As we know, millions are homeless, scores of thousands are dead, and millions more are in need of our assistance. Many of the persons who are here temporarily do not have homes to return to. This appeal would allow them to stay in this country until they will have an opportunity to regather themselves and their lives.

Pakistan has been our ally in the war on terrorism. This is the right thing to do for the people who are here, the people of Pakistan, and it is also the right thing to do because it shows the soft side of our power.

FISCAL RESPONSIBILITY

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

Mr. PRICE of Georgia. Mr. Speaker, while all Americans have shown compassion for the victims of recent natural disasters, we must exercise this compassion in a fiscally responsible manner. We in Congress have an obligation to respond to these natural disasters, but we must not give future generations an IOU of billions of dollars that they will have to pay off.

How do we do this? Many of my colleagues have looked for savings and prioritizing programs, and that is a great start and I am sure many more ideas will come forward as we discuss this issue. We must focus our efforts only on spending that which is essential to the American people, just like a family budget. In the past we have reduced spending when needed, and now is such a time. The American taxpayers want Congress to be fiscally responsible.

Mr. Speaker, it is important to compare the government's budget to a family budget, and it is simple: When you spend more in one area, you must find savings in another. My colleagues and I should do just that. Now let us finish the job and show the taxpayers that Congress is able to act as responsibly as they would in their own life.

CALLING FOR A NEW DIRECTION

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

Mr. EMANUEL. Mr. Speaker, I know we are pretty busy, so to catch everybody up here, a few of today's headlines:

''E-mail Show FEMA's Disarray.'' Documents offer a glimpse of communication breakdowns in the Federal response to Katrina.

''Inflation Soars Largest Amount in 15 years.''

''General Motors Health Care Benefit Cut Part Of A Trend.''

''Greenspan says surge in energy prices will act as a drag on economy.''

''States Protest Contributions to the Medicare Drug Plan.'' The Bush administration is requiring States to pay billion of dollars to fund the new prescription drug benefit.

''Vice President Cheney's Office Is A Focus in Leak Case. Sources Cite Role of Feud With the CIA.''

''As of Monday morning, 1,957 U.S. servicemen had died in the war on Iraq.''

Mr. Speaker, these stories serve as a wakeup call for change, or we can continue the same policies that have led us to this direction and this place. America can do better. We need new priorities. In the spirit of Edward R. Murrow, ''Good day, and good luck.''

THE CROPS WERE IN THE FIELDS

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

Mr. POE. Mr. Speaker, when the relentless rain and howling winds of Hurricane Rita hit southeast Texas, the agriculture industry took a beating. Texas rice farmers were already having a tough year because of unpredictable weather, increased fuel and fertilizer costs, and the last thing they needed was a visit from the lady of the gulf. Rita's wrath ravaged rice fields and caused power outages in the mills where harvested rice was being dried. The crops in the field just weeks away from the second harvest took a beating.

Bill Dishman, Jr., a rice farmer in my district, owns a farm in the small town of China, Texas. He figures about one-fourth or more of his second crop, that is the one rice farmers count on to make a profit, was lost. Almost every southeast Texas rice farmer suffered damages from this storm.

Following the storm, I had the opportunity to travel to southeast Texas with Secretary of Agriculture Mike Johanns and assess the damage and speak to the local rice farmers. Their concerns were serious and their outlook was grim. Texas rice farmers like Bill Dishman and Ray Stoesser need to remain on their combines and the rice needs to grow more, and we need more markets like Cuba. These are tense and troubling times. The American rice farmer, Mr. Speaker, is becoming an endangered species.

REPUBLICAN CORRUPTION AND EXTREME BUDGET CUTS

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

Ms. SOLIS. Mr. Speaker, this morning I note that Republicans in Congress have created a culture of corruption and cronyism at the expense of the American public. Instead of helping our senior citizens, students, veterans, and working families that are struggling every single day and see high prices at the gas station and high home heating costs, Republicans are demanding an additional $15 billion in cuts for a budget reconciliation plan. Republicans I understand want to cut the Federal low income heating program known as LIHEAP at a time when families are expected to pay double and triple compared to last year's heating home costs.

Republicans also plan to cut Medicaid and Medicare at a time when the number of people without health insurance has grown to 5 million people in 4 years. Republicans plan to cut higher education when we know that the cost of education and to send our kids to college is more than 20 percent higher than it was a few years ago. Republicans are demanding all these drastic cuts to help pay for the reconstruction of Katrina.

Why aren't we asking the wealthiest people in the country who have been given tax credits and giveaways and somehow make them accountable to help with this?

MORGAN MATLOCK

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

Mr. CONAWAY. Mr. Speaker, I rise today to announce the selection of former Lamesa resident Ms. Morgan Matlock as Miss Texas 2005. She will represent the State of Texas in the 2005 Miss America Pageant.

Although she currently resides in Forth Worth, Texas, Ms. Matlock was born in Lamesa and hails from a long line of Dawson County residents. Morgan is a talented and dedicated young woman and is active in public service. She is a National Task Force leader for the Words Can Heal organization, and she will use her opportunity as Miss Texas to promote putting an end to verbal abuse. She also founded the Hearts Across Texas, a motivational organization for students from kindergarten to 12th grade as a staff member and columnist for Teen Scene and Pageantry Magazine, and a member of the Colleyville Chamber of Commerce.

The Texas values that she has exhibited throughout her community service and career in pageantry are honorable. It is my great privilege to represent her here in Washington. She is a bright example of the difference that one can make when civically oriented. I would like to wish Morgan good luck in the Miss America Pageant and in all her future endeavors. She has made not only District 11 proud, but all of Texas.

REGARDING AMBASSADOR JOE WILSON

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

Mr. INSLEE. Mr. Speaker, Mark Twain once observed that mankind is the only species that feels shame or needs to. That thought crossed my mind when I was reading about this corrupt effort to punish Ambassador Joe Wilson who told the truth and blew the whistle on the administration's misinformation about the Iraq war. Apparently in the grand jury testimony Judith Miller said, ''She agreed to Libby's request to be cited in stories as a 'former Hill staffer,' a rather deceptive description for the Vice President's Chief of Staff.''

Well, the Los Angeles Times got it right. It was deceptive, and there was a reason. Anyone who would participate in any way to punish an American for blowing the whistle on the President's misstatements should feel shame. Obviously, Mr. Libby did feel shame and that is why he hid from the public, or attempted to, that he was actually part of the administration that attempted to punish an American for telling the truth.

We should not wait for the grand jury. This President should root out the corruption and discharge the people responsible for these misdeeds.

ACTIONS SPEAK LOUDER THAN WORDS

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

Mr. PITTS. Mr. Speaker, the SPDC rules Burma with an iron fist. It has prevented the democratically elected leader of the nation from taking power, and nearly 1 million people have been driven from their homes and now live in the jungles hunted like animals by the SPDC military. They are called IDPs, internally displaced people.

I say to the people of Burma: Other human rights issues may get the headlines, but you are not forgotten. We stand with you. We will continue to work with you for as long as it takes to ensure that the people of your nation are able to live in peace and freedom.

On September 21, Assistant Secretary of State Eric John said that the Bush administration led by Ambassador John Bolton will put Burma on the Security Council agenda this month.

This is an important step towards resolving the tragedy in Burma and calling on the SPDC to account for its atrocities. Seventeen years after the formation of the Burma's main opposition party, the NLD, the U.N. is waking up and taking notice of the plight of the Burmese people. I hope the U.N. will act.

CALLING FOR INDEPENDENT COMMISSION REGARDING HURRICANE KATRINA

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

Mr. COSTA. Mr. Speaker, Americans were shocked by our government's response to Hurricane Katrina. They watched as days passed before the people of the gulf coast communities were rescued. Americans rightly wondered, given this poor response to a natural disaster, is our government ready to respond to a terrorist attack?

Americans now deserve the answers, and I believe those answers can best come from an independent commission to both identify what went wrong but, more importantly, to find solutions so that this failed response never happens again.

Mr. Speaker, this Congress shares with the current administration a

weak reputation for oversight. We need only to look back a couple of years to be reminded that it was not Congress nor the White House who demanded an appropriate oversight of 9/11 attacks. Members on the 9/11 Commission have acknowledged it was the families of those lost in the attacks that came to Washington and demanded a thorough review of what went wrong.

□ 1215

Mr. Speaker, do we intend to wait for the people of Mississippi, Louisiana and Texas to march to the Capitol and demand that their administration and their Congress do the right thing and create an independent commission to find out truly how we can best respond in the future?

WISHING NATIONAL REVIEW AND WILLIAM F. BUCKLEY HAPPY BIRTHDAY

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

Mr. STEARNS. Mr. Speaker, 50 years ago a new periodical entered the marketplace in American history. That publication was National Review. Its founder and editor was 29-year-old William F. Buckley. From the beginning, Buckley's magazine stood ''athwart history, yelling 'Stop,' at a time when no one is inclined to do so, or to have much patience with those who so urged it.''

And for 5 decades, it has bravely and effectively espoused conservative values and ideas, with both humor and intelligence. It is no surprise that since its inception, we have seen widespread acceptance of conservative principles like economic freedom, individual responsibility, and traditional values.

Buckley and National Review did much more than ''stand athwart history.'' They helped shape it and America and the world are better for it. I offer a most sincere happy birthday to William Buckley and thank him for his wonderful creation, and I congratulate the family at National Review for 50 years of fine work with hopefully many more years to come.

REPUBLICANS CUT IMPORTANT PROGRAMS

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

Mr. PALLONE. Mr. Speaker, this week House Republicans plan to move ahead with drastic cuts to domestic programs. Republicans say the cuts are necessary to help fund the reconstruction of the gulf coast after Hurricane Katrina.

Mr. Speaker, the programs House Republicans plan to cut this week are the very ones that have helped Americans in the gulf coast begin to pick up the pieces after losing their homes and their jobs. Imagine being injured during the hurricane and not having any access to health coverage because your job simply no longer exists.

The Federal Medicaid program has helped thousands of gulf coast residents with their health care bills over the last month. Now House Republicans are demanding that we cut Medicaid services. I know Republicans will say we need to make these cuts to address the deficit they created; but if Republicans really wanted to address the budget deficit, they would revisit their giant tax breaks for America's millionaires.

We are really helping the wealthiest elite in our Nation when there are so many people struggling from Hurricane Katrina. I cannot believe that the Republican answer to Hurricane Katrina is to cut the programs for the poor.

SPENDING REDUCTIONS

(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, this morning Congress Daily ran a story, ''House GOP drops plans for across-the-board spending cuts.'' At first glance, I was disappointed.

I have authored bills with the gentleman from Virginia (Mr. CANTOR) and the gentleman from Texas (Mr. HENSARLING) to offer across-the-board cuts because they work, and I believe we should have the courage to enact them. But I also know that those across the aisle favor massive spending and absolutely cannot stand across-the-board cuts. And while I am disappointed that we will not take that approach of across-the-board cuts, I am not going to give up on seeing major spending reductions.

Mr. Speaker, I believe the House Republican majority is going to find savings in our spending one way or another, despite opposition from the big spenders.

I want to thank the leadership for making it clear that we expect to see $50 billion in entitlement reductions. It is great progress. While Republicans debate how do we reduce spending and get it under control, our friends on the other side of the aisle are debating how much more can we spend.

Mr. Speaker, they are out of touch with America, but they can still join us in this effort.

PRAISING IRAQI ELECTIONS

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

Ms. FOXX. Mr. Speaker, Saturday was a historic day for democracy in Iraq and a bad day for terrorists. Millions of Iraqis embraced the democratic process and turned out to vote for a new constitution. We will not know the final results until later this week, but the large turnout of voters and the low level of violence are themselves milestones of progress on Iraq's path to democracy. As Prime Minister Ja'afari said, ''The victory for Iraq is that Iraqis are voting.''

More than 60 percent of registered voters turned out in the Sunni majority Ninewah Province compared to 17 percent in January's election. The higher turnout is an important change and a tribute to our political strategy which includes continued outreach to Sunni leaders. Additionally, this strong Sunni participation is evidence of a desire on their part to reject insurgent violence and place their trust in the democratic process.

In addition, we know Saturday's violence did not even come close to the 347 election-day attacks reported in the January election.

Mr. Speaker, Saturday's vote took place 3 years to the day following Saddam Hussein's made-up election in which he won 100 percent of the vote. Taking one more step toward democracy, Iraqis now know what a real election is.

IMMIGRATION REFORM

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

Mr. GINGREY. Mr. Speaker, 3 weeks ago I had the opportunity to meet and discuss the situation on our borders with the members of the Minute Men Project. These dedicated individuals reaffirmed my concerns that illegal immigrants are crossing our borders in record numbers. They fear that any amnesty or free citizenship bill will only reward and entice more illegal immigration. I agree.

Therefore, as Congress moves closer to a substantial debate on immigration reform, it is important that we not consider any guest worker or amnesty proposal until the administration makes a concerted effort to secure our borders and enforce our laws and Congress passes legislation that allows local and State officials to act as immigration deputies.

The situation on our border is not pretty, and it is a problem that Congress must not ignore.

Mr. Speaker, I ask for your help to reform and restore accountability to our immigration laws.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SHIMKUS). 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 later in the day.

ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN IN DEVELOPING COUNTRIES ACT OF 2005

Mr. HYDE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1409) to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes, as amended.

The Clerk read as follows:

H.R. 1409

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 ''Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005''.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) As of July 2004, there were more than 143,000,000 children living in sub-Saharan Africa, Asia, Latin America, and the Caribbean who were identified as orphans, having lost one or both of their parents. Of this number, approximately 16,200,000 children were identified as double orphans, having lost both parents—the vast majority of whom died of AIDS. These children often are disadvantaged in numerous and devastating ways and most households with orphans cannot meet the basic needs of health care, food, clothing, and educational expenses.

(2) It is estimated that 121,000,000 children worldwide do not attend school and that the majority of such children are young girls. According to the United Nations Children's Fund (UNICEF), orphans are less likely to be in school and more likely to be working full time.

(3) School food programs, including take-home rations, in developing countries provide strong incentives for children to remain in school and continue their education. School food programs can reduce short-term hunger, improve cognitive functions, and enhance learning, behavior, and achievement.

(4) Financial barriers, such as school fees and other costs of education, prevent many orphans and other vulnerable children in developing countries from attending school. Providing children with free primary school education, while simultaneously ensuring that adequate resources exist for teacher training and infrastructure, would help more orphans and other vulnerable children obtain a quality education.

(5) The trauma that results from the loss of a parent can trigger behavior problems of aggression or emotional withdrawal and negatively affect a child's performance in school and the child's social relations. Children living in families affected by HIV/AIDS or who have been orphaned by AIDS often face stigmatization and discrimination. Providing culturally appropriate psychosocial support to such children can assist them in successfully accepting and adjusting to their circumstances.

(6) Orphans and other vulnerable children in developing countries routinely are denied their inheritance or encounter difficulties in claiming the land and other property which they have inherited. Even when the inheritance rights of women and children are spelled out in law, such rights are difficult to claim and are seldom enforced. In many countries it is difficult or impossible for a widow, even if she has young children, to claim property after the death of her husband.

(7) The HIV/AIDS pandemic has had a devastating affect on children and is deepening poverty in entire communities and jeopardizing the health, safety, and survival of all children in affected areas.

(8) The HIV/AIDS pandemic has increased the number of orphans worldwide and has exacerbated the poor living conditions of the world's poorest and most vulnerable children. AIDS has created an unprecedented orphan crisis, especially in sub-Saharan Africa, where children have been hardest hit. An estimated 14,000,000 orphans have lost 1 or both parents to AIDS. By 2010, it is estimated that over 25,000,000 children will have been orphaned by AIDS.

(9) Approximately 2,500,000 children under the age of 15 worldwide have HIV/AIDS. Every day another 2,000 children under the age of 15 are infected with HIV. Without treatment, most children born with HIV can expect to die by age two, but with sustained drug treatment through childhood, the chances of long-term survival and a productive adulthood improve dramatically.

(10) Few international development programs specifically target the treatment of children with HIV/AIDS in developing countries. Reasons for this include the perceived low priority of pediatric treatment, a lack of pediatric health care professionals, lack of expertise and experience in pediatric drug dosing and monitoring, the perceived complexity of pediatric treatment, and mistaken beliefs regarding the risks and benefits of pediatric treatment.

(11) Although a number of organizations seek to meet the needs of orphans or other vulnerable children, extended families and local communities continue to be the primary providers of support for such children.

(12) The HIV/AIDS pandemic is placing huge burdens on communities and is leaving many orphans with little support. Alternatives to traditional orphanages, such as community-based resource centers, continue to evolve in response to the massive number of orphans that has resulted from the pandemic.

(13) The AIDS orphans crisis in sub-Saharan Africa has implications for political stability, human welfare, and development that extend far beyond the region, affecting governments and people worldwide, and this crisis requires an accelerated response from the international community.

(14) Although section 403(b) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (22 U.S.C. 7673(b)) establishes the requirement that not less than 10 percent of amounts appropriated for HIV/AIDS assistance for each of fiscal years 2006 through 2008 shall be expended for assistance for orphans and other vulnerable children affected by HIV/AIDS, there is an urgent need to provide assistance to such children prior to 2006.

(15) Numerous United States and indigenous private voluntary organizations, including faith-based organizations, provide assistance to orphans and other vulnerable children in developing countries. Many of these organizations have submitted applications for grants to the Administrator of the United States Agency for International Development to provide increased levels of assistance for orphans and other vulnerable children in developing countries.

(16) Increasing the amount of assistance that is provided by the Administrator of the United States Agency for International Development through United States and indigenous private voluntary organizations, including faith-based organizations, will provide greater protection for orphans and other vulnerable children in developing countries.

(17) It is essential that the United States Government adopt a comprehensive approach for the provision of assistance to orphans and other vulnerable children in developing countries. A comprehensive approach would ensure that important services, such as basic care, psychosocial support, school food programs, increased educational opportunities and employment training and related services, the protection and promotion of inheritance rights for such children, and the treatment of orphans and other vulnerable children with HIV/AIDS, are made more accessible.

(18) Assistance for orphans and other vulnerable children can best be provided by a comprehensive approach of the United States Government that—

(A) ensures that Federal agencies and the private sector coordinate efforts to prevent and eliminate duplication of efforts and waste in the provision of such assistance; and

(B) to the maximum extent possible, focuses on community-based programs that allow orphans and other vulnerable children to remain connected to the traditions and rituals of their families and communities.

SEC. 3. ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN IN DEVELOPING COUNTRIES.

Chapter 1 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) is amended by adding at the end the following section:

''SEC. 135. ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN.

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

''(1) There are more than 143,000,000 orphans living sub-Saharan Africa, Asia, Latin America, and the Caribbean. Of this number, approximately 16,200,000 children have lost both parents.

''(2) The HIV/AIDS pandemic has created an unprecedented orphan crisis, especially in sub-Saharan Africa, where children have been hardest hit. The pandemic is deepening poverty in entire communities, and is jeopardizing the health, safety, and survival of all children in affected countries. It is estimated that 14,000,000 children have lost one or both parents to AIDS.

''(3) The orphans crisis in sub-Saharan Africa has implications for human welfare, development, and political stability that extend far beyond the region, affecting governments and people worldwide.

''(4) Extended families and local communities are struggling to meet the basic needs of orphans and vulnerable children by providing food, health care including treatment of children living with HIV/AIDS, education expenses, and clothing.

''(5) Famines, natural disasters, chronic poverty, ongoing conflicts, and civil wars in developing countries are adversely affecting children in these countries, the vast majority of whom currently do not receive humanitarian assistance or other support from the United States.

''(6) The United States Government administers various assistance programs for orphans and other vulnerable children in developing countries. In order to improve targeting and programming of resources, the United States Agency for International Development should develop methods to adequately track the overall number of orphans and other vulnerable children receiving assistance, the kinds of programs for such children by sector and location, and any other such related data and analysis.

''(7) The United States Agency for International Development should improve its capabilities to deliver assistance to orphans and other vulnerable children in developing countries through partnerships with private volunteer organizations, including community and faith-based organizations.

''(8) The United States Agency for International Development should be the primary

United States Government agency responsible for identifying and assisting orphans and other vulnerable children in developing countries.

''(9) Providing assistance to such children is an important expression of the humanitarian concern and tradition of the people of the United States.

''(b) DEFINITIONS.—In this section:

''(1) AIDS.—The term 'AIDS' has the meaning given the term in section 104A(g)(1) of this Act.

''(2) CHILDREN.—The term 'children' means persons who have not attained 18 years of age.

''(3) HIV/AIDS.—The term 'HIV/AIDS' has the meaning given the term in section 104A(g)(3) of this Act.

''(4) ORPHAN.—The term 'orphan' means a child deprived by death of one or both parents.

''(5) PSYCHOSOCIAL SUPPORT.—The term 'psychosocial support' includes care that addresses the ongoing psychological and social problems that affect individuals, their partners, families, and caregivers in order to alleviate suffering, strengthen social ties and integration, provide emotional support, and promote coping strategies.

''(c) ASSISTANCE.—The President is authorized to provide assistance, including providing such assistance through international or nongovernmental organizations, for programs in developing countries to provide basic care and services for orphans and other vulnerable children. Such programs should provide assistance—

''(1) to support families and communities to mobilize their own resources through the establishment of community-based organizations to provide basic care for orphans and other vulnerable children;

''(2) for school food programs, including the purchase of local or regional foodstuffs where appropriate;

''(3) to increase primary school enrollment through the elimination of school fees, where appropriate, or other barriers to education while ensuring that adequate resources exist for teacher training and infrastructure;

''(4) to provide employment training and related services for orphans and other vulnerable children who are of legal working age;

''(5) to protect and promote the inheritance rights of orphans, other vulnerable children, and widows;

''(6) to provide culturally appropriate psychosocial support to orphans and other vulnerable children; and

''(7) to treat orphans and other vulnerable children with HIV/AIDS through the provision of pharmaceuticals, the recruitment and training of individuals to provide pediatric treatment, and the purchase of pediatric-specific technologies.

''(d) MONITORING AND EVALUATION.—

''(1) ESTABLISHMENT.—To maximize the sustainable development impact of assistance authorized under this section, and pursuant to the strategy required in section 4 of the Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005, the President shall establish a monitoring and evaluation system to measure the effectiveness of United States assistance to orphans and other vulnerable children.

''(2) REQUIREMENTS.—The monitoring and evaluation system shall—

''(A) establish performance goals for the assistance and expresses such goals in an objective and quantifiable form, to the extent feasible;

''(B) establish performance indicators to be used in measuring or assessing the achievement of the performance goals described in subparagraph (A); and

''(C) provide a basis for recommendations for adjustments to the assistance to enhance the impact of assistance.

''(e) SPECIAL ADVISOR FOR ASSISTANCE TO ORPHANS AND VULNERABLE CHILDREN.—

''(1) APPOINTMENT.—

''(A) IN GENERAL.—The Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall appoint a Special Advisor for Assistance to Orphans and Vulnerable Children.

''(B) DELEGATION.—At the discretion of the Secretary of State, the authority to appoint a Special Advisor under subparagraph (A) may be delegated by the Secretary of State to the Administrator of the United States Agency for International Development.

''(2) DUTIES.—The duties of the Special Advisor for Assistance to Orphans and Vulnerable Children shall include the following:

''(A) Coordinate assistance to orphans and other vulnerable children among the various offices, bureaus, and field missions within the United States Agency for International Development.

''(B) Advise the various offices, bureaus, and field missions within the United States Agency for International Development to ensure that programs approved for assistance under this section are consistent with best practices, meet the requirements of this Act, and conform to the strategy outlined in section 4 of the Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005.

''(C) Advise the various offices, bureaus, and field missions within the United States Agency for International Development in developing any component of their annual plan, as it relates to assistance for orphans or other vulnerable children in developing countries, to ensure that each program, project, or activity relating to such assistance is consistent with best practices, meets the requirements of this Act, and conforms to the strategy outlined in section 4 of the Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005.

''(D) Coordinate all United States assistance to orphans and other vulnerable children among United States departments and agencies, including the provision of assistance relating to HIV/AIDS authorized under the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108–25), and the amendments made by such Act (including section 102 of such Act, and the amendments made by such section, relating to the coordination of HIV/AIDS programs).

''(E) Establish priorities that promote the delivery of assistance to the most vulnerable populations of orphans and children, particularly in those countries with a high rate of HIV infection among women.

''(F) Disseminate a collection of best practices to field missions of the United States Agency for International Development to guide the development and implementation of programs to assist orphans and vulnerable children.

''(G) Administer the monitoring and evaluation system established in subsection (d).

''(H) Prepare the annual report required by section 5 of the Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005.

''(f) AUTHORIZATION OF APPROPRIATIONS.—

''(1) IN GENERAL.—There is authorized to be appropriated to the President to carry out this section such sums as may be necessary for each of the fiscal years 2006 and 2007.

''(2) AVAILABILITY OF FUNDS.—Amounts made available under paragraph (1) are authorized to remain available until expended.''.

SEC. 4. STRATEGY OF THE UNITED STATES.

(a) REQUIREMENT FOR STRATEGY.—Not later than 180 days after the date of enactment of this Act, the President shall develop, and transmit to the appropriate congressional committees, a strategy for coordinating, implementing, and monitoring assistance programs for orphans and vulnerable children.

(b) CONSULTATION.—The strategy described in subsection (a) should be developed in consultation with the Special Advisor for Assistance to Orphans and Vulnerable Children (appointed pursuant to section 135(e)(1) of the Foreign Assistance Act of 1961 (as added by section 3 of this Act)) and with employees of the field missions of the United States Agency for International Development to ensure that the strategy—

(1) will not impede the efficiency of implementing assistance programs for orphans and vulnerable children; and

(2) addresses the specific needs of indigenous populations.

(c) CONTENT.—The strategy required by subsection (a) shall include—

(1) the identity of each agency or department of the Federal Government that is providing assistance for orphans and vulnerable children in foreign countries;

(2) a description of the efforts of the head of each such agency or department to coordinate the provision of such assistance with other agencies or departments of the Federal Government or nongovernmental entities;

(3) a description of a coordinated strategy, including coordination with other bilateral and multilateral donors, to provide the assistance authorized in section 135 of the Foreign Assistance Act of 1961, as added by section 3 of this Act;

(4) an analysis of additional coordination mechanisms or procedures that could be implemented to carry out the purposes of such section;

(5) a description of a monitoring system that establishes performance goals for the provision of such assistance and expresses such goals in an objective and quantifiable form, to the extent feasible; and

(6) a description of performance indicators to be used in measuring or assessing the achievement of the performance goals described in paragraph (5).

SEC. 5. ANNUAL REPORT.

(a) REPORT.—Not later than one year after the date on which the President transmits to the appropriate congressional committees the strategy required by section 4(a), and annually thereafter, the President shall transmit to the appropriate congressional committees a report on the implementation of this Act and the amendments made by this Act.

(b) CONTENTS.—The report shall contain the following information for grants, cooperative agreements, contracts, contributions, and other forms of assistance awarded or entered into under section 135 of the Foreign Assistance Act of 1961 (as added by section 3 of this Act):

(1) The amount of funding, the name of recipient organizations, the location of programs and activities, the status of progress of programs and activities, and the estimated number of orphans and other vulnerable children who received direct or indirect assistance under the programs and activities.

(2) The results of the monitoring and evaluation system with respect to assistance for orphans and other vulnerable children.

(3) The percentage of assistance provided in support of orphans or other vulnerable children affected by HIV/AIDS.

(4) Any other appropriate information relating to the needs of orphans and other vulnerable children in developing countries that

could be addressed through the provision of assistance authorized in section 135 of the Foreign Assistance Act of 1961, as added by section 3 of this Act, or under any other provision of law.

SEC. 6. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.

In this Act, the term ''appropriate congressional committees'' means the Committee on Appropriations and the Committee on Foreign Relations of the Senate and the Committee on Appropriations and the Committee on International Relations of the House of Representatives.

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

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

GENERAL LEAVE

Mr. HYDE. 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 under consideration.

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

There was no objection.

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

Mr. Speaker, over 140 million children living in sub-Saharan Africa, Asia, Latin America, and the Caribbean have lost a parent resulting from conflict and disease, undercutting their already difficult struggle to cope with basic needs such as health care, food, clothing, and education.

The situation is even more dire for 16 million of these children who have lost both parents, the vast majority of whom had their lives taken by AIDS. Many of these surviving children themselves are living with HIV/AIDS and are doing so alone.

The size and scope of the problems facing orphans and vulnerable children in the developing world is daunting. The United States provides significant levels of assistance through the good work of the United States Agency For International Development and other U.S. agencies to provide much-needed help to these children. However, these children deserve the best effort of the United States, and the American people expect the same. We can do better.

American aid to help these children is provided by a patchwork of programs from various offices within USAID and across U.S. agencies with little overall coordination. H.R. 1409 will increase the coherence and cohesion, as well as the effectiveness, of our multifaceted approach without disrupting the flow of aid to help these children through existing mechanisms.

This legislation requires the Secretary of State to designate a senior officer, likely within USAID, to be a special adviser for assisting orphans and vulnerable children. This special adviser will ensure that our various assistance streams within our government will be complementary to each other, that aid strategies developed in Washington and our field missions are informed with the best data, analysis, and practices to help these children, and that someone in our government is conducting regular monitoring and evaluation of our efforts so we can continually improve the effectiveness of these programs.

This legislation does not construct costly new bureaucratic structures such as a new office, nor does it expand personnel requirements to accomplish these tasks. There are already sufficient numbers of people and programs. Rather, we expect that the new special adviser will be drawn from existing ranks, someone who is already familiar with and working on these issues and can be dual-hatted in these responsibilities.

In the last Congress we passed a previous version of this bill to help orphans and vulnerable children. Unfortunately, the Senate did not follow our lead. This time the Senate is already working on a bill identical to H.R. 1409, so we are hopeful that the passage of this bill today in the House will result in its being enacted into law very soon.

Finally, I would like to acknowledge the tireless work of the gentlewoman from California (Ms. LEE) and her staff for working to maintain momentum for this important legislation and bringing it to a vote today. I strongly urge my colleagues to vote in favor of H.R. 1409.

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

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

Mr. Speaker, I rise in strong support of this legislation, and I would first like to thank the chairman of the Committee on International Relations, the gentleman from Illinois (Mr. HYDE), for his hard work and long-standing advocacy for orphans and vulnerable children, particularly those affected by HIV/AIDS. I also want to congratulate the outstanding efforts of the sponsor of this legislation, my neighbor, friend and colleague from the San Francisco Bay area, the gentlewoman from California (Ms. LEE).

Mr. Speaker, the world faces an insidious and horrifying threat to human life in the form of HIV/AIDS. This deadly pandemic has left millions of men and women in its wake, but they are not its only victims.

Mr. Speaker, a child is orphaned by HIV/AIDS every 14 seconds. Let me repeat this staggering statistic: every 14 seconds a child is orphaned by HIV/AIDS.

Today, by passing this legislation, we take a step to help relieve the world's orphans and vulnerable children of the suffering they endure at such alarming rates. As of midyear 2004, there were over 15 million children worldwide who were identified as orphans, more than 12 million of whom live in Africa. We expect by the year 2010 this figure will climb to 25 million children.

Mr. Speaker, that means that in 5 years there will be more HIV/AIDS orphans than the combined population of 18 of our States. Alaska, Delaware, Hawaii, Idaho, Kansas, Maine, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Dakota, Rhode Island, South Dakota, Utah, Vermont, West Virginia, and Wyoming have a combined population which will equal the number of HIV/AIDS orphans. Our government has made a global commitment to combating HIV/AIDS.

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Now we must provide international leadership and do our share to highlight the suffering of children and bring hope to the world's future generations.

This bill is limited in scope, but it does represent our political will and our moral determination to wage battle against child misery in the developing world. I recognize of course that our agencies on the frontlines of this disease are already doing a great deal to aid poor children. However, this effort needs to be coordinated and brought to the attention of leaders in the Congress and around the world.

The legislation we are considering is important because it designates a Special Adviser to coordinate and support all of our efforts to protect orphaned and vulnerable children in poor, developing countries. The legislation will promote accountability for U.S. dollars that are given to programs to help orphans.

Mr. Speaker, our legislation will ensure that donor nations do not constantly reinvent the wheel as aid is provided to orphans in the developing world. The Special Adviser created by this legislation will spread aggressively best practices in assisting orphans to aid agencies and foreign governments around the world.

The orphans of HIV/AIDS around the globe are among the most vulnerable people on our planet. If we care for them, we can overcome this crisis and turn the tide against AIDS and the ravages of poverty.

I urge all of my colleagues to vote in support of this bill.

Mr. Speaker, I yield 7 minutes to the gentlewoman from California (Ms. LEE), the author of this legislation.

Ms. LEE. Mr. Speaker, first let me thank the gentleman from Illinois, our chairman, for his strong and consistent support and his consistent commitment to orphans and vulnerable children throughout the world. Also I want to thank the gentleman from California for helping us make sure that we stayed on track to ensure that this was truly a bipartisan bill, and I want to thank him for his leadership.

This bill is, as the gentleman from Illinois mentioned, a bipartisan-bicameral compromise and has attracted the sponsorship of 130 Members of Congress. We have been working on this bill with the gentleman from Illinois and the gentleman from California (Mr. LANTOS) and their staffs for nearly 1½ years now. So I want to specifically

thank Matt McLean on the chairman's staff and also Pearl Alice Marsh on the gentleman from California's staff for their help in putting this bill together. Not to mention my staff, Christos Tsentas, who has worked day and night. Without them this bill would not be possible.

Let me also mention our advocates and NGOs, including the Global AIDS Alliance, the Elizabeth Glaser Foundation, Save the Children, RESULTS, the Global Action for Children campaign, and many others who helped make this bill a reality.

As we move to pass this bill today, I also want to very briefly acknowledge the work of former President Bill Clinton in focusing on AIDS orphans. He was really one of the first to highlight the importance of addressing the needs of children orphaned by AIDS in a speech on World AIDS Day in 1998. The following year President Clinton invited the gentlewoman from Texas (Ms. JACKSON-LEE), the gentlewoman from Michigan (Ms. KILPATRICK), and myself to join Sandy Thurman, then Director of the Office of National AIDS Policy at the White House. We went on a Presidential Mission to sub-Saharan Africa in late March of 1999 to focus specifically on children orphaned by AIDS. We visited Zambia, Uganda, and South Africa and met with a number of dynamic leaders and individuals and saw just how devastating the AIDS crisis had become and how deeply children were being affected.

So out of that visit, in 1999, the White House produced an action report and began to take the first steps towards a broader U.S. role in the global fight against AIDS. And, Mr. Speaker, I will include that report in the RECORD.

BACKGROUND

On December 1, 1998, World AIDS Day, President Clinton highlighted the growing global tragedy of children orphaned by AIDS in sub-Saharan Africa. At that time, he directed Sandra Thurman, Director of the Office of National AIDS Policy, to lead a fact-finding mission to the region and to report back to him with recommendations for productive action. From March 27 through April 5, Director Thurman led a Presidential Mission to Zambia, Uganda, and South Africa. Director Thurman was accompanied by Representatives Jackson-Lee, Kilpatrick, and Lee, and senior staff from the offices of Senators Hatch, Helms, and Kennedy, and Representative Pelosi. Also joining the Mission was a group of community leaders from outside of government including Mayor David Dinkins, Bishop Felton May, and William Harris. [Attachment A: Trip Manifest]

The goals of the trip were to: investigate the extent of the AIDS crisis in sub-Saharan Africa particularly as it relates to children orphaned by AIDS; identify proven and promising interventions; and, promote leadership both at home and abroad.

Information for this report was gathered from meetings with African presidents, government ministers, donors, experts, providers, children, parents, and community leaders. In addition, site visits were made to a wide variety of community-based programs serving children and families affected by AIDS. Both the meetings and the visits provided an important perspective on the problem regarding actions taken, lessons learned, and further progress needed. [Attachment B: Groups Visited]

PLAN OF ACTION

The Background

Throughout the Mission's travel in Africa, it was clear that President Clinton's ''Partnership with Africa'' is making hope a reality, even at the village level. From Kampala to Cape Town, people across Africa know of this historic initiative. Unfortunately, AIDS threatens to decimate the progress of this partnership and everything else in its path. To protect and defend the legacy of growth and opportunity we have built with Africa, and the children and families who depend on it, an aggressive AIDS initiative, involving concrete action both at home and abroad, is essential.

Given the magnitude of the AIDS pandemic and its devastating impact on child survival, economic development, trade, regional stability, and civil society in Africa today, and in India tomorrow, the President established a Global AIDS Emergency Working Group. Included were the National Security Council, Office of Management and Budget, Office of the Vice President, USAID, and the Departments of Defense, State, Treasury, Commerce, and HHS. The Office of National AIDS Policy coordinated this effort, and together the Working Group and the members of the Presidential Mission made specific recommendations. These recommendations form the basis of the Plan of Action now put forward by the Administration.

The Goals

UNAIDS, in cooperation with its bi-lateral and multi-lateral partners, has laid out a series of goals for the next five years as described below. The Administration seeks to further these goals through an initiative entitled ''Joining Forces for LIFE: Leadership and Investment in Fighting an Epidemic:''

The incidence of HIV infection will be reduced by 25% among 15–24 year olds by 2005. (Currently 2 million young adults are infected each year in sub-Saharan Africa.)

At least 75% of HIV infected persons will have access to basic care and support services at the home and community levels, including drugs for common opportunistic infections (TB, pneumonia, and diarrhea). (Currently, less than 1% of HIV infected persons have such access.)

Orphans will have access to education and food on an equal basis with their non-orphaned peers.

By 2001, domestic and external resources available for HIV/AIDS efforts in Africa will have doubled to $300 million per year. (Currently, approximately $150 million per year is spent on HIV/AIDS prevention in sub-Saharan Africa.)

By 2005, 50% of HIV infected pregnant women will have access to interventions to reduce mother-to-child HIV transmission. (Currently, less than 1% of HIV infected pregnant women have access to such services in sub-Saharan Africa.)

The Initiative

I. Increasing the US Government investment in the global battle against AIDS to begin to reflect the magnitude of this rapidly escalating pandemic.

Making a difference in Africa and in other highly impacted areas requires broader political commitment, enhanced community mobilization, and, most urgently, increased resources. In 1998, spending on AIDS in Africa totaled only $165 million. Compared to the ever-escalating need and other health programs, this amount is woefully inadequate. For example, in 1998, over $500 million was spent for basic childhood immunization programs in Africa. Based on our experience in those countries that are starting to demonstrate success, such as Uganda and Senegal, UNAIDS and donors now agree that a minimum of $600 million is needed in sub-Saharan Africa per year for HIV prevention alone ($2 per adult per year).

While we acknowledge the leadership role that the US plays globally and the urgent need to act, clearly an effort to combat AIDS must be driven by many actors including host countries, multi-lateral organizations, and bilateral donors, to be successful. In FY1999, the US Government spent $74 million in USAID prevention and care in Africa and $38 million in HHS research and surveillance/prevention. But more remains to be done in sub-Saharan Africa and in other seriously affected parts of the world.

The Administration proposes to commit an additional $100 million in FY2000 to the global battle against AIDS. This initiative will enable us to move forward on four critically important and interconnected fronts including:

Containing the AIDS Pandemic ($48 million)—Implement a variety of prevention and stigma reduction strategies, especially for women and youth, including: HIV education, engagement of political, religious, and other leaders; voluntary counseling and testing; interventions to reduce mother-to-child transmission (MTCT); and enhance training and technical assistance efforts, including Department of Defense efforts with African militaries.

Providing Home and Community-Based Care ($23 million)—Deliver counseling, support, and palliative and basic medical care including treatment for sexually transmitted diseases, opportunistic infections (Ols), and tuberculosis (TB) through community-based clinics and home-based care workers. Enhance training and technical assistance efforts.

Caring for Children Orphaned by AIDS ($10 million)—Assist families, extended families, and communities in caring for their children through nutritional assistance, education, training, health, and counseling support, in coordination with micro-finance programs.

Strengthening Prevention and Treatment by Augmenting Planning, Infrastructure, and Capacity Development ($19 million)—Strengthen host country ability to plan and implement effective interventions. Strengthen the capacity for effective partnerships and the ability of community-based organizations to deliver essential services. Strengthen surveillance systems to track the epidemic and target HIV/AIDS programs.

This US Government assistance would be provided through USAID ($55 million), HHS ($35 million), and DoD ($10 million). The focus of this funding is HIV prevention, and AIDS care and treatment. In those areas, this initiative represents nearly a doubling of funding in Africa from current levels ($81 million in FY99, which excludes research). The Administration recognizes the fight against AIDS must be sustained to keep pace with this burgeoning epidemic, and is committed to a multi-year effort in this critical area.

II. Building partnerships with other key stakeholders to maximize our impact on the rapidly expanding pandemic

Increasing US investment in the global battle against AIDS is critical, but is not sufficient to achieve the outcomes needed. The commitment of in-country political leaders and of various segments of civil society are key to success. Moreover, resources provided by the US Government need to help leverage, and to be coordinated with those of other donors, the private sector, and national governments to ensure synergy and to

maximize impact. Building partnerships with key stakeholders in support of effective action at the community level is our greatest hope for progress.

This initiative will pursue a variety of strategic opportunities for challenging other partners to join in an enhanced effort, including:

Leadership Meeting—On September 7, 1999, First Lady Hillary Rodham Clinton will convene a meeting of key US officials, The World Bank, UNAIDS, as well as heads of foundations, corporate CEOs, and others to discuss how best to enhance AIDS prevention and treatment efforts in Africa and around the world. The meeting will focus not only on leveraging additional resources, but also on establishing priorities, identifying effective public/private partnerships, and identifying targets for action to combat the crisis of HIV/AIDS.

African Leaders Summit—We propose hosting a high-level meeting with Africa government and community leaders within the next ten months. This meeting will highlight the critical role of leadership in arresting the epidemic and will work to encourage increased leadership efforts. Topics will include the economic impact of HIV/AIDS, examination of models of success in reducing the transmission of HIV, and addressing the need for increased investment in health programs. Additional topics will include AIDS care and treatment and support for children orphaned by AIDS.

UN Conference on Children Orphaned by AIDS—On December 1, 1999 (World AIDS Day), the United Nations in conjunction with the National Black Leadership Commission on AIDS, The White House Office of National AIDS Policy, The Magic Johnson Foundation and a variety of NGOs, will organize a conference to focus attention on the growing number of children orphaned by AIDS worldwide. Special emphasis will be placed on assessing the needs of orphaned children in sub-Saharan Africa and the Americas. Participants will include noted experts on the priority issues identified by UNAIDS, UNICEF, and other UN agencies.

Business—The Department of Commerce will facilitate a meeting of business leaders active in Africa to encourage them to increase their efforts to rise to the AIDS challenge. Given the impact that AIDS is having on businesses as well as the overall economic-impact on African countries, such a meeting will seek enhanced business commitment and involvement in AIDS programs.

The Commerce Department will work with American Chambers of Commerce abroad and other business organizations to publicize the successful AIDS efforts of US firms in Africa and to support others taking similar action. In addition, the Department will direct work to promote closer coordination in Africa between Commercial Service Offices, other USG agencies, the business community, and African NGOs in a united effort to promote corporate partnership in AIDS programs.

Labor—The Secretary of Labor will facilitate a meeting of US and African labor leaders, which will be co-chaired by the AFL-CIO. The success of the AFL-CIO and its Solidarity Center in South Africa (supported by USAID) in working with the South African Trade Union Federations to include AIDS as a key labor outreach and policy issue provides a model for similar action elsewhere. Outcomes include assisting labor organizations in educating their members and securing commitments to develop workplace-based AIDS education and prevention programs, including outreach to youth.

Religious Leaders Summit—The US government will facilitate a meeting of African, American, and other religious leaders to discuss the important role of communities of faith in the fight against AIDS. In Uganda and Senegal, the involvement of religious communities and leaders had a dramatic impact on the ability of these two countries to reduce HIV incidence and to maintain it at low levels over time. The outcome of such a meeting would be to increase attention to the need for involving religious communities, to mobilize these organizations and leaders in the fight against AIDS, and to identify ways to support their efforts.

Diplomatic Initiatives—The Department of State, National Security Council, and ONAP will work with US and African ambassadors to increase attention to AIDS within the diplomatic community. The NSC, the Department of State, and USAID will work with G–8 and other donors, and challenge them to match the increased investment put forward in this initiative.

ATTACHMENT A—TRIP MANIFEST

Presidential mission to AFRICA—March 27–April 5, 1999

Members of Congress: Representative Carolyn Kilpatrick, Foreign Operations Subcommittee, Appropriations, and Congressional Black Caucus; Representative Barbara Lee, Africa Subcommittee, International Relations, and Congressional Black Caucus; and Representative Sheila Jackson Lee, Founder and Chair, Congressional Children's Caucus, and Congressional Black Caucus.

Congressional Staff: Bruce Artim, Health Staff, Senator Hatch; Mary Lynn Qurnell, Legislative Assistant, Senator Helms; Stephanie Robinson, General Counsel, Senator Kennedy; and Carolyn Bartholomew, Legislative Director, Representative Pelosi, Minority Staff, Foreign Operations Subcommittee, Appropriations.

Non-Governmental Participants: William Harris, President, Children's Education and Research Institute; Bishop Felton May, General Board of Global Ministries, United Methodist Church; David Dinkins, Chair, Black Leadership Commission on AIDS; Dr. Jacob Gayle, UNAIDS Technical Advisor and Liaison to The World Bank; Rory Kennedy, Documentary filmmaker, Moxie Films; and Nick Doob, Documentary filmmaker, Moxie Films.

Administration Officials: Sandra L. Thurman, Director, Office of National AIDS Policy; Michael Iskowitz, Consultant, USAID; Dr. Paul DeLay, Director, HIV/AIDS Programs, USAID; Maria Sotiropoulos, Protocol Officer, State Department; and Phil Drouin, Desk Officer, Bureau of African Affairs, State Department.

ATTACHMENT B—GROUPS VISITED: COMMUNITY ORGANIZATIONS AND GOVERNMENT OFFICIALS

Zambia

Bwanfanon, CHIN, Christian Council of Zambia, Evangelical Fellowship of Zambia, Family Health Trust, Fountain of Hope, McKinney Islamic Center, Mulenga Compound, National AIDS Network, Ndeke House, Project Concern International, Society of Women Against HIV/AIDS, St. Anthony's Compound, and Twapia Widows Group.

President Jacob Titus Chiluba; Dr. Nkandu Luao, Minister of Health; Peter McDermott, UNICEF Country Representative; Vincent Malambo, Minister of Legal Affairs; Edith Z. Nawakwi, Minister of Finance and Economic Development; Abel Chambeshi, Minister of Youth, Sports and Child Health; Keli Walubita, Minister of Foreign Affairs; Dawson Lupunga, Minister of Community Development; Dr. Moses Sichone, HIV/AIDS Coordinator, GRZ; GRZ public-private orphan task force; and Ambassador Arlene Render.

Uganda

AIDS Development Foundation, AIDS Information Center, The AIDS Support Organization (TASO), Foundation for International Community Assistance (FINCA), Joint Clinical Research Centre, Makerere University, National Community of Women Living with AIDS, Save the Children (UK), Uganda AIDS Commission, Uganda Cancer Institute, Uganda Virus Research Institute, and United Women's Effort to Save Orphans.

President Yoweri Kaguta Museveni, First Lady Janet Museveni, Dr. Crispus Kiyonga, Minister of Health; Hajat Janat Mukwaya, Minister of Gender, Labor and Development; Dr. Elizabeth Madraa, AIDS/STD Control Program, Ministry of Health; Rafina Ochago, Commissioner for Child Care and Protection, Ministry of Gender, Labor and Development; and Ambassador Nancy J. Powell.

South Africa

Bethesda House, CINDI Coalition (Children in Distress), Don McKenzie TB Hospital, Edendale Hospital, Edith Benson Babies Home, Ethembeni Centre, Grey's Hospital, Highway Hospice, Hope Worldwide-Jabavu Clinic, King Edward Hospital, Lilly of the Valley, Makaphuthu Children's Home, Project Gateway, and Streetwise Shelter.

Nkosa Zana Zuma, Minister of Health; GJ Fraser-Moleketi, Minister of Welfare and Population Development; Dr. Ben S. Ngubane, Premier, KZN; Dr. Zweli Mkhize, Minister of Health, KZN; Siphiwe Gwala, Mayor, KZN; and Ambassador James Joseph.

Ms. LEE. Mr. Speaker, I also want to make special note of the work of Bono and his organization Debt, AIDS, Trade, Africa for their work in really driving the agenda of HIV and AIDS and for bringing the attention to the needs of African people. He will be here, incidentally, today in the Capitol, and I know he will appreciate the importance of passing this bill.

And also, finally, I must thank my predecessor, Ron Dellums, who for many years was a lone voice in the wilderness who also developed the concept of the AIDS Marshall Plan and the Global Fund for AIDS.

Quite simply, this bill, H.R. 1409, will better coordinate and address the growing problem of orphans and vulnerable children in the developing world. As we heard earlier, an estimated 143 million children were living as orphans throughout sub-Saharan Africa, Asia, Latin America, and the Caribbean. This is extremely hard to even comprehend.

The rapid growth of HIV and AIDS especially in Africa has dramatically impacted the number of children who are newly becoming orphans. According to UNAIDS, today there are over 15 million children living as orphans due to HIV and AIDS, again, the vast majority in sub-Saharan Africa. By 2010 there will be 25 million children. Today every 14 seconds another child is orphaned by AIDS. With parents dying at an alarming rate, children are left without food, shelter, education, or protection. We actually saw children raising children, 10-year olds raising their siblings.

The global orphan crisis is a profound humanitarian disaster that will be felt for decades to come. This bill seeks to address the growing global problem of orphans and vulnerable children by providing assistance to support basic care through community, school food

programs, increased primary school enrollment, employment training, protection of inheritance rights, psychosocial support, and treatment for children living with HIV and AIDS.

Together these activities will be overseen by a Special Adviser for Orphans and Vulnerable Children within USAID, which is a new position that my bill establishes. The Special Adviser will be responsible for coordinating, advising, and monitoring the provision of assistance for orphans and ensuring proper accountability for this program.

The amendments that we put into this bill have been made after careful negotiation with the other body and the gentleman from Illinois and the gentleman from California, our House leadership, and I thank them for helping us with these negotiations. These amendments would clarify the role of the Special Adviser in focussing specifically on orphans and vulnerable children. The amendments would also give USAID some flexibility to aggregate data in its report to Congress rather than providing detailed information on each individual grant and program.

Many of us, as I said earlier, have seen firsthand the desperation that orphans and vulnerable children are facing. There are many, in Africa especially, who have risen to the occasion. Father D'Agostino, for example, of Nyumbani orphanage. Many of us know Father D'Agostino, and he is doing unbelievable work in primarily Kenya. He has got the care and devotion of a staff and all of its volunteers who are really basically saving lives of children and helping develop their futures. He needs resources.

Also Mama Jean. I have got to mention her. Mother of Peace Orphanage Community in Zimbabwe. It is an orphanage I have become quite familiar with because it benefits adjacent rural communities, and I am proud to say that my own church in Oakland, California, the Allen Temple Baptist Church, is one of the sponsors of this orphanage.

Mr. Speaker, let me just say that these two programs are incredible programs and it is really a testament to how much good can be done on a shoestring budget by a committed group of people.

Bwafwano Home-Based Care Organization, run by Beatrice Chola, I met her when I traveled to Zambia last year with the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) and the gentlewoman from Texas (Ms. JACKSON-LEE). She is working as a nurse in the Chipata health center of Lusaka. Beatrice started this clinic, this orphanage, back in 1996 when she saw that the health center was overrun by HIV and AIDS and TB-infected patients.

So today, Mr. Speaker, to our chairman, to the gentleman from California, and to all of those who have made this bill possible, I want to thank them on behalf of the millions of children who are going to be helped, whose lives will be saved, and who will lead the quality of life that they so deserve. They need our help. We are stepping up to the plate.

Mr. LANTOS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM), a member of the Committee on International Relations, who has been a fighter for children's rights and a fighter to defeat the ravages of AIDS.

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I strongly support this important legislation to address the needs of children orphaned and vulnerable as a result of the AIDS pandemic. The gentlewoman from California (Ms. LEE) and her staff, as well as the gentleman from Illinois (Mr. HYDE), the gentleman from California (Mr. LANTOS), and the gentleman from Iowa (Mr. LEACH) are to be commended for their commitment to setting forth a policy that creates a framework to meet the needs of AIDS orphans. This bill deserves the full support of this House.

At this moment millions of boys and girls, children, across the continent of Africa are struggling to survive, struggling to find food and shelter and to care for siblings. They too often live in fear of sexual exploitation or are forced to use sex in exchange for food, safety, and survival. By 2010 an estimated 25 million children across Africa alone will be orphaned as a result of AIDS. Millions more will be caring for sick parents as well as for brothers and sisters.

Mr. Speaker, today's Seattle Post-Intelligencer details how the small southern African nation of Malawi is facing an AIDS disaster which is now fueling a famine. In this nation of nearly 12 million people, nearly 1 million more people are infected with HIV, many too sick to farm their fields. Five million Malawians are at risk of starvation. In Malawi there are also 700,000 AIDS orphans struggling to survive a famine, and this does not include the vulnerable children.

When a country is starving, who feeds the children? Who feeds, cares for, educates, and protects the children, the AIDS orphans? Mr. Speaker, AIDS is killing an entire nation, and the children left behind must be protected and cared for and educated and, most importantly, valued.

This bill is an important first step. U.S. leadership is needed for these children who deserve our help.

Mr. Speaker, for the RECORD I submit the Seattle Post-Intelligencer article.

[From the Seattle Post-Intelligencer, Oct. 18, 2005]

MALAWI VILLAGE UNDERSCORES IMPACT OF AIDS

(By Clare Nullis, Associated Press Writer)

NAPASHA, MALAWI.—It's so quiet you can hear scrawny hens pecking at the dust. A few ragged children peer timidly from the shadow of their mud huts but show no interest in playing. Beyond them lie barren cornfields, abandoned to the blistering heat.

The despair is unmistakable in Napasha, a village in the southern African nation of Malawi where an AIDS epidemic has compounded the vicious cycle of poverty, hunger and disease.

''Our fields are idle because there is nobody to work them,'' says Toby Solomon, a local commissioner.

Subsistence farmers dominate Malawi's struggling economy. But an estimated 900,000 of 12 million people are infected with the HIV virus, a national rate of just over 14 percent. In the southern province of Nsanje, which includes Napasha, the rate is as high as 35 percent, according to Solomon.

''We don't have machinery for farming, we only have manpower,'' Solomon says. ''If we are sick, or spend our time looking after family members who are sick, we have no time to spend working in the fields.''

Numbers aren't easy to come by in Napasha, a cluster of simple mud buildings with no electricity or sanitation and just one communal water pump. But the 400 or so households here include about a hundred children who have lost one or both parents to AIDS.

The epidemic has aggravated a food crisis stemming in part from a drought that is withering corn crops. President Bingu wa Mutharika declared all of the southern African nation a ''disaster area'' Saturday and appealed for international help. He warned that 5 million people, almost half the population, are threatened with hunger.

Monica Kasitomu, a tiny graying woman who thinks she is around 70, is struggling to feed three young grandchildren who lost both their parents to AIDS. She says she depends on the corn meal and oil she receives from the United Nations.

''I'm getting too old to care for my grandchildren,'' she frets. ''When I die, I don't know what will happen to them,'' she says, tears in her eyes.

One roadside sign near Napasha urges people to use condoms. ''AIDS is real. It's not witchcraft,'' it says.

Many people here, as in much of Malawi, believe AIDS is caused by witchcraft and consider condoms taboo. The government and foreign relief agencies have launched campaigns to try to educate people about the disease, but results have been slow to filter down.

AIDS kills about 90,000 people in Malawi every year, and about half of the country's hospital beds are occupied by people with AIDS-related complications. Napasha, which is far from any health facilities, has at least eight households with terminally ill AIDS victims.

One is Melania Nakhove, a tall and graceful woman who looks older than her 50 years. She lost her husband to AIDS in 2002 and then discovered that she too was infected with the virus. She used to have a job but gave it up when she became too ill to work. Her house—like most others in the village—is bare. Her monthly ration of cornmeal lies drying on the floor of her living room, adorned only with a 2002 calendar and an AIDS awareness poster.

Nakhove counts herself lucky to receive both food aid and anti-retroviral medicines thanks to a government program funded by foreign donations.

Of an estimated 140,000 Malawis who need the life-prolonging drugs, only 19,000 were receiving them in June, according to the World Health Organization. The government aims to put 80,000 on treatment by the end of the year, but that is subject to foreign funding.

At the Saint Montfort feeding center in southern town of Nchal, nurse Getrude Mkwapu estimates half the children admitted to the intensive feeding ward are HIV-positive, complicating efforts to treat their malnutrition.

James, just 14 months old, is one of them. The skeletal boy, who looks no older than four months, wails incessantly as his grandmother, Weza Jugen, tries to coax him to drink a cup of milk.

''I don't know what I can do,'' Jugen said. ''All I can try to do is to give him milk and porridge.''

James, whose mother died last month, is one of 700,000 orphans in Malawi.

''The epidemic is giving people a sense of no hope,'' says Solomon. ''No hope for life.''

Mr. HYDE. Mr. Speaker, I yield 5 minutes to the gentleman from California (Mr. LANTOS) and ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Mr. LANTOS. Mr. Speaker, I thank the gentleman from Illinois for his usual gracious accommodation.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), a fighter for children's rights.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank both the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) for their graciousness in this debate, something that I know the gentlewoman from California (Ms. LEE) has waited on and fought for for such a long time. My hat is off to the gentlewoman from California (Ms. LEE), and the good news is that at the end of my name there is L-e-e. But I celebrate her leadership today and join in reminding the world that this may sound like a celebration but it is only the beginning.

I rise to enthusiastically support H.R. 1409, Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005.

Though, Mr. Speaker, that we rise today and speak about the scourge of AIDS, the vitality and importance of this legislation looms even more important as we look at the backdrop of now the rising numbers of those who have lost their lives in the terrible tragedy of the earthquake in Pakistan and, of course, as I am facing two disasters, the terrible tragedy of Hurricane Katrina and Rita where we know that the largest numbers of those impacted are children. In the instance of Pakistan, we know that children may be the highest numbers of those who have lost their lives, now numbers rising above 40,000. We know in Hurricane Katrina and Rita that we also will feel a terrible impact on our children.

□ 1245

So this bill that is now focused specifically on the issues dealing with HIV/AIDS speaks volumes that we were able to pass legislation based upon the mission that the gentlewoman from California (Ms. LEE), myself, and the gentlewoman from Michigan (Ms. KILPATRICK) joined as the first Presidential mission led by Sandy Thurman of the White House under President Bill Clinton.

As I said, the steps were measured but the effort was persistent and determined, and so this bill will authorize assistance to provide basic care through the community, school food programs, increased primary school enrollment, employment training, protection of inheritance rights, psychosocial support, and treatment for people living with HIV and AIDS.

I will tell my colleagues as I listened to the gentlewoman from California (Ms. LEE), she is right. As we walked into various living facilities, huts, throughout the nations that we visited, we stopped in to visit and see a 4-year-old bending over a dying body, we visited with a grandmother who was now taking care of a number of the children of her dead children, both husbands and wives. We knew that this had to be confronted in a very drastic, severe, persistent, and large way. This bill is a large way of responding to it.

We all know that according to a report developed by the United Nations Joint Programme on HIV/AIDS, UNICEF, and the United States Agency for International Development, as of July 2004 there were more than 143 million orphans living in sub-Saharan Africa, Asia, Latin America and the Caribbean, 143 million, which is more than almost half of the population of the United States of America.

We realize that these children are vulnerable, with no hope, no life. We also realize that those who are dying in their care need greater care than a 4-year-old, a 5-year-old, a 6-year-old might be able to give. We know that infants are poor and malnourished and are more likely to contract respiratory infections, diarrhea, and measles and other preventable diseases. We also know that those who were taking care of had tuberculosis and HIV, and so we recognize that this bill is long in coming, but it is so much needed.

Just imagine these poor children with no hope; and so, today, America rises to the occasion of the America that we all have loved and recognize for what she has always been, the defender of the most vulnerable around the world. Some have called her Mother America. In this instance, we embrace those from around the world, and we join with H.R. 1409, and I ask my colleagues to support it. I congratulate my colleagues, and I look forward to working with the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Mr. LANTOS) as we move this forward for a better world.

Mr. Speaker, I rise today in support of H.R. 1409, the ''Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005.'' This bipartisan bill seeks to address the growing problem of orphans and vulnerable children in developing countries, which has been exacerbated by the HIV/AIDS pandemic. The bill establishes the position of Special Advisor for Assistance to Orphans and Vulnerable Children within the United States Agency for International Development with responsibilities including coordination, advising, and the monitoring of assistance.

Additionally, the bill will authorize assistance programs to provide: Basic care through the community; school food programs; increased primary school enrollment; employment training; protection of inheritance rights; psychosocial support; and treatment for children living with HIV/AIDs.

As of July 2004, there were more than 143 million children living in sub-Saharan Africa, Asia, Latin America, and the Caribbean who were identified as orphans, having lost one or both of their parents. Of this number, approximately 16 million children were identified as double orphans, having lost both parents—the vast majority of whom died from AIDS. These children often are disadvantaged in numerous and devastating ways and most households with orphans cannot meet the basic needs of health care, food, clothing, and educational expenses.

The HIV/AIDS pandemic has increased the number of orphans worldwide and has exacerbated the poor living conditions of the world's poorest and most vulnerable children. AIDS has created an unprecedented orphan crisis, especially in sub-Saharan Africa, where children have been hardest hit. An estimated 14 million orphans have lost 1 or both parents to AIDS. By 2010, it is estimated that over 25 million children will have been orphaned by AIDS.

Working to combat poverty and to protect the vulnerable is an issue that members of both parties can agree on. According to the United Nations Children's Fund (UNICEF), orphans are less likely to be in school and more likely to be working full time. Providing children with free primary school education, while simultaneously ensuring that adequate resources exist for teacher training and infrastructure would help more orphans and other vulnerable children obtain a quality education. It is critical for the future of these developing nations that the orphaned and vulnerable populations have access to basic needs like food, health care, and education.

GENERAL FACTS ON CHILDREN

According to a report developed by the United Nations Joint Programme on HIV/AIDS (UNAIDS), UNICEF, and the United States Agency for International Development, as of July 2004 there were more than 143,000,000 orphans living in sub-Saharan Africa, Asia, Latin America, and the Caribbean.

Assessments carried out by the International Labor Organization (ILO) to investigate the situation of children who are working found that orphans are much more likely than non-orphans to be working in commercial agriculture, the domestic service industry, and the commercial sex industry, as street vendors, or in industries that violate internationally recognized rights of children.

Infants who are poor and malnourished are more likely to contract respiratory infections, diarrhea, measles, and other preventable diseases, and are less likely to receive needed health care.

According to UNAIDS and UNICEF, by the end of 2001 there were an estimated 14,000,000 children under the age of 15 who had lost one or both parents to AIDS.

As the number of HIV cases increases in sub-Saharan Africa and the Caribbean, as well as in Eastern Europe and Asia, the death rate from AIDS among adults in those regions is expected to increase. By 2010 the total number of children in those regions who will lose one or both parents to AIDS is expected to be approximately 30,000,000.

One-third of children born from an HIV-infected mother develop HIV/AIDS. Few of these children have access to HIV/AIDS medications.

Globally, more than 12,000,000 young people ages 15 to 24 are living with HIV/AIDS, and each day another 6,000 young people became infected with HIV. New estimates indicate that more than 70 percent of new HIV cases among this age group in sub-Saharan Africa are young women and girls.

Mr. LANTOS. Mr. Speaker, I am very pleased to yield 2½ minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), our distinguished colleague and a physician herself.

Mrs. CHRISTENSEN. Mr. Speaker, I thank the gentleman from California (Mr. LANTOS) for yielding me time.

I also rise in strong support of H.R. 1409, to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries. I want to commend the gentlewoman from California (Ms. LEE) as well for her commitment to this issue and for sponsoring this bill and for her hard work in getting it to the floor today, and to thank Chairman HYDE and Ranking Member LANTOS for their support.

Mr. Speaker, as the Navhind Times wrote earlier this month, ''There are more than 100 million children worldwide who are living hand-to-mouth, bereft from family and homes and are particularly vulnerable to abuse.'' We have all seen the tragedy of children soldiers, the street children of South America, and children refugees.

As of July 2004, there were more than 143 million children living in sub-Saharan Africa, Asia, Latin America, and the Caribbean who were identified as orphans, having lost one or both parents. Of this number, approximately 16.2 million children were identified as double orphans, having lost both parents, the vast majority of whom died of AIDS.

Numerous United States and indigenous private voluntary organizations, including faith-based organizations, in these countries provide assistance to orphans and other vulnerable children.

One such program is the Rx for Child Survival Campaign, a multimedia campaign aimed at raising the awareness of child hunger, disease and the impact of AIDS on their lives. Many of these organizations have applied for grants to the administrator of the U.S. Agency for International Development to provide increased levels of assistance for orphans and other vulnerable children in these developing countries.

Mr. Speaker, the plight of the world's children represents both a humanitarian and a security crisis, and it is getting worse with each succeeding year. It is essential that the United States Government adopt a comprehensive approach for the provision of assistance to orphans and other vulnerable children around the world.

By acting now, Congress can ensure that important services, such as basic care, psychosocial support, school food programs, increased educational opportunities and employment training, the protection and promotion of their inheritance rights, the treatment of orphans and other vulnerable children of HIV and AIDS and other illnesses have more accessible treatment and support efforts that ensure orphans continue to live with their extended families whenever possible, rather than being placed in orphanages.

I urge my colleagues to support the passage of H.R. 1409.

Mr. HOLT. Mr. Speaker, I rise today in support of H.R. 1409, the Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005. This bipartisan bill will provide assistance to the neediest children in the world's poorest countries, and I urge my colleagues to support it.

AIDS has been so devastating to the developing world, especially sub-Saharan Africa, partly because so many of those killed by AIDS are adults of child-bearing age. These men and women are often the pillars of their communities and families. Most diseases spare at least one parent, but AIDS often kills both mothers and fathers. Sixteen million children in the developing world are ''double orphans''—both of their parents are dead—mostly because of AIDS. Unfortunately, their numbers are increasing as AIDS continues to ravage the world. Indeed, in four African countries, one in five children will have lost at least one parent to AIDS by 2010. It is vital that we help these children.

Extended families care for more than 90 percent of orphans in the developing world. Unfortunately, these families often lack the resources to meet the most basic needs of the orphans. These children are less likely than their peers to be enrolled in school. Many orphaned girls in particular are forced into the workforce at an early age. They are more likely than others to go hungry. Because of the stress of losing their parents and coping with the ensuing problems, they are much more likely to suffer from psychological problems.

Many face discrimination both as the children of AIDS victims and as orphans. Orphans and their mothers often have difficulty inheriting the land or other property due to them.

This bill authorizes the President to assist programs in developing nations that benefit orphans and other vulnerable children. USAID will work with an array of groups, including international and non-governmental organizations, to provide needed services to orphans. These services include education, school food, protection of inheritance rights and psychosocial care. When possible, community-based groups will directly provide this care.

H.R. 1409 includes provisions that monitor and evaluate the effectiveness of the programs funded, so resources will be channeled to the groups that do the best work and need the most assistance. It also creates the office of the Special Advisor for Assistance to Vulnerable Populations, appointed by the Secretary of State, who will oversee the implementation of this bill in USAID programs and coordinate U.S. assistance to orphans and other vulnerable children.

Mr. Speaker, this bipartisan bill will ease the suffering of the millions of children who have been orphaned in the developing world, and it is worthy of this House's support.

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

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

The SPEAKER pro tempore (Mr. SHIMKUS). The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and pass the bill, H.R. 1409, 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.

MOURNING LOSS OF LIFE CAUSED BY EARTHQUAKE THAT OCCURRED ON OCTOBER 8, 2005, IN PAKISTAN AND INDIA

Mr. HYDE. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 492) mourning the loss of life caused by the earthquake that occurred on October 8, 2005, in Pakistan and India, expressing the condolences of the American people to the families of the victims, and urging assistance to those affected.

The Clerk read as follows:

H. RES. 492

Whereas on October 8, 2005, a powerful earthquake measuring 7.6 on the Richter Scale occurred in Pakistan and India, centered on the city of Muzaffarabad;

Whereas the earthquake caused severe damage in both Pakistan and India;

Whereas the earthquake and continuing aftershocks have caused more than 50,000 deaths, resulted in serious injuries to additional tens of thousands of people, and left between 2.5 and 3 million homeless as winter in the affected mountainous region approaches;

Whereas millions of people throughout the affected region currently lack clean water, food, proper sanitation, basic healthcare, adequate shelter, and other necessities, thereby increasing the risk of additional suffering and death; and

Whereas the United States and donors from at least 30 other countries have, to date, pledged several hundred million dollars in emergency and long-term reconstruction assistance, and have begun to deliver humanitarian supplies to survivors of the earthquake: Now, therefore, be it

Resolved, That the House of Representatives—

(1) mourns the tragic loss of life and horrendous suffering caused by the earthquake that occurred on October 8, 2005, in Pakistan and India;

(2) expresses the deepest condolences of the American people to the families, communities, and governments of the tens of thousands of individuals who lost their lives in this earthquake;

(3) welcomes and commends the prompt international humanitarian response to the earthquake by the governments of many countries, the United Nations and other international organizations, and nongovernmental organizations;

(4) expresses gratitude and respect for the courageous and committed work of all individuals providing aid, relief and assistance, including United States civilian and military personnel, who are working to save lives and provide relief in the devastated areas; and

(5) supports the actions to assist the victims taken by the President and the Government of the United States to provide all appropriate assistance to the governments and people of the affected region.

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

The Chair recognizes the gentleman from Illinois (Mr. HYDE).

GENERAL LEAVE

Mr. HYDE. 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. Res. 492, the resolution under consideration.

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

There was no objection.

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

Mr. Speaker, the tragic earthquake in Kashmir reminds us of the uncertain course of nature and the parlous state of humanity as we confront a dangerous and uncertain world.

We are also reminded that globalization, our ability to be instantly affected by events on the other side of the globe, allows us to express our humanity in ways unknown to previous generations. We can respond almost instantly, because we learn almost instantly, about the plight of poor victims in faraway lands.

The areas affected by the earthquake of October 8 are about as far as one can get from our shores. Yet Americans, like others from around the world, were able to share the tragedy of the Pakistani and Indian peoples almost as it unfolded and could then react to it, generously, as is our history, including by dispatching considerable material assistance. We can be proud of the role our government and our private sector have played in making that response possible.

Winter is coming to the affected areas, and there is a great need for shelter for the millions of homeless persons. India and Pakistan are significant countries, and not without considerable resources to devote to their own problems. However, an examination of the level of devastation from the recent earthquake and a consideration of the degree to which even our Nation's ability to respond to the hurricane's emergencies was strained, means that we need to be mindful of the ongoing and immediate needs of millions of South Asians. Shelter is in especially short supply.

This resolution properly expresses our sense of mourning for the losses suffered, our sympathy to their survivors, commends those who have stepped forward with help, and encourages additional assistance. It is a privilege to bring this before the House today.

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

Mr. LANTOS. Mr. Speaker, I yield myself such time as I may consume, and I rise in strong support of this resolution.

Mr. Speaker, I rise today to express the condolences of the United States Congress and the American people to the people of Pakistan and the people of India who have suffered so grievously from the horrendous earthquake that struck South Asia just 10 days ago.

Mr. Speaker, the day after the earthquake, I received a telephone call from the President of Pakistan, Pervez Musharraf. The President requested, in the strongest terms possible, assistance not only from our Nation but from other donors around the globe. I immediately reached out to our own government and to other friendly governments and to nongovernmental organizations, and I am profoundly grateful that additional aid is flowing to the people of Pakistan as we speak.

Each day, the news from Pakistan grows worse. The death toll now seems certain to rise above 55,000. More than 2 million people are homeless in the midst of recent torrential rainstorms, and the freezing cold of winter is fast approaching the mountainous regions most affected.

Landslides and poor weather have hampered relief operations, heightening the misery of the injured and the destitute as they wait for help. Relief supplies still have not reached many remote areas where whole villages have been devastated.

Over 30 nations, led by the United States, have rushed to aid and comfort the victims of the earthquake and its horrible after-effects. With natural disasters such as the South Asia earthquake and the Indian Ocean tsunami, the world has seen the generous heart of the American people.

Our country has committed $50 million in initial relief supplies only from our government. We have also dedicated eight military helicopters to fly humanitarian missions, and we have transported over 70 tons of relief supplies to the neediest in the most remote areas.

Mr. Speaker, the United States counts Pakistan as a strong ally in the war against terrorism, and it was my great pleasure recently to welcome President Musharraf to New York. Our assistance thus far proves that the United States is a solid friend of the Pakistani people. I urge our government and this Congress to support additional assistance to the people of Pakistan, India, and Kashmir.

Our resolution offers the condolences of the House of Representatives and of the American people to the families, to the communities, and to the governments of Pakistan and India. It welcomes the humanitarian relief offered by other governments, the United Nations and expresses gratitude for the courageous work being performed by individuals providing aid, relief and assistance, including U.S. civilian and military personnel, under often extremely dangerous conditions.

Mr. Speaker, I urge all of my colleagues to support this resolution.

Mr. Speaker, I am pleased to yield 2¼ minutes to the gentleman from New York (Mr. CROWLEY), a distinguished member of our committee.

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

□ 1300

Mr. CROWLEY. Madam Speaker, I thank the gentleman for yielding me this time. I thank the chairman of the committee and the ranking member of the committee for introducing this resolution.

Through this resolution today, the House of Representatives will send the condolences of the American people to those who have been so tragically affected by the October 8 earthquake. I believe this House can do more than just send our condolences, though.

The President has taken the first step with the initial pledge of $50 million and the USAID Office of Foreign Disaster Assistance activated its disaster assistance relief team quickly to ensure that urgent aid was provided. But the situation in Pakistan, the hardest hit in South Asia, remains critical.

The United Nations Office for the Coordination of Humanitarian Affairs said that weather and lack of access to remote areas is delaying the aid needed to save countless lives. We are also seeing logistical problems in providing the basic needs of the people who were made homeless and without shelter by this quake and, as I mentioned earlier, further impaired by heavy rains and flooding in the earthquake region.

Critical needs such as food, clean water, and shelter are badly needed as the winter is fast approaching in this mountainous region, akin to the Adirondack region in New York State, which this time of year can have snow, and especially during the evening. So far, we have been able to help thousands of people, but that is simply the tip of the iceberg.

Madam Speaker, I represent one of the largest populations of South Asians in the country and over the past week I have been reaching out to my Pakistani community. What I have found is a community doing all that it can to

raise funds to help their families and friends who were so tragically affected by this earthquake. I also had the honor of speaking to a private Muslim school in my district to update them on the U.S. efforts to provide emergency relief. I was sad to learn that several students' families were directly affected, one student losing over 40 members of their family. The students and the community leaders were very grateful that our country is working to help their homeland, but we all agree that more can and needs to be done.

Madam Speaker, I challenge this House to provide for the millions who have been left injured and homeless. This is a chance not only to help people in need, but to change the hearts and minds of Muslim countries' attitude towards the United States.

After the tsunami, the majority of Indonesians changed their view of us because they saw the soft power of the United States. It is time to show that same soft power to the people of Pakistan so that they too can have a change of heart towards the United States and our people.

Mr. LANTOS. Madam Speaker, before yielding time, I want to recognize my associate, Peter Yeo, who drafted and did the major work on this important legislation.

Madam Speaker, I am pleased to yield 3½ minutes to my good friend and colleague 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 first of all thank the leadership of the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Ranking Member LANTOS) for their quick and compassionate expression that we now have on the floor of the House.

I rise today to join in the support of H.J. Res. 492, and I acknowledge as the cochair of the Pakistan Caucus, newly-founded, to have the pleasure of having both of the members of the Committee on International Relations leadership, the ranking member and chairman, being supportive of this effort, as I cochaired with my colleague, the gentleman from Indiana (Mr. BURTON). I can assure my colleagues that we are very grateful for this profound statement, mourning the loss of so many. We do realize that the numbers continue to climb and that the difficulties are rising beyond our understanding.

Just this past Sunday, some 70 members of the South Asian community were convened by my office in Houston, people of different views and political perspectives, but they united, as we did with the tsunami, and we have called ourselves Houston's Solution for Earthquake Relief and Rehabilitation in Pakistan.

The reason I believe is because this picture is worth a thousand words. The impact on children is going to be unbelievable and without expression.

So it is very important as we look to, as my colleagues have said, the relief from the United States, that we do several things. One, we are the coordinator, and I congratulate the administration for designating Afghanistan as the site of the command, and we acknowledge the loss, devastation in Afghanistan, not as much loss of life, and certainly India has been a real partner. I met last week with the ambassadors from India and spoke to both of them and offered my sympathy and also how we can be involved. Obviously, the obvious things that are needed are food and medicine and tents, but, most of all, coordination and dollars.

So I am asking today that we put our heads together in this Congress and find the additional resources beyond the $50 million, because I can assure my colleagues that we believe these numbers are going to go up, not out of hysteria, of 100,000. We do not know the numbers for sure, but they will be climbing.

The added concern is that it is getting enormously cold. It makes it very difficult for the rescuers to come. The roads are impassable, and many of those who were in that room on Sunday could recount for me the very terrible stories of their relatives, living outdoors, no heating, no addressing of their wounds, and, of course, this picture that shows the children who are orphaned.

So I ask my colleagues to support H.J. Res. 492 and that we spend a moment of mourning, and I would ask that when it is appropriate that we rise in silence. During the time that we are on the floor of the House, I ask the Speaker to convene us in a moment of silence as we mourn for those who have lost their lives.

I finally conclude by saying that we are grateful for what we have been able to do, but we all know that a good Samaritan, no matter what faith you may articulate this philosophy, it is better to give than to receive. We have given and are still giving to our own who are victims and survivors of Hurricane Katrina and Hurricane Rita. Many who would say who are listening to this debate or discussion that we have our own to take care of, and we realize that America does have the responsibility of her own, but we know also that America has many blessings to count for, and those blessings, I believe, come because we have been willing to give, even until it hurts. These are people who are in desperate need, children by the thousands are suffering, and we hope that we will be able to provide for them as well.

I ask my colleagues to support H.J. Res. 492.

Madam Speaker, I rise in support of H. Res. 492, "Mourning the loss of life caused by the earthquake that occurred on October 8, 2005, in Pakistan and India expressing condolences of the American people to the families of the victims, and urging assistance to those affected."

Earlier this month, a disaster occurred on a virtually unimaginable scale when an earthquake violently shook Southeast Asia. Over 50,000 people were killed in India and Pakistan, and countless more were seriously injured. Whole cities were razed to the ground, and an estimated 2.5 to 3 million people lost their homes. This winter in Pakistan and India men, women, children, the elderly, the orphaned and the infirmed will be sleeping outside, exposed to the harsh mountain climate. They are lacking the basic necessities for life; in need of food, water, sanitation, basic healthcare, and adequate shelter.

Disasters of this magnitude, no matter where they occur, affect all of us. In the face of this disaster, countries from around the world have joined together in pledging humanitarian aid to the affected regions. The United States can uniquely sympathize with the suffering and devastation felt in the earthquake-ravaged region. We too have felt the bitter sting of a natural disaster this year. Our feeling of loss and suffering gives us only a glimpse, however, of the utter devastation in the affected regions of India and Pakistan. Our shared losses bring the United States closer to our fellow humans on the other side of the globe, and should only serve to strengthen our national resolve to help those in need, rather than give us excuses for not giving the full support of the American people.

The House of Representatives, together with the American people we represent, mourn the horrific loss of life and livelihood experienced in Pakistan and India. We offer them our fullest support in the reconstruction effort of the region, but also understand that no amount of money, goods, and supplies will replace the loss of life in the region. For this, we can only offer our deepest condolences to the people affected by the earthquake, and ask them to find the strength to see their friends, families, and communities through these difficult times.

I support H. Res. 492 for the foregoing reasons, and I appeal to my colleagues to follow suit. The people of Pakistan and India will be in all of our thoughts and our prayers. I yield the remainder of my time.

Mr. LANTOS. Madam Speaker, I am pleased to yield 3 minutes to my good friend and our distinguished colleague from New York (Mr. OWENS).

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

Mr. OWENS. Madam Speaker, I rise in support of this very appropriate resolution. I think that beyond the spirit of this resolution there must be immediate response from the entire apparatus of the United States Government and from the United States people.

Madam Speaker, we are weary, maybe, of disasters. When you add up the tsunami and Katrina and Rita, and now in Pakistan 55,000 have already died, and in the mountains they are freezing cold, without any shelter, twice that number may die before it is over, and one might say, well, we just cannot keep going on. We are donor weary, we are disaster weary. That is ridiculous. When we add up all of these people, maybe we will get 100,000 victims, but the world consists of 6 billion people and more than 200 nations. We can take care of all of these disasters if we put our mind to it.

The United States must provide the leadership. $50 million is not enough. Speed is very important here. The formalities of waiting will mean that thousands and thousands of people will die unnecessarily.

Madam Speaker, I hope that we will use as many of the helicopters in Afghanistan as we can, send them across the border to Pakistan. Eight helicopters is not enough. That is the only way these areas can be reached in the mountains. The roads are not passable. There are no places to land other kinds of aircraft. Only helicopters can land.

I have one of the largest Pakistani communities in America in my district, and I visited Pakistan 4 years ago. I went to a school, several schools in Kashmir. One of the schools, an all-girls school that was having a test, an eighth grade test, I could see that eighth grade girls were studying quadratic equations. That is one of the schools that was crushed in the earthquake. I hope that the students were not in there. But I saw school after school of eager young people, anxious to learn, in those mountain schools. I went on those roads.

Madam Speaker, if not in humanitarian terms alone, let us stop and think about the diplomacy issues here. Pakistan has long been our ally. Throughout the whole Cold War, they were our ally. We could not have driven the Russians from Afghanistan. We did not have a single soldier involved, but we were behind the sting of missiles and the whole strategy that drove the Russians out of Afghanistan and led to the collapse of the Soviet Union, but they were disappointed we did not honor them more for that. That is in the past. Right now, they are helping us in the war against terrorism. Their government is at risk because of their position with the United States on terrorism.

What we do now with this earthquake, how we respond to this earthquake can determine the nature of our relationship with Pakistan forever. We have an opportunity, it is tragic, but an opportunity to demonstrate how we operate, how we react to help our friends. If they are really a friend, we can do so much more, and I hope that this resolution is just the beginning. I hope all Members will become sensitive to the fact that we can do more. We must do more. God expects us to do more.

Mr. LANTOS. Madam Speaker, I am delighted to yield 4 minutes to the gentleman from New Jersey (Mr. MENENDEZ), a distinguished member of the Committee on International Relations and the chairman of the Democratic Caucus.

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

Mr. MENENDEZ. Madam Speaker, I want to thank the distinguished ranking Democrat from California (Mr. LANTOS) not only for his support but also for his leadership along with the gentleman from Illinois (Mr. HYDE) in taking the lead on this important issue and bringing a resolution to the floor, one that I am strongly in support of.

As we learned in September here in the United States, natural disasters strike without warning, destroy our homes and communities, and challenge us to take care of the victims. We also learned that it is only with the help of the world that we can respond to such large-scale natural disasters. Over 90 countries responded after Hurricane Katrina, including both India and Pakistan. Now it is our turn to respond to them.

Current estimates are that over 40,000 people were killed in India and Pakistan, and the number is only expected to rise. We know that the rescue efforts have been difficult, because many of the villages that were hardest hit were in remote mountainous areas which are almost impossible to reach. In fact, the U.N. estimates that only 30 to 40 percent of an estimated 350 to 900 villages damaged by the earthquake have been inspected. Right now, many suffer without food, medicine, or shelter and face the oncoming winter cold with great fear.

I want to commend the international rescue effort that is underway and the U.S. contribution to that effort. As Andrew Macleod, the United Nations Operations Chief in Pakistan, said, the task of responding to this crisis is ''bigger than all of us.'' We have all heard the saying, ''the whole is greater than the sum of its parts.'' When nations contribute to the relief efforts in India and Pakistan, they are working together to create that greater response, that whole which is greater than the sum of its parts.

In response to the United Nations' appeal for $272 million for emergency aid, over 30 countries have already offered assistance, and the United States has pledged $50 million. I hope the world and the United States will continue to provide not only immediate, but long-term assistance to those areas that need it most, and I hope our combined efforts can prevent any public health disasters that could result from this tragedy.

Our diversity is our greatest strength and connects us to almost every country in the world. When tragedy strikes anywhere in the world, it is also directly felt in the homes of U.S. citizens who still have family and friends in their countries of origin. So I would like to acknowledge the actions of the U.S. Indian and Pakistani communities who are sending money and aid to help the survivors. I see that in my own home State of New Jersey, which has the third largest population of Indian Americans in the country and a very large Pakistani community as well.

In closing, I want to express my deepest sympathies and condolences to the families and friends of those who perished in last Saturday's earthquake in India and Pakistan. This has been a year of great trials and tribulations, of enormous disasters followed by unprecedented responses. But as we learned after the tsunami at the start of the year and during the hurricanes last month, and as I am confident we will see again with this earthquake, together we can be greater than the sum of our parts and overcome these grave natural disasters.

I encourage all Members to vote for the resolution.

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

Mr. DAVIS of Illinois. Madam Speaker, let me first of all commend and congratulate the gentleman from Illinois (Mr. HYDE) and the gentleman from California (Mr. LANTOS) not only for their leadership in bringing this resolution, this legislation to the floor, but also for the tremendous leadership that they have consistently provided in dealing with the international affairs and international relationships between our country and how we respond to the needs of many other nations throughout the world. I think that they have both demonstrated exactly what we need in this direction, and I commend them.

Madam Speaker, I rise in strong support of this legislation because it is an indication of our leadership responsibility. The Bible says that to those to whom much is given, much is expected in return. We have indeed been a very fortunate Nation, and we are fortunate to be able to provide assistance to others throughout the world.

I have worked very closely with the Indian and Palestinian communities in Chicago and the Chicago area. As a matter of fact, I serve on the board of directors of East-West University, which is a Pakistani-owned-primarily university, and have many close friends there.

So I extend condolences to those who have been adversely affected and again commend our leadership.

Mr. FALEOMAVAEGA. Madam Speaker, I rise today in support H. Res. 492 of which I am an original cosponsor and join with my colleagues in mourning the loss of life as a result of the earthquake that occurred on October 8, 2005 in Pakistan and India.

It is estimated that the earthquake claimed the lives of 20,000 to 40,000 people and left more than 2.5 million homeless. Millions of people throughout the region now lack clean water, food, proper sanitation, basic healthcare, adequate shelter, and other necessities.

To date, the U.S. and 30 other donor countries have pledged several hundred million dollars in emergency and long-term reconstruction assistance and many are involved in delivering humanitarian supplies.

As the ranking member of the International Relations Subcommittee on Asia and the Pacific, I express my condolences to the victims and urge continued assistance of those affected. In the case of India, I especially commend the efforts of the Indian American community for mobilizing its forces and working

with Members of Congress to make sure help is rendered.

I urge support of this legislation and I thank Chairman HYDE and Ranking Member LANTOS for their leadership in crafting this important piece of legislation and bringing it before the House for consideration this day.

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

Mr. HYDE. 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 Illinois (Mr. HYDE) that the House suspend the rules and agree to the resolution, H. Res. 492.

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. 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.

SANTA ANA RIVER WATER SUPPLY ENHANCEMENT ACT OF 2005

Mrs. MUSGRAVE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 177) to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project, and for other purposes, as amended.

The Clerk read as follows:

H.R. 177

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 ''Santa Ana River Water Supply Enhancement Act of 2005''.

SEC. 2. PRADO BASIN NATURAL TREATMENT SYSTEM PROJECT.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575, title XVI; 43 U.S.C. 390h et seq.) is amended by adding at the end the following:

''SEC. 1636. PRADO BASIN NATURAL TREATMENT SYSTEM PROJECT.

''(a) IN GENERAL.—The Secretary, in cooperation with the Orange County Water District, shall participate in the planning, design, and construction of natural treatment systems and wetlands for the flows of the Santa Ana River, California, and its tributaries into the Prado Basin.

''(b) COST SHARING.—The Federal share of the cost of the project described in subsection (a) shall not exceed 25 percent of the total cost of the project.

''(c) LIMITATION.—Funds provided by the Secretary shall not be used for the operation and maintenance of the project described in subsection (a).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section $20,000,000.

''(e) SUNSET OF AUTHORITY.—This section shall have no effect after the date that is 10 years after the date of the enactment of this section.''.

(b) CONFORMING AMENDMENT.—The table of sections in section 2 of Public Law 102–575 is further amended by inserting after the item relating to section 1634 the following:

''1636. Prado Basin Natural Treatment System Project.''.

SEC. 3. REGIONAL BRINE LINES.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575, title XVI; 43 U.S.C. 390h et seq.) is further amended by adding at the end the following:

''SEC. 1637. REGIONAL BRINE LINES.

''(a) SOUTHERN CALIFORNIA.—The Secretary, under Federal reclamation laws and in cooperation with units of local government, may assist agencies in projects to construct regional brine lines to export the salinity imported from the Colorado River to the Pacific Ocean as identified in—

''(1) the Salinity Management Study prepared by the Bureau of Reclamation and the Metropolitan Water District of Southern California; and

''(2) the Southern California Comprehensive Water Reclamation and Reuse Study prepared by the Bureau of Reclamation.

''(b) AGREEMENTS AND REGULATIONS.—The Secretary may enter into such agreements and promulgate such regulations as are necessary to carry out this section.

''(c) COST SHARING.—The Federal share of the cost of a project to construct regional brine lines described in subsection (a) shall not exceed—

''(1) 25 percent of the total cost of the project; or

''(2) $40,000,000.

''(d) LIMITATION.—Funds provided by the Secretary shall not be used for operation or maintenance of any project described in subsection (a).

''(e) SUNSET OF AUTHORITY.—This section shall have no effect after the date that is 10 years after the date of the enactment of this section.''.

(b) CONFORMING AMENDMENT.—The table of sections in section 2 of Public Law 102–575 is further amended by inserting after the item relating to section 1635 the following:

''1637. Regional brine lines.''.

SEC. 4. LOWER CHINO DAIRY AREA DESALINATION DEMONSTRATION AND RECLAMATION PROJECT.

(a) IN GENERAL.—The Reclamation Wastewater and Groundwater Study and Facilities Act (Public Law 102–575, title XVI; 43 U.S.C. 390h et seq.) is further amended by adding at the end the following:

''SEC. 1638. LOWER CHINO DAIRY AREA DESALINATION DEMONSTRATION AND RECLAMATION PROJECT.

''(a) IN GENERAL.—The Secretary, in cooperation with the Chino Basin Watermaster, the Inland Empire Utilities Agency, and the Santa Ana Watershed Project Authority and acting under the Federal reclamation laws, shall participate in the design, planning, and construction of the Lower Chino Dairy Area desalination demonstration and reclamation project.

''(b) COST SHARING.—The Federal share of the cost of the project described in subsection (a) shall not exceed—

''(1) 25 percent of the total cost of the project; or

''(2) $50,000,000.

''(c) LIMITATION.—Funds provided by the Secretary shall not be used for operation or maintenance of the project described in subsection (a).

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as are necessary to carry out this section.

''(e) SUNSET OF AUTHORITY.—This section shall have no effect after the date that is 10 years after the date of the enactment of this section.''.

(b) CONFORMING AMENDMENT.—The table of sections in section 2 of Public Law 102–575 is further amended by inserting after the item relating to section 1636 the following:

''1638. Lower Chino dairy area desalination demonstration and reclamation project.''.

SEC. 5. CEILING INCREASE ON FEDERAL SHARE OF WATER RECLAMATION PROJECT.

Section 1631(d) of the Reclamation Wastewater and Groundwater Study and Facilities Act (43 U.S.C.390h-13(d)) is amended—

(1) in paragraph (1) by striking ''paragraph (2)'' and inserting ''paragraphs (2) and (3)''; and

(2) by adding at the end the following new paragraph:

''(3) The Federal share of the costs of the project authorized by section 1624 shall not exceed the following:

''(A) $22,000,000 for fiscal year 2007.
''(B) $24,200,000 for fiscal year 2008.
''(C) $26,620,000 for fiscal year 2009.
''(D) $29,282,000 for fiscal year 2010.
''(E) $32,210,200 for fiscal year 2011.
''(F) $35,431,220 for fiscal year 2012.
''(G) $38,974,342 for fiscal year 2013.
''(H) $42,871,776 for fiscal year 2014.
''(I) $47,158,953 for fiscal year 2015.
''(J) $51,874,849 for fiscal year 2016.''.

SEC. 6. CENTER FOR TECHNOLOGICAL ADVANCEMENT OF MEMBRANE TECHNOLOGY AND EDUCATION.

(a) IN GENERAL.—The Secretary of the Interior shall establish at the Orange County Water District located in Orange County, California, a center for the expressed purposes of providing—

(1) assistance in the development and advancement of membrane technologies; and

(2) educational support in the advancement of public understanding and acceptance of membrane produced water supplies.

(b) MANAGEMENT OF CENTER.—

(1) CONTRACTS.—In establishing the center, the Secretary shall enter into contracts with the Orange County Water District for purposes of managing such center.

(2) PLAN.—Not later than 90 days after the date of enactment of this section, the Secretary, in consultation with the Orange County Water District, shall jointly prepare a plan, updated annually, identifying the goals and objectives of the center.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to carry out subsections (a) and (b), $2,000,000, for each of fiscal years 2006 through 2011. Such sums shall remain available until expended.

(d) REPORT.—Not later than one year after the date of enactment of this section and annually thereafter, the Secretary, in consultation with the Orange County Water District, shall provide a report to Congress on the status of the center and its accomplishments.

(e) SUNSET OF AUTHORITY.—This section shall have no effect after the date that is 10 years after the date of the enactment of this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Colorado (Mrs. MUSGRAVE) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado (Mrs. MUSGRAVE).

GENERAL LEAVE

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

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

There was no objection.

Mrs. MUSGRAVE. Madam Speaker, I yield myself such time as I may consume. H.R. 177, introduced by our colleague from California (Mr. GARY G. MILLER) provides Federal assistance for three water projects aimed at drought-proofing Southern California.

The bill will help develop wetlands to naturally clean surface water in the Santa Ana watershed. The bill also authorizes Federal assistance for the design and construction of a regional wastewater pipeline and a desalting plant.

The Federal cost share of these projects will not exceed 25 percent. This legislation promotes the development of new water technologies that create reliable water supplies and help reduces Southern California's dependence on imported water.

I urge my colleagues to support this legislation.

Madam Speaker, I reserve the balance of my time.

Mr. UDALL of New Mexico. Madam Speaker, I yield myself as much time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Madam Speaker, we support passage of H.R. 177, the water recycling and desalting projects authorized in this bill. These projects will be eligible for limited financial assistance under the Bureau of Reclamation's title XVI water recycling program. These projects will reduce Southern California's dependency on imported water from the Sacramento River Delta, and will dramatically improve the reliability of water supplies in Southern California.

Madam Speaker, I reserve the balance of my time.

Mrs. MUSGRAVE. Madam Speaker, I yield such time as he may consume to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Madam Speaker, I rise in support of H.R. 177, the Santa Ana River Water Supply Enhancement Act of 2005.

I want to thank Resources Chairman POMBO and Water Subcommittee Chairman RADANOVICH for recognizing the importance of this bill, basically providing innovative water solutions to the challenges posed by chronic water shortages in Southern California.

This bill will authorize water resource reliability projects in the Southern California region and dramatically improve the water supply reliability of the Santa Ana River watershed and the water basin in San Bernardino, Riverside, and Orange counties.

Water scarcity issues and wastewater treatment are particularly important to my region. If you want to sustain our Nation's economic growth and provide for rapidly increasing population, we must ensure there is an efficient and reliable access to water resources and pursue modernized sanitation infrastructure. It is critical that we find innovative solutions to the challenges posed by chronic water shortages in Southern California.

In Southern California, water supply deficiency discourages economic growth, endangers the environment, and compromises the health and safety of residents. Because of limited supplies and increased demands, Southern California communities continue to seek nontraditional methods to produce reliable, dependable resources, including water through recycling and desalination.

This bill would help reduce Southern California's dependence on imported water supply by constructing the recycling project, desalination demonstration reclamation project, the regional brine line project and will help in the study of technologies of water recycling.

The Federal Government's specific role in water recycling and desalination projects is in title XVI of the reclamation wastewater and groundwater studies in the Facilities Act, which direct the Department of the Interior to award Federal grants to communities developing nontraditional water supplies.

The significant local cost share and minimal Federal share makes these projects attractive to private financing partnerships and encourages regional solutions to complex water problems.

Upon full implementation, these projects will create an estimated 200,000 new acre feet of water for the region, upon full implementation, some 65.2 million gallons of water; and that is significant for our region.

It reduces the impact of water from the Colorado River in Northern California. As this bill moves forward, I ask my colleagues to support this. This is good for the environment, good for people, and good for the region.

Mr. UDALL of New Mexico. Madam Speaker, I would like to take this opportunity to thank the majority and minority staff and especially Steve Lanich.

Ms. LORETTA SANCHEZ of California. Madam Speaker, I rise today in strong support of H.R. 177, particularly with regard to Section 5, which will increase the ceiling of the federal share for the Orange County Groundwater Replenishment project. I introduced this section as a stand-alone bill in the 108th Congress, and it was passed by the House last year. I am pleased to see this legislation being passed again in its current form.

Section 5 will increase the authorized Federal share for the Orange County California Groundwater Replenishment, OCGWR. This will help Orange County to complete this important and much-needed project, which will serve about 2.3 million residents of north and central Orange County, and it will create a new water supply of 72,000 acre-feet per year.

The OCGWR project is not just important to Orange County, California, but also to the entire western United States. By recycling our own water, we in Orange County would not have to rely so heavily on water from the Colorado River Aqueduct or the San Francisco Bay Delta.

Moreover, the OCGWR is a highly innovative recycling project—a pilot project for other future water recycling projects. Experts in public water management systems, from other states and from countries around the world, have come to Orange County to look at the tertiary cleaning system housed there. The project is of national and even international significance.

I am pleased that this project has received strong support from Members on both sides of the aisle. As I mentioned previously, the Committee on Resources very generously allowed this same bill to be considered under Suspension of the Rules last year. I would like to take this opportunity to again thank Chairman POMBO from California, Ranking Member RAHALL from West Virginia, as well as former Subcommittee Chairman CALVERT and Ranking Member NAPOLITANO of California for their overwhelming support of this bill.

I would also like to thank my colleagues from Orange County for their continued support. Mr. MILLER, the former Representative Mr. Cox, Mr. ROHRABACHER and Mr. ROYCE are strong supporters of this project. Securing funding for the OCGWR has always been, and will continue to be, a bipartisan effort.

I urge my colleagues to support H.R. 177 which contains this legislation, and I yield back the balance of my time.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) that the House suspend the rules and pass the bill, H.R. 177, as amended.

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

A motion to reconsider was laid on the table.

ROCKY MOUNTAIN NATIONAL PARK BOUNDARY ADJUSTMENT ACT OF 2005

Mrs. MUSGRAVE. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 55) to adjust the boundary of Rocky Mountain National Park in the State of Colorado.

The Clerk read as follows:

S. 55

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 ''Rocky Mountain National Park Boundary Adjustment Act of 2005''.

SEC. 2. DEFINITIONS.

In this Act:

(1) FEDERAL PARCEL.—The term ''Federal parcel'' means the parcel of approximately 70 acres of Federal land near MacGregor Ranch, Larimer County, Colorado, as depicted on the map.

(2) MAP.—The term ''map'' means the map numbered 121/80,154, dated June 2004.

(3) NON-FEDERAL PARCELS.—The term ''non-Federal parcels'' means the 3 parcels of non-Federal land comprising approximately 5.9 acres that are located near MacGregor Ranch, Larimer County, Colorado, as depicted on the map.

(4) PARK.—The term ''Park'' means Rocky Mountain National Park in the State of Colorado.

SEC. 3. ROCKY MOUNTAIN NATIONAL PARK BOUNDARY ADJUSTMENT.

(a) EXCHANGE OF LAND.—

(1) IN GENERAL.—The Secretary shall accept an offer to convey all right, title, and interest in and to the non-Federal parcels to the United States in exchange for the Federal parcel.

(2) CONVEYANCE.—Not later than 60 days after the date on which the Secretary receives an offer under paragraph (1), the Secretary shall convey the Federal parcel in exchange for the non-Federal parcels.

(3) CONSERVATION EASEMENT.—As a condition of the exchange of land under paragraph (2), the Secretary shall reserve a perpetual easement to the Federal parcel for the purposes of protecting, preserving, and enhancing the conservation values of the Federal parcel.

(b) BOUNDARY ADJUSTMENT; MANAGEMENT OF LAND.—On acquisition of the non-Federal parcels under subsection (a)(2), the Secretary shall—

(1) adjust the boundary of the Park to reflect the acquisition of the non-Federal parcels; and

(2) manage the non-Federal parcels as part of the Park, in accordance with any laws (including regulations) applicable to the Park.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Colorado (Mrs. MUSGRAVE) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado (Mrs. MUSGRAVE).

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, S. 55 is identical to H.R. 774, which I introduced earlier this year. S. 55 would authorize the Secretary of the Interior to accept a conveyance of 5.9 acres and in return convey approximately 70 acres to the MacGregor Ranch Trust in order to consolidate trailheads and improve visitor access in Rocky Mountain National Park.

According to the National Park Service, Rocky Mountain National Park is the fifth most visited park in the system. With the popularity of Rocky Mountain National Park, the park officials must continuously find ways to improve visitor access and enjoyment.

For this reason, Senator ALLARD and I introduced the Rocky Mountain National Park Boundary Adjustment Act of 2005. This is a straightforward piece of legislation, and it is legislation that is needed to enhance enjoyment and ease of access to a popular trailhead.

S. 55 would convey three strategic pieces of land to the park system from the MacGregor ranch, a historic working cattle ranch that is located within the boundary of the park. The new parcels of land would be used to build a new parking lot and road to offer improved access for the public, while protecting the historic integrity of the ranch.

The MacGregor ranch would, in turn, receive much-needed grazing land. I believe this is a long-term solution for both the park and the MacGregor ranch.

Madam Speaker, S. 55 is supported by the majority and the minority, and I urge passage of the bill.

Madam Speaker, I reserve the balance of my time.

Mr. UDALL of New Mexico. Madam Speaker, I yield myself as much time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Madam Speaker, as the majority has explained, S. 55 provides for a land exchange at Rocky Mountain National Park in order to facilitate the relocation of a park trailhead.

Madam Speaker, the proposed exchange will include private property within the park that will further the public use and enjoyment of a popular hiking trail. In addition, the legislation requires that a conservation easement be maintained on Federal land being conveyed in order to protect, preserve, and enhance the conservation values of that land.

Madam Speaker, the terms of the exchange are satisfactory to both parties, and we know of no problems with the legislation. That being the case, we have no objection to the adoption of S. 55 by the House today.

Madam Speaker, in closing, I would like to just thank the majority and minority staff and especially Rick Healy of the Resources Committee.

Mr. UDALL of Colorado. Madam Speaker, I rise in support of this bill, which is the companion to a House bill, H.R. 774, introduced by our colleague, Mrs. MUSGRAVE, that I have cosponsored with my Colorado colleagues Mr. BEAUPREZ and Mr. TANCREDO.

It directs the Secretary of Interior to enter into a land exchange to benefit Rocky Mountain National Park, and adjusts the boundary of the park in order to facilitate that exchange.

Rocky Mountain National Park is one of Colorado's outstanding natural treasures. Established by Congress in 1915, it includes about 266,000 acres whose spectacular high alpine scenery and abundant wildlife attract over 3 million visitors annually.

Not all the land within the park's boundaries is owned by the United States. One private inholding is the historic McGregor Ranch. Part of that ranch is a private access road that hikers and rock climbers have been using to reach the Twin Owls Trailhead just inside the park boundary and from there to visit various parts of the park.

Over the last 20 years the popularity of the Twin Owls trailhead has grown steadily and in recent years overflow parking from the trailhead has had adverse effects on the ranch while the increase in traffic on the one-lane access road has diminished the historic character of the area.

For several years the National Park Service, NPS, and the McGregor Ranch have been working to find a solution to the traffic and parking problems. In 2003, after a process that involved public participation and an environmental assessment, the NPS decided to relocate the Twin Owls parking lot to the east end of the McGregor Ranch, a location well away from the historic homestead. Construction of a new access road and a larger parking lot for the trailhead is planned at the new location.

In order to enforce NPS regulations on the new access road and at the new trailhead, the land must be located within the park boundary. This legislation is necessary to authorize the land exchange and to adjust the park boundary to include the newly acquired lands.

Under the bill, the McGregor Trust—owner of the ranch—will convey 5.9 acres of land to the NPS to facilitate the construction and management of the new facilities. In exchange, the McGregor Trust will acquire up to 70 acres to be used for the purpose of growing hay and cattle.

The difference in the acreages reflects a difference in market value. The land now held by the ranch, which will be transferred to the United States, is suitable for residential use and therefore of higher per acre value than the grazing land that will be transferred to the ranch. To maintain the character of the land being transferred to the ranch, the National Park Service will retain a conservation easement that will allow grazing but prohibit construction of buildings.

Mr. Speaker, this bill is good for the McGregor Ranch, for Rocky Mountain National Park, and for the public. I urge its approval.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Colorado (Mrs. MUSGRAVE) that the House suspend the rules and pass the Senate bill, S. 55.

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.

OJITO WILDERNESS ACT

Mrs. MUSGRAVE. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 156) to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, and for other purposes.

The Clerk read as follows:

S. 156

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 ''Ojito Wilderness Act''.

SEC. 2. DEFINITIONS.

In this Act:

(1) MAP.—The term ''map'' means the map entitled ''Ojito Wilderness Act'' and dated October 1, 2004.

(2) PUEBLO.—The term ''Pueblo'' means the Pueblo of Zia.

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

(4) STATE.—The term ''State'' means the State of New Mexico.

SEC. 3. DESIGNATION OF THE OJITO WILDERNESS.

(a) IN GENERAL.—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 1131 et seq.), there is hereby designated as wilderness, and, therefore, as a component of the National Wilderness Preservation System, certain land in the Albuquerque District-Bureau of Land Management, New Mexico, which comprises approximately 11,183 acres, as generally depicted on the map, and which shall be known as the ''Ojito Wilderness''.

(b) MAP AND LEGAL DESCRIPTION.—The map and a legal description of the wilderness area designated by this Act shall—

(1) be filed by the Secretary with the Committee on Energy and Natural Resources of the Senate and the Committee on Resources of the House of Representatives as soon as practicable after the date of enactment of this Act;

(2) have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the legal description and map; and

(3) be on file and available for public inspection in the appropriate offices of the Bureau of Land Management.

(c) MANAGEMENT OF WILDERNESS.—Subject to valid existing rights, the wilderness area designated by this Act shall be managed by the Secretary in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this Act, except that, with respect to the wilderness area designated by this Act, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of enactment of this Act.

(d) MANAGEMENT OF NEWLY ACQUIRED LAND.—If acquired by the United States, the following land shall become part of the wilderness area designated by this Act and shall be managed in accordance with this Act and other applicable law:

(1) Section 12 of township 15 north, range 01 west, New Mexico Principal Meridian.

(2) Any land within the boundaries of the wilderness area designated by this Act.

(e) MANAGEMENT OF LANDS TO BE ADDED.—The lands generally depicted on the map as ''Lands to be Added'' shall become part of the wilderness area designated by this Act if the United States acquires, or alternative adequate access is available to, section 12 of township 15 north, range 01 west, New Mexico Principal Meridian.

(f) RELEASE.—The Congress hereby finds and directs that the lands generally depicted on the map as ''Lands to be Released'' have been adequately studied for wilderness designation pursuant to section 603 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782) and no longer are subject to the requirement of section 603(c) of such Act (43 U.S.C. 1782(c)) pertaining to the management of wilderness study areas in a manner that does not impair the suitability of such areas for preservation as wilderness.

(g) GRAZING.—Grazing of livestock in the wilderness area designated by this Act, where established before the date of enactment of this Act, shall be administered in accordance with the provisions of section 4(d)(4) of the Wilderness Act (16 U.S.C. 1133(d)(4)) and the guidelines set forth in Appendix A of the Report of the Committee on Interior and Insular Affairs to accompany H.R. 2570 of the One Hundred First Congress (H. Rept. 101–405).

(h) FISH AND WILDLIFE.—As provided in section 4(d)(7) of the Wilderness Act (16 U.S.C. 1133(d)(7)), nothing in this section shall be construed as affecting the jurisdiction or responsibilities of the State with respect to fish and wildlife in the State.

(i) WATER RIGHTS.—

(1) FINDINGS.—Congress finds that—

(A) the land designated as wilderness by this Act is arid in nature and is generally not suitable for use or development of new water resource facilities; and

(B) because of the unique nature and hydrology of the desert land designated as wilderness by this Act, it is possible to provide for proper management and protection of the wilderness and other values of lands in ways different from those used in other legislation.

(2) STATUTORY CONSTRUCTION.—Nothing in this Act—

(A) shall constitute or be construed to constitute either an express or implied reservation by the United States of any water or water rights with respect to the land designated as wilderness by this Act;

(B) shall affect any water rights in the State existing on the date of enactment of this Act, including any water rights held by the United States;

(C) shall be construed as establishing a precedent with regard to any future wilderness designations;

(D) shall affect the interpretation of, or any designation made pursuant to, any other Act; or

(E) shall be construed as limiting, altering, modifying, or amending any of the interstate compacts or equitable apportionment decrees that apportion water among and between the State and other States.

(3) STATE WATER LAW.—The Secretary shall follow the procedural and substantive requirements of the law of the State in order to obtain and hold any water rights not in existence on the date of enactment of this Act with respect to the wilderness area designated by this Act.

(4) NEW PROJECTS.—

(A) WATER RESOURCE FACILITY.—As used in this subsection, the term ''water resource facility''—

(i) means irrigation and pumping facilities, reservoirs, water conservation works, aqueducts, canals, ditches, pipelines, wells, hydropower projects, and transmission and other ancillary facilities, and other water diversion, storage, and carriage structures; and

(ii) does not include wildlife guzzlers.

(B) RESTRICTION ON NEW WATER RESOURCE FACILITIES.—Except as otherwise provided in this Act, on and after the date of enactment of this Act, neither the President nor any other officer, employee, or agent of the United States shall fund, assist, authorize, or issue a license or permit for the development of any new water resource facility within the wilderness area designated by this Act.

(j) WITHDRAWAL.—Subject to valid existing rights, the wilderness area designated by this Act, the lands to be added under subsection (e), and lands identified on the map as the ''BLM Lands Authorized to be Acquired by the Pueblo of Zia'' are withdrawn from—

(1) all forms of entry, appropriation, and disposal under the public land laws;

(2) location, entry, and patent under the mining laws; and

(3) operation of the mineral leasing, mineral materials, and geothermal leasing laws.

(k) EXCHANGE.—Not later than 3 years after the date of enactment of this Act, the Secretary shall seek to complete an exchange for State land within the boundaries of the wilderness area designated by this Act.

SEC. 4. LAND HELD IN TRUST.

(a) IN GENERAL.—Subject to valid existing rights and the conditions under subsection (d), all right, title, and interest of the United States in and to the lands (including improvements, appurtenances, and mineral rights to the lands) generally depicted on the map as ''BLM Lands Authorized to be Acquired by the Pueblo of Zia'' shall, on receipt of consideration under subsection (c) and adoption and approval of regulations under subsection (d), be declared by the Secretary to be held in trust by the United States for the Pueblo and shall be part of the Pueblo's Reservation.

(b) DESCRIPTION OF LANDS.—The boundary of the lands authorized by this section for acquisition by the Pueblo where generally depicted on the map as immediately adjacent to CR906, CR923, and Cucho Arroyo Road shall be 100 feet from the center line of the road.

(c) CONSIDERATION.—

(1) IN GENERAL.—In consideration for the conveyance authorized under subsection (a), the Pueblo shall pay to the Secretary the amount that is equal to the fair market value of the land conveyed, as subject to the terms and conditions in subsection (d), as determined by an independent appraisal.

(2) APPRAISAL.—To determine the fair market value, the Secretary shall conduct an appraisal paid for by the Pueblo that is performed in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(3) AVAILABILITY.—Any amounts paid under paragraph (1) shall be available to the Secretary, without further appropriation and until expended, for the acquisition from willing sellers of land or interests in land in the State.

(d) PUBLIC ACCESS.—

(1) IN GENERAL.—Subject to paragraph (2), the declaration of trust and conveyance under subsection (a) shall be subject to the continuing right of the public to access the land for recreational, scenic, scientific, educational, paleontological, and conservation uses, subject to any regulations for land management and the preservation, protection, and enjoyment of the natural characteristics of the land that are adopted by the Pueblo and approved by the Secretary: *Provided*, That the Secretary shall ensure that the rights provided for in this paragraph are protected and that a process for resolving any complaints by an aggrieved party is established.

(2) CONDITIONS.—Except as provided in subsection (e)—

(A) the land conveyed under subsection (a) shall be maintained as open space and the natural characteristics of the land shall be preserved in perpetuity; and

(B) the use of motorized vehicles (except on existing roads or as is necessary for the maintenance and repair of facilities used in connection with grazing operations), mineral extraction, housing, gaming, and other commercial enterprises shall be prohibited within the boundaries of the land conveyed under subsection (a).

(e) RIGHTS OF WAY.—

(1) EXISTING RIGHTS OF WAY.—Nothing in this section shall affect—

(A) any validly issued right-of-way or the renewal thereof; or

(B) the access for customary construction, operation, maintenance, repair, and replacement activities in any right-of-way issued, granted, or permitted by the Secretary.

(2) NEW RIGHTS OF WAY AND RENEWALS.—

(A) IN GENERAL.—The Pueblo shall grant any reasonable request for rights-of-way for utilities and pipelines over the land acquired under subsection (a) that is designated as the ''Rights-of-Way corridor #1'' in the Rio Puerco Resource Management Plan that is in effect on the date of the grant.

(B) ADMINISTRATION.—Any right-of-way issued or renewed after the date of enactment of this Act located on land authorized to be acquired under this section shall be administered in accordance with the rules, regulations, and fee payment schedules of the Department of the Interior, including the Rio Puerco Resources Management Plan that is in effect on the date of issuance or renewal of the right-of-way.

(f) JUDICIAL RELIEF.—

(1) IN GENERAL.—To enforce subsection (d), any person may bring a civil action in the United States District Court for the District of New Mexico seeking declaratory or injunctive relief.

(2) SOVEREIGN IMMUNITY.—The Pueblo shall not assert sovereign immunity as a defense or bar to a civil action brought under paragraph (1).

(3) EFFECT.—Nothing in this section—

(A) authorizes a civil action against the Pueblo for money damages, costs, or attorneys fees; or

(B) except as provided in paragraph (2), abrogates the sovereign immunity of the Pueblo.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Colorado (Mrs. MUSGRAVE) and the gentleman from New Mexico (Mr. UDALL) each will control 20 minutes.

The Chair recognizes the gentlewoman from Colorado (Mrs. MUSGRAVE).

GENERAL LEAVE

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

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

There was no objection.

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

□ 1330

Madam Speaker, S. 156, introduced by Senator BINGAMAN of New Mexico, and a companion to H.R. 362 sponsored by the gentleman from New Mexico (Mr. UDALL) would designate approximately the 11,000-acre Ojito Wilderness Area in Sandoval County, New Mexico, as wilderness. This Federal land was determined by the Bureau of Land Management in 1991 as suitable for wilderness designation. This bill would also take certain land into trust for the Pueblo of Zia to protect its religious and cultural sites in Zia.

Madam Speaker, S. 156 is supported by the majority and the minority of the administration. I urge adoption of the bill.

Madam Speaker, I reserve the balance of my time.

Mr. UDALL of New Mexico. Madam Speaker, I yield myself such time as I may consume.

(Mr. UDALL of New Mexico asked and was given permission to revise and extend his remarks.)

Mr. UDALL of New Mexico. Madam Speaker, we support passage of S. 156, the Ojito Wilderness Act. This bill designates the Ojito Wilderness Study Area, an area totaling approximately 11,000 acres, as a permanent wilderness to be protected pursuant to the 1964 Wilderness Act. The bill also provides for the purchase and transfer of adjacent Bureau of Land Management lands to the Pueblo of Zia. These lands, totaling approximately 13,000 acres, are contiguous to the current boundaries of the Pueblo. This area will be taken into trust and held for the benefit of the Pueblo by the Secretary of the Interior, and will be managed in perpetuity by the Pueblo as wilderness.

As the lead co-sponsor in the House, I would like to take this opportunity to greatly acknowledge my colleague from New Mexico (Mrs. WILSON) and fellow co-sponsor. I thank the gentleman from California (Mr. POMBO) and the gentleman from West Virginia (Mr. RAHALL), the chairman and ranking member of the Committee on Resources, for bringing the Ojito Wilderness Act to the floor. This bipartisan, bicameral legislation is the result of good-faith collaboration and cooperation among many people in New Mexico and among many of us here in the United States Congress. This is truly a compromise bill. I encourage my colleagues to support it.

I am proud to say that New Mexicans recognize how vitally important it is to protect natural areas, to encourage the stainable use of our State's natural resources, and to honor the role land plays in the lives of Native Americans. As this Ojito legislation demonstrates, with creativity and cooperation, we can find solutions compatible with all of these necessities.

This proposal has been under consideration for many years. In 1991 Manuel Lujan, the Secretary of the Interior in the former President Bush's Cabinet, recommended the Ojito area to Congress for wilderness designation. The BLM has evaluated this area and found it qualifies for full wilderness status and protection.

The legislation has the explicit support of the Governor of New Mexico, the counties of Sandoval and Bernalillo, individual members of the State government, including our State Land Commissioner Patrick Lyons, the Pueblo of Zia and its members, the adjacent private land owners and ranchers who graze their cattle on the land, numerous environmental groups, and business owners and private citizens living and working nearby.

The Ojito Wilderness Study Area is characterized by pristine and dramatic landforms and rock structures and by several rare plant populations that are indigenous to the area. Ojito is also recognized for its high density of cultural and archeological sites, including sites that have religious significance to Pueblo Indians.

This legislation is of particular importance for the Pueblo of Zia. The Pueblo's reservation lands currently lie in two noncontiguous sections. Zia has made a concerted effort over years to adjoin its reservation lands. This legislation will help make that long-standing goal a reality. The Pueblo has consistently and openly worked in cooperation with other interested parties to reach a mutually satisfactory arrangement for the protection of these important lands as undeveloped open space with continued public access. And, in an additional gesture of good faith, the Pueblo has waived its sovereign immunity from suit for matters arising under the provisions of this bill.

Considering the above, I think this bill does the right thing by ensuring the preservation, protection, and public accessibility of this special area of New Mexico for future generations of Americans. Allow me to express a special thanks to New Mexico Senators BINGAMAN and DOMENICI, the sponsors of this bill in the Senate. Let me further express my gratitude to the Governor of Zia, Zia Pueblo, Teofilo Pino, and to the Pueblo's former Governor and current Tribal Administrator Peter Pino, and also to Martin Heinrich, Albuquerque City Councilor and long-time volunteer for the Coalition for New Mexico's Wilderness for their strong and fair efforts in reaching a meaningful and positive compromise.

I would also like to fondly acknowledge my Senior Legislative Assistant Johanna Polsenberg and my field representative Sarah Cobb as well as Rick Healy and Rob Howarth on the Committee on Resources for their tireless and dedicated work on this important and far-sighted legislation.

Finally, I would like to thank my father, Stewart Udall, for his work over 40 years ago on the enactment of the Wilderness Act during his tenure as Secretary of the Interior. It is with the deepest respect and awe in the warp and weft of history that I might find myself on the floor of the House today honoring my father's legacy and his tremendous dedication to ensuring the preservation of wilderness, as stated in the act itself, lands ''in contrast to those areas where man and his works dominate the landscape, where the Earth and its communities of life are untrammeled by man.''

Madam Speaker, I reserve the balance of my time.

Mrs. MUSGRAVE. Madam Speaker, I yield such time as she may consume to the gentlewoman from New Mexico (Mrs. WILSON).

Mrs. WILSON of New Mexico. Madam Speaker, in the 108th Congress the gentleman from New Mexico (Mr. UDALL) introduced and we passed through this House legislation almost identical to this and we reintroduced it in this Congress. It has had a companion bill in the Senate which has now passed the Senate. And after conferring with the committee and with the gentleman from New Mexico (Mr. UDALL) we decided to take up the Senate version of the bill in this House rather than passing the House bill because that means that the next stop for this legislation is the President's desk.

The bill that the gentleman and I pass today will not have the gentleman's name on it, but it certainly is a result of his leadership that was brought here to the floor of the House, and I want to commend the gentleman from New Mexico (Mr. UDALL).

I also wanted to commend Johanna Polsenberg for her work on this piece of legislation. It has been a real joy to work with her. And my staff member, Colin Hunter, I think also deserves some credit. Without the two of them, all of the little things that had to get done would have been left to others and might not have gotten done. So they have had a tremendous impact. I also thank the gentleman from New Mexico (Mr. UDALL) very much for his leadership.

This legislation is locally developed and locally supported. It is the result of a decade of work by the BLM and the Zia Pueblo and the State office working out all the little details of rights-of-way and lands transfers and where the fences go and who has what rights where. It is a very balanced bill that puts into law the Ojito Wilderness, an 11,000-acre piece of land, that will be protected 40 miles northwest of Albuquerque, New Mexico.

As the gentleman from New Mexico (Mr. UDALL) mentioned, Manuel Lujan was the one who was the Secretary of the Interior when he recommended to the Congress that this piece of land should be set aside as an appropriate area for wilderness. The other thing that it does that I think is very important and has become important to all of us is that it allows for the purchase and transfer of BLM lands to Zia Pueblo. These lands will continue to have public access under the statute and remain undeveloped, but it will allow the Pueblo of Zia to unify its Pueblo and to connect the two noncontiguous areas of lands that are now part of its Pueblo.

I think one of the things that is wonderful about these jobs that we have the honor to hold is the opportunity to work with interesting people who are committed to different projects around our States and around the Nation. There are a lot of people who deserve thanks for making this legislation a reality today, certainly the gentleman from California (Mr. POMBO) and the gentleman from California (Mr. RADANOVICH) for their support and their staff support in getting this worked out and worked through, and of course our staffs and the gentleman from New Mexico's leadership on this.

I think I would also like to recognize some New Mexicans. As I mentioned, this was locally developed and locally supported. Successive Governors and Tribal Council members of Zia Pueblo took a leadership role early on, including the current Governor, Teofilo Pino, and his predecessor and long-time Tribal Administrator Governor Peter Pino and their Counsel, David Mielke.

I think we would probably agree that one of the most colorful, interesting characters in New Mexico is Peter Pino. I could sit and listen to stories from him for a long time. He has taught us so very much.

Additionally, I would like to thank Oscar Simpson of the New Mexico Wildlife Federations, Stephen Capra of the New Mexico Wilderness Alliance, Melyssa Watson of the Wilderness Support Center, and former and current Chair of the Coalition for New Mexico Wilderness, Jim Scarantino and Arturo Sandoval, and former Sandoval County Commissioner Daymon Ely. Linda Rundell and Lisa Morrison from the BLM and Patrick Lyons, the State Land Commissioner, were also very, very helpful in this legislation.

Finally, I would also like to thank Albuquerque City Councilor Martin Heinrich, who from the very beginning has been instrumental in ironing out the little problems that come up, working through issues associated with this legislation, and making things happen.

I think, as you can see, when things are successful there are a lot of people involved behind the scenes making them happen, and without them this legislation would not be here on the floor of the House today. I am very pleased that the Ojito Wilderness is going to get the permanent wilderness designation that it deserves and the Pueblo of Zia is going to achieve its long-sought transfer of important and ancestral lands that will unite two noncontiguous areas of its reservation.

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

Mrs. MUSGRAVE. Mr. 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 gentlewoman from Colorado (Mrs. MUSGRAVE) that the House suspend the rules and pass the Senate bill, S. 156.

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.

EXTENDING THROUGH DECEMBER 31, 2007, AUTHORITY OF THE SECRETARY OF THE ARMY TO ACCEPT AND EXPEND FUNDS CONTRIBUTED BY NON-FEDERAL PUBLIC ENTITIES TO EXPEDITE THE PROCESSING OF PERMITS

Mr. DUNCAN. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 3765) to extend through December 31, 2007, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits.

The Clerk read as follows:

Senate amendments: Page 2, line 10, strike ''December 31, 2007'' and insert: ''March 31, 2006''.

Amend the title so as to read: ''An Act to extend through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits.''.

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

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

GENERAL LEAVE

Mr. DUNCAN. 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 under consideration.

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

There was no objection.

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

Madam Speaker, on September 20 of 2005, the House passed H.R. 3765, which provided a 2-year extension of the authority of the Corps of Engineers to accept funds to help process permit applications. This program, which has broad bipartisan support, expired on September 30 of this year. Unless it is extended, some regulatory personnel will have to be reassigned or let go, reducing the Corps' ability to process permits in a timely manner.

On October 7 of 2005 the Senate passed H.R. 3765 with an amendment to extend this program for only 6 months, until March 31, 2006. To prevent a reduction in the Corps' ability to process permits, Congressional action is urgently needed. For that reason, I ask Members to agree to the Senate amendment.

This issue of how long the authority to accept funds to process permits should be extended will be revisited in the House-Senate Conference on the Water Resources Development Act, after the other body passes their WRDA bill.

This is an important thing for the Army Corps of Engineers. This is very helpful to them and it is important

particularly to the west coast. It is limited to public entities such as ports and highway departments and other similar public entities. It is available throughout the Nation but it is used primarily on the west coast because it is important to them.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I support passage of H.R. 3765, as amended by the Senate. This bill extends through March 31 of 2006 the authority of the Secretary of the Army to accept and extends funding contributed by the non-Federal public entities to expedite the processing of permits under the Clean Water Act and Rivers and Harbor Acts of 1899. This program is popular and well-received, particularly in the northwestern part of our country.

I congratulate my colleague from Washington (Mr. BAIRD) for his attention to this issue and for securing consideration of this bill. Thanks to the tireless efforts of the gentleman from Washington State, this short-term extension should quickly move to the President's desk for signature.

□ 1345

I can think of no other Member of Congress who has served his local and regional issues with more enthusiasm and effectiveness.

The language of H.R. 3765 is modeled after language in H.R. 2864, the Water Resources Development Act of 2005, which was passed by this House on July 14 by an overwhelming vote of 406 to 14.

As a freestanding bill, H.R. 3765 was approved by the House under suspension on September 20 in a voice vote. Although the length of authorization contained in this bill was shortened slightly by the Senate, even as modified this bill would continue to receive strong support.

Madam Speaker, despite concerns expressed by the other body, the Senate, on this legislation today, today's consideration of one of the provisions of the larger Water Resources Development Act should not be viewed as an indication that the larger bill will not be enacted later this year.

I remain optimistic that the other House of Congress will soon consider this vital legislation, particularly in light of the vital role of flood damage reduction, navigation and other storm damage reduction projects in protecting lives and properties and enhancing economic well-being. The tragic events associated with Hurricane Katrina indicate how important our water infrastructure truly is.

I would like to thank the gentleman from Tennessee (Mr. DUNCAN), our chairman of the subcommittee, for helping us on this issue. I urge support for this bill.

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

Mr. DUNCAN. Madam Speaker, I would also like to commend the gentleman from Washington (Mr. BAIRD), a member of our subcommittee, a very active member, for his work on this legislation; and as I mentioned earlier, it has broad bipartisan support, so I urge its passage.

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 Tennessee (Mr. DUNCAN) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 3765.

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

A motion to reconsider was laid on the table.

WILLIAM F. CLINGER, JR. POST OFFICE BUILDING

Mr. PORTER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3549) to designate the facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the ''William F. Clinger, Jr. Post Office Building''.

The Clerk read as follows:

H.R. 3549

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

SECTION 1. WILLIAM F. CLINGER, JR. POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, shall be known and designated as the ''William F. Clinger, Jr. Post Office Building''.

(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 ''William F. Clinger, Jr. Post Office Building''.

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

The Chair recognizes the gentleman from Nevada (Mr. PORTER).

GENERAL LEAVE

Mr. PORTER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the bill now under consideration, H.R. 3549.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 3549, authored by the distinguished gentleman from Pennsylvania (Mr. ENGLISH). This bill would designate the post office in Warren, Pennsylvania, as the William F. Clinger, Jr. Post Office Building. All Members of the Pennsylvania delegation have cosponsored this legislation.

Former Representative Bill Clinger was born and raised in Warren, Pennsylvania, where he attended local public schools and graduated from Hill High School in Pottstown, Pennsylvania. Bill Clinger was admitted to the Pennsylvania bar in 1965, and then enjoyed a career in private law practice. On January 3, 1979, Bill Clinger was elected to the 96th Congress and was reelected to eight succeeding Congresses.

During this time, Mr. Clinger showed his perseverance in serving the citizens of Warren, Pennsylvania, by working towards accountability in government during his time as a member of the Committee on Government Reform. As a distinguished long-time member of the committee, Clinger served as the ranking member during the 103rd Congress as well as the chairman during the 104th Congress. One of his many accomplishments in Congress was the passage of the Clinger-Cohen Act, which transformed the way the Federal Government plans for, acquires, and manages information technology.

When Chairman Clinger left Congress, he continued contributing to his community. He is a senior fellow at the Center For the Study of American Government at Johns Hopkins University where he lectures frequently and works with students on their master's theses. Further, he spends his summers in Chautauqua, New York, where he is the chair of the Board of Trustees of the Chautauqua Institution. William Clinger was an example and an inspiration to all as he demonstrated his strong and respected leadership abilities during his time in the U.S. House of Representatives.

I join the gentleman from Pennsylvania (Mr. ENGLISH) in recognizing the accomplishments of former Representative Clinger and I urge all Members to do the same.

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 Committee on Government Reform, I am pleased to join my colleague in consideration of H.R. 3549, legislation naming a postal facility in Warren, Pennsylvania, after William F. Clinger, Jr. This measure, which was introduced by the gentleman from Pennsylvania (Mr. ENGLISH) on July 28, 2005, and unanimously reported by our committee on September 29, 2005, enjoys the support and cosponsorship of the entire Pennsylvania delegation.

A native of Warren County, Pennsylvania, Mr. Clinger graduated from Johns Hopkins University, served in the United States Navy, and obtained a law degree from the University of Virginia before practicing law. He was elected to represent Pennsylvania's Fifth Congressional District in 1979,

serving until 1997. While in Congress, Representative Clinger served as chairman of the Committee on Government Reform and Oversight, vice chairman of the Committee on Transportation and Infrastructure, and ranking member on the Subcommittee on Aviation.

Since retiring from Congress, former Representative Clinger has served on a number of boards and been involved with Johns Hopkins University as a senior fellow with the Political Science Department and Harvard University's Kennedy School of Government. I commend my colleagues for naming a post office after former Representative William Clinger, and I urge swift passage of this bill.

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

Mr. PORTER. Madam Speaker, I yield such time as he may consume to my distinguished colleague from the Commonwealth of Pennsylvania (Mr. ENGLISH).

Mr. ENGLISH of Pennsylvania. Madam Speaker, I want to thank the gentleman for yielding me this time and giving me the opportunity to rise here today to advocate a piece of legislation that is symbolic, but it is important symbolism; and it is particularly important to the residents of a community of mine, Warren County, that I have acquired since the last reapportionment. I share that area with my colleague from Pennsylvania (Mr. PETERSON) who is with us here today and who has cosponsored this bill.

We rise to honor the distinguished former chairman of the Committee on Government Reform, Congressman Bill Clinger. You have heard from some of our other colleagues how Bill Clinger has been a major leader in the House of Representatives, how he served nine terms, how he came to Congress with a background in economic development and became a very powerful advocate of rural concerns, how he was born and raised in Warren, Pennsylvania, and it is our intention to name the post office in Warren after him.

For a generation of political leaders in northwestern Pennsylvania, Bill Clinger has been an inspiration to us, someone who has brought a profound sense of civic responsibility to everything he has done, prior to coming to Congress, in Congress, and since he left Congress, particularly with his service to the Chautauqua Institution.

His chairmanship of the House Committee on Government Reform allowed him to help establish concrete reforms to ensure government accountability, gaining the respect of Members from both sides of the aisle. Chairman Clinger helped usher through historic legislation, such as a measured curb on Federally funded mandates, line item veto authority, and a bill to reduce the paperwork burden that the Federal Government imposes on governments, individuals, and private businesses.

For those of us who had the privilege of working with Bill Clinger, he has always been an inspiration to us, and we thought it was appropriate to take perhaps the signal Federal building in the community in which he grew up and name it after him, so that everyone in Warren could remember how Warren and northwestern Pennsylvania has produced leadership of the first order in Congress.

It is my privilege to submit the bulk of my remarks for the RECORD, but I am proud to be here with my colleague from Pennsylvania, with the gentleman from Nevada, and the gentleman from the other side of the aisle to provide a manifestation of how much Bill Clinger has meant to this institution, to the community that he grew up in, and how it is worth our while to take a few minutes out in the House business to acknowledge those who have really made a difference.

Madam Speaker, I rise today to honor the distinguished former Chairman of the Government Reform Committee, Congressman Bill Clinger.

Chairman Clinger was a major leader in the House of Representatives, having acquired the reputation as a strong voice for government reform during his nine illustrious terms. Clinger represented what is now Pennsylvania's 5th Congressional District from 1979 to 1997—the seat now held by my distinguished colleague JOHN PETERSON.

Chairman Clinger was born and raised in Warren, Pennsylvania, where he attended the local public schools and graduated from the Hill High School in Pottstown.

After being admitted to the Pennsylvania bar in 1965, Clinger ran a private law practice in Warren before being elected to the 96th Congress in 1978.

An inspiration to many in the House, he exemplified excellence in civic duty, championing rural interests and rural economic development.

After ascending to Chairman of the House Government Reform Committee, he helped establish concrete reforms to ensure government accountability, gaining the respect of members from both sides of the aisle. Chairman Clinger helped usher through historic legislation such as a measure to curb unfunded Federal mandates, line-item veto authority and a bill to reduce the paperwork burden that the Federal Government imposes on governments, individuals, and private businesses.

I had the honor of serving with Chairman Clinger during my freshman term in Congress. He was an important figure in my early political career, providing an example of dignified leadership throughout a demanding and tumultuous period of Congressional oversight.

Since his retirement from the House, Chairman Clinger has continued his dedication to public service. He has shared his expertise in oversight through his teachings at Johns Hopkins University and while serving on boards for organizations such as Council on Excellence in Government, Citizens Against Government Waste and many others.

One of Chairman Clinger's most notable accomplishments in recent years has been his service as Chairman of the Board of Trustees to the renowned Chautauqua Institution, located in southwestern New York State. The historic Chautauqua Institution is a tremendously valuable organization, providing a national forum for open discussions that probe contemporary political, religious and community issues.

I believe this undertaking is reflective of my good friend's character—displaying his commitment to the competent and thoughtful pursuit of understanding. He has shown a continued dedication to excellence and integrity at all levels of government and tirelessly fights on behalf of representative accountability. His decorated service to the community is held in high regard by many.

I believe that naming the post office at 210 West 3rd Avenue in Warren, Pennsylvania is a modest tribute to a true public servant. I urge the support of my colleagues and the swift passage of this legislation.

Mr. PORTER. Madam Speaker, I yield such time as he may consume to my distinguished colleague from the Commonwealth of Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Madam Speaker, I thank the gentleman for yielding me this time, and I rise today with affection for my knowledge and memory of Bill Clinger and working with Bill Clinger. I want to thank my colleague from Pennsylvania (Mr. ENGLISH) for his leadership in putting this together and which I am just so glad to cosponsor.

I have known Bill Clinger for a long time. I was thinking back on Memory Lane this morning of when I first met him. I got to know him in Warren. And I remember when I first ran for the State House in 1977, I went to his office and sat down, and he was one of the first to reach in his drawer and pull out a check and help me with my campaign and wished me well and said he hoped in another year or two I would help him because he was planning to run for Congress, and so we worked together the whole time.

I also remember Bill Clinger and his lovely wife, Judy. Judy was a great attribute to him. She was someone who everybody loved and just served him so wonderfully as his closest friend and helper. Also, his great love of his family, Vijou, Willie, Jimmy, and Julia. His first love was his family. Everybody knew that from his weekends and time with them.

Also his love of the Chautauqua Institution. Fortunately for Bill, I believe he is chairman of the board there, at least he was last year, that is running the institution. That is a bright spot in southern New York State that serves Pennsylvania and New York as well, bringing culture and entertainment and all kinds of wonderful things to a rural area that does not always have those luxuries.

I remember back vividly that Bill put together a wonderful staff. It was just a great group of young men. Ric Peltz was my best friend. Out in the field we worked together nearly every day. He was the field guy. Most of his Washington staff went on and were leaders in the Ridge administration in Pennsylvania, and many are running associations here in Washington now. They were just a bright young group that

has really made a difference. And you have to give Bill the credit for picking this kind of talent and giving them an opportunity.

I also remember he was chief counsel for EDA under the Ford administration. That may be where I first met him and where he really developed a knowledge of our economic development system. One of his legacies was the Clinger-Cohen bill, which put the Government Responsibility Act in place, which held government agencies responsible.

During his time and tenure, one of the problems that faced Pennsylvania, and I as a Senator and he as a Congressman, was the abandonment of railroads. He and his staff just led that fight. Pennsylvania now, in my district, has the most regional railroads, and it is thanks to Bill Clinger. He saved many of those lines from being totally abandoned and helped form the regional railroads. One that I remember was the Allegheny Railroad that connected Erie and Emporia, Pennsylvania, which the wood industry used exclusively. The Oil Creek, Titusville Railroad, which is a scenic railroad through a beautiful park, and the oil heritage region that is now there was one of the first real successful scenic lines in Pennsylvania. The Nittany and Bald Eagle lines, which became part of the Seda Cog Rail System, which is now serving that region well. The Tioga County, Wellsville into New York line. These were all lines that Bill Clinger and his staff and his efforts preserved and are now serving this area well.

The 219 passing lane was an issue where he got funding numerous times to take a crooked road and get passing lanes on the hill. They all wanted a four-lane highway, which probably will never happen; but he did a lot of improvements to that.

Another area where he really excelled was bringing the use of our waste coal piles in Pennsylvania into making energy. He was the one that helped put together the scrubgrass plant in Venango County, and the Ringgold plant over in Clarion County, and was very helpful in bringing the Allegheny Particle Board plant that makes particle board using wastewood into our region.

□ 1400

He brought the FCI McKean Prison, which now employs hundreds of people in my district; and those are legacy issues that he and his staff were directly involved in and responsible for.

He also was one of those who created the revolving loan programs that our EDA and Appalachia Regional Commissions use now to help small communities with small grants that they continue to use over and over by reloaning them to small businesses. Some of those revolving loan programs are quite large now and are very much a part of our economic development system. In fact, his legacy recently in this administration, Ric Peltz, who was the one I worked with, is now the co-director of the Appalachian Regional Commission, and has just continued the legacy of Bill Clinger back here in Washington. In fact, I want to say this before I conclude. I had lunch with Bill this summer over at the La Colline, one of his favorite eating places, and he is just doing well. He is mentally sharp and in good spirits and happy with what his life is allowing him to teach and be a part of the leadership of the Chautauqua Institution, and he and Judy are doing just fine, and I want to publicly thank them for their friendship to me and the legacy they left in Pennsylvania and in Washington.

One of the toughest issues he worked on was a compromise on wilderness. We had a Congressman in Pennsylvania who wanted to make the Allegheny National Forest all wilderness, and he cut out a compromise and got that passed. Also the wild and scenic rivers, those were a little more controversial issues, he took some heat for those, but I think they were good decisions. He was wise in how he handled them in taking on those tough issues, and I think when he was here he chaired the Wednesday Group, which now may be the Tuesday Group or I think may even have another name.

But Bill was a leader. If you knew Bill, you liked him. If you knew Bill, you knew he was smart and you respected him. Today, I think it is a delight to honor him by naming the Warren post office the William Clinger Post Office. I had a Senate office for years right around the corner, and great traffic in that part of town. People will see it and remember, as they should, that Bill Clinger was their Congressman and he served them admirably.

Mr. TOM DAVIS of Virginia. Madam Speaker, I rise in strong support of H.R. 3549, a bill to designate a post office in Warren, Pennsylvania, as the "William F. Clinger, Jr. Post Office Building."

Mr. Clinger was the distinguished chairman of the Government Reform and Oversight Committee when I first came to Congress in 1995. I became one of his subcommittee chairmen, and I will be forever grateful to him for showing me the ropes on this Committee.

Many of my colleagues are probably familiar with the Clinger-Cohen Act, which transformed the way the Federal Government plans for, acquires and manages information technology investments.

I was proud to have worked with Chairman Clinger on this important law that will be celebrating its 10th anniversary early next year.

Anyone who knows Bill Clinger would not be surprised with his response upon learning that a post office would be named in his honor. He told us he considered it a major success when a dog run in Punxatawny and a sewage treatment plant in Dubois, Pennsylvania were named for him—having a post office named after him was beyond his wildest dreams.

Mr. Clinger's graciousness and respect for others set an example for all Members who served with him.

I am proud to be here today to express my strong support for H.R. 3549, a lasting tribute to the life and work of William F. Clinger.

Mr. PORTER. Madam Speaker, I urge all Members to support the passage of H.R. 3549, and I yield back the balance of my time.

The SPEAKER pro tempore (Ms. Biggert). The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and pass the bill, H.R. 3549.

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. PORTER. 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.

U.S. CLEVELAND POST OFFICE BUILDING

Mr. PORTER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3830) to designate the facility of the United States Postal Service located at 130 East Marion Avenue in Punta Gorda, Florida, as the "U.S. Cleveland Post Office Building".

The Clerk read as follows:

H.R. 3830

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

SECTION 1. U.S. CLEVELAND POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 130 East Marion Avenue in Punta Gorda, Florida, shall be known and designated as the "U.S. Cleveland Post Office Building".

(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 "U.S. Cleveland Post Office Building".

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

The Chair recognizes the gentleman from Nevada (Mr. PORTER).

GENERAL LEAVE

Mr. PORTER. 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. 3830.

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

There was no objection.

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

I rise in support of H.R. 3830, introduced by the distinguished gentleman from Florida (Mr. FOLEY). This bill will designate this post office in Punta

Gorda, Florida as the U.S. Cleveland Post Office Building. All members of the Florida delegation have co-sponsored this legislation.

Ulysses Samuel Cleveland was born September 7, 1919, in Boca Grande, Florida, to Cleve and Jean Cleveland. At the age of 2, Cleveland moved to Charlotte County's Punta Gorda with his family, the town that he would later dedicate a lifetime to preserving its history.

In 1941, U.S. Cleveland was drafted and was later commissioned as a second lieutenant in the U.S. Army. He oversaw 20 radio crews with the 3103 Signal Service Battalion. He was a part of the secret disinformation campaign that misled the Nazis and helped contribute to the success of the Normandy invasion. Mr. Cleveland and his unit were credited by Supreme Commander General Dwight Eisenhower with saving the D-Day landing.

After World War II, Cleveland returned to Punta Gorda and became the assistant postmaster. He worked for the U.S. Post Office for nearly four decades. During that time he devoted much of his life to archiving old photos, newspaper clippings, and all kinds of Charlotte County records. With all of his historical records he co-authored two volumes of local history entitled ''Our Fascinating Past.''

Besides being a well-known historian, U.S. Cleveland also dedicated much of his time to various charities within the community. He produced monthly newsletters for the American Legion Post in Punta Gorda and provided and managed sound systems for various community events, including the Florida International Air Show. He was also the treasurer for the Punta Gorda Historical Society, historian for the Kiwanis Club, and a charter member of the Punta Gorda and Charlotte County Historic Preservation boards.

Although U.S. Cleveland passed away this year at the age of 85, his legacy of public service lives on in Charlotte County, Florida. His vast historic collection, now in storage, will be added to by his fellow historians in time to come. I urge all members to join me in honoring this fine man and his quest to preserve the history of his hometown of Punta Gorda, Florida.

Madam Speaker, I support H.R. 3830, and I salute the sponsor, the gentleman from Florida, for his work on this measure.

Madam Speaker, I reserve the balance of my time.

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

As a member of the House Government Reform Committee, I am pleased to join with my colleague, the chairman of our subcommittee, the gentleman from Nevada, in consideration of H.R. 3830, legislation naming the postal facility in Punta Gorda, Florida, after the late Ulysses Samuel Cleveland. This measure, which was introduced by Representative MARK FOLEY on September 20, 2005, and unanimously reported by our committee on September 29, 2005, enjoys the support and co-sponsorship of the entire Florida delegation.

Mr. Cleveland, or U.S. as he liked to be called, was a native of Punta Gorda, Florida. After serving in the Army, he returned to his hometown where he became the assistant postmaster for Charlotte County. Mr. Cleveland later became the historian for the Punta Gorda Kiwanis Club and charter member for the Punta Gorda and Charlotte County Historic Preservation boards, authoring books on local history.

Unfortunately, his home was destroyed during Hurricane Charley in August of 2004. He lost his collection of photographs and historical artifacts. U.S. Cleveland passed away on April 22, 2005, a great citizen, a great historian, a person who is deserving of this honor. I commend my colleague for naming the post after the late Ulysses Samuel Cleveland, and I urge swift passage of this bill.

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

Mr. PORTER. Madam Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. FOLEY).

Mr. FOLEY. Madam Speaker, let me thank the gentleman from Nevada and thank the gentleman from Illinois for their kind introduction of our good friend and dear former citizen and resident, Ulysses Samuel Cleveland. Many of those listening to the testimony may recognize the name and they are struggling to remember where they heard the term Punta Gorda, Florida; but I can tell you August 13 was a startling day in Punta Gorda when Hurricane Charley approached landfall and did significant damage to our constituents. U.S. Cleveland was one of those who suffered the loss of his home. He was in the process of rehabilitating it and retrofitting it, because one of the unique features of U.S. was the fact that he made a lifetime commitment out of caring for his son Dallas who has Down's Syndrome from birth.

So not only was he a native of the region, not only was he a veteran of our Nation, not only was he the assistant postmaster of our community, not only had he spent 83 long years as an active member of our community. He also showed the full measure of devotion to the children, his own particularly, who had been brought into this world with a challenge, a challenge so many other families face.

This past weekend I happened to be in Palm Beach County where they were having the Down's Syndrome Walk, families celebrating the lives of their children who have been challenged, but with the support and strength of their family they have been able to overcome that adversity. U.S. was a father and a principled citizen who gave his devotion to both family, community, and always above self, which was the hallmark of American patriots.

It was noted that Supreme Commander General Dwight Eisenhower credited his unit with saving the D-Day landing at Normandy. We mentioned him coming back home. One of the great things about Florida, and of course it is a State now with 16 million people, but the year of his birth there were very few. Florida was an emerging little area in the south of the United States, and our population was not what it is near today, and certainly he was part of that beautiful community, Punta Gorda, in Charlotte County.

And so today we do rise as we do so often to commend the life's work of citizens who are deserving of this high honor. We do not name post offices after everyone, and it is not always the fact that they may have been postal employees. But this significance to Mr. Cleveland was the fact of his devotion to family, devotion to community, devotion to Nation, and of course being a historian for Punta Gorda.

Those in southwest Florida know this beautiful community of ours, and they know full well of his devotion to that community. By cataloging the photos of early days, he was able to, as was mentioned, co-author two volumes of a local history book called ''Our Fascinating Past.'' These are the hallmarks of a great and giant man.

Unfortunately, he passed away this spring due to complications from pneumonia. He was married to Yvonne Cleveland who preceded him in death, and he is survived by three sons, Max, Keith, and Dallas.

I thank the members of the committee, my colleagues, for allowing us to present this bill to the floor and for their expedition in bringing it to the floor. I would like to thank my district director, Dick Keene, who lives in the Punta Gorda area for his work on this bill and also Jeffrey Ostermayer for helping us bring about this tribute to a fine American. I would like to thank the gentleman from Virginia (Mr. TOM DAVIS), the chairman of the committee, for bringing this bill to the House floor so quickly.

Mr. PORTER. Madam Speaker, I urge all Members to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and pass the bill, H.R. 3830.

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.

WILLIE VAUGHN POST OFFICE

Mr. PORTER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3853) to designate the facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, as the Willie Vaughn Post Office.

The Clerk read as follows:

H.R. 3853

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

SECTION 1. WILLIE VAUGHN POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, shall be known and designated as the ''Willie Vaughn 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 ''Willie Vaughn Post Office''.

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

The Chair recognizes the gentleman from Nevada (Mr. PORTER).

GENERAL LEAVE

Mr. PORTER. 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. 3853.

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

There was no objection.

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

I rise in support of H.R. 3853, introduced by the distinguished gentleman from Arkansas (Mr. ROSS). This bill will designate this post office in Parkdale, Arkansas, as the Willie Vaughn Post Office Building.

Willie Vaughn was born in 1904 in Thomasville, Alabama. He later moved to the State of Arkansas where he spent the better part of his life. Although Mr. Vaughn has little formal education, his dedication and perseverance in bettering his community earned him the undying respect and admiration of his peers. As a farmer who raised hogs, chickens, and cattle, he provided for his family, as well as anyone in need. He was always willing to lend a hand whether it be listening to and counseling members of the community or helping grieving friends plan funerals.

Mr. Vaughn was active in his local church and held various positions within the congregation. As a delegate to the 1945 CME convention, he led the church from the Colored Methodist Church to the Christian Methodist Church. At 101 years of age, Willie Vaughn has experienced life-changing periods such as segregation, reconstruction, the stock market crash, the Great Depression, the civil rights movement, and much more. He is truly a man that has contributed to his community by his commitment to humanity and family and has become an icon in Parkdale, Arkansas. I urge all Members to come together and honor the life of this dedicated humanitarian.

Madam Speaker, I reserve the balance of my time.

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

Mr. ROSS. Madam Speaker, I thank the gentleman from Chicago for yielding me this time.

Madam Speaker, I rise today to urge my colleagues to support H.R. 3853, legislation which would designate the postal facility in Parkdale, Arkansas, which is located in Arkansas' Fourth Congressional District, the ''Willie Vaughn Post Office.'' This bill has the unanimous support of the Parkdale City Council and its mayor, and I would like to personally thank them for their help with this: Mayor Glenda Wells, and to the City Council, Louis Mitchell, Mark Hawkins, Paula Files, and Evora Parker.

Willie Vaughn, known to friends and family as ''Uncle Dude,'' spent most of his life giving back to this small town located near the Ashley and Chicot County line in southeast Arkansas, just a few miles north of Louisiana. Mr. Vaughn is an active member of his local church, helping not only to build the church but also serving in many leadership positions over the years.

I can think of no person more deserving of this prestigious honor than Willie Vaughn. Mr. Vaughn embodies the definition of ''giving back to your community.'' At 101 years of age, Mr. Vaughn has spent a lifetime, or one might say over a century, working to improve Parkdale through dedication to the CME Church, as a civil rights leader working to remove racial barriers, lending an ear to friends and family throughout the community, throughout southeast Arkansas, and, yes, throughout America. He did so as a school bus driver, as a farmer, as a devoted husband and father. It is evident that Mr. Vaughn's commitment and dedication to his church, to civil justice, and to community service has made a lasting impact on the Parkdale community and its people.

Willie Vaughn has served as a role model to many young people who grew up in this small town of 377 people, people like the gentleman from Illinois (Mr. DAVIS), who now resides in Chicago but grew up in Parkdale, people like the gentleman from Illinois (Mr. DAVIS), who have gone on to do great things all across America because of the way their lives were shaped and influenced by Mr. Willie Vaughn.

The Willie Vaughn Post Office will stand for decades and generations to come as a testament to Mr. Vaughn's life and the influence, the impact he has made on so many people from all across this great country that spent a little bit of time growing up in that southeast Arkansas community that we call the town of Parkdale.

Mr. PORTER. 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 rise in strong support of this resolution to rename the U.S. Post Office in Parkdale, Arkansas the Willie Vaughn Post Office, and I want to first express my heartfelt appreciation to the gentleman from Arkansas (Mr. ROSS) for sponsoring this renaming legislation. I also want to thank the gentleman from Arkansas (Mr. BERRY), the gentleman from Arkansas (Mr. BOOZMAN), and the gentleman from Arkansas (Mr. SNYDER) for their cosponsorships. It is also my pleasure to extend thanks to the honorable mayor and members of the Parkdale Arkansas City Council for their concurrence in the renaming of their town's post office: Ms. Glenda Wells, mayor; Louis Mitchell, alderman; Mark Hawkins, alderman; Paula Files, alderman; and Evora Parker, all whose families I knew and in some instances grew up with.

Madam Speaker, I stand here this afternoon with a tremendous amount of pride in being able to participate in passing this legislation.

First of all, I was born and grew up in Parkdale, Arkansas and lived there until I graduated from college. The man for whom we are renaming this post office, Mr. Willie Vaughn, whom we fondly called Uncle Dude and who is now 101 years old, was one of my primary mentors and role models and the most outstanding African American figure in that area for many years. Uncle Dude, who technically was not my uncle, he and my mother were stepbrothers, as they would be called, and sisters because their parents got married after his father's wife had died, and yet our families blended so close together until we were much closer than many blood relatives. As a matter of fact, as a result of the blending, my mother ended up with about 25 brothers and sisters.

In addition, Uncle Dude and my father were close associates and the best of friends, and I spent many a Sunday afternoon in their home eating Aunt L.C.'s famous egg pies.

Uncle Dude never had much formal education. My cousin Cora said that he finished the second grade, and yet he has always been one of the smartest and wisest persons that I have ever known. He had what we call a degree in CSTA; that is, common sense, talent, and ambition.

Legend of Folklore has it that Willie as a little boy did not take kindly to farm work, did not practice it, and did not act as though he wanted to learn. Therefore, he was called ''Dude'' and it stuck. However, Mr. Vaughn became self-taught and in many ways self-educated. He could do almost anything on and off the farm. He, like most of his peers, was a sharecropper, but he also owned the molasses mill and made syrup. He was a tailor and measured me for my first tailored suit, which another uncle of mine sent to me from St. Louis when I was graduating from elementary school, and, I might add, it was one of the few tailored suits that I have ever owned.

He was the chief lay person at our church, the Penny's Chapel CME Church, for more than 50 years, drove the school bus after we got one because we did not always have one, and was oftentimes the bridge between the black and white factions of the community in a small, rural southern town. Mr. Vaughn worked hard, acquired property, was a leading advocate for education, and commanded the respect of all segments of the town and of the area.

Uncle Dude was the Sunday school superintendent at our church for decades, and I shall never forget that, as a teenager, he gave me the opportunity to teach Sunday school, which may have been the reason that I eventually became a schoolteacher. Even in our small semi-isolated town, and he and other adults expressed and conveyed a strong appreciation for education, and I remember my cousin Aubry graduating from high school as the only person in his class.

As an avid church leader, Uncle Dude became a member of the general board of the CME Church and expressed great pride in the fact that he was able to vote to change the name from Colored Methodist Episcopal Church to Christian Methodist Episcopal Church.

He was born the son of former slaves. Mr. Willie Vaughn epitomizes progress that this country has made. He is indeed a living legend who is still alive, alert, and spiritually as well as intellectually engaged. I would not be surprised to find out that he is watching these proceedings on C–SPAN. And if he is, I say congratulations, Uncle Dude, on a life well spent, a Nation well served, a family well loved, and a faith in God well preserved.

Madam Speaker, it is indeed with great pride that I urge passage of this bill and again thank the gentleman from Arkansas (Mr. ROSS) for introducing it.

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

Mr. PORTER. Madam Speaker, I urge all Members to support the passage of H.R. 3853. 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 Nevada (Mr. PORTER) that the House suspend the rules and pass the bill, H.R. 3853.

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. PORTER. 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 SOUTH CAROLINA FARM BUREAU MUTUAL INSURANCE COMPANY ON ITS 50TH ANNIVERSARY

Mr. BARRETT of South Carolina. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 300) recognizing the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and saluting the outstanding service of the Company to the people of South Carolina.

The Clerk read as follows:

H. RES. 300

Whereas the South Carolina Farm Bureau Mutual Insurance Company was organized on December 19, 1955, to provide members of the Farm Bureau Federation with insurance coverage that was difficult to obtain and to assist such members with safety programs and loss control measures;

Whereas the South Carolina Farm Bureau Mutual Insurance Company is the largest domestic property and casualty insurer in the State of South Carolina;

Whereas the South Carolina Farm Bureau Mutual Insurance Company has 245 employees and 250 exclusive licensed agents throughout South Carolina that offer various insurance and financial services;

Whereas the South Carolina Farm Bureau Mutual Insurance Company provides a diverse line of products, including auto, homeowners, and other insurance coverage with sales exceeding $190,000,000 on more than 344,000 policies;

Whereas in 1999, after Hurricane Floyd struck the coast of South Carolina, 90 percent of reported claims made with the South Carolina Farm Bureau Mutual Insurance Company were settled within one week; and

Whereas the South Carolina Farm Bureau Mutual Insurance Company serves families of farmers and non-farmers in rural and urban communities and the slogan of the Company is, ''Helping you is what we do best'': Now, therefore, be it

Resolved, That the House of Representatives recognizes the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and salutes the outstanding service of the Company to the people of South Carolina.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from South Carolina (Mr. BARRETT) and the gentleman from Georgia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. BARRETT).

GENERAL LEAVE

Mr. BARRETT of South Carolina. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to include extraneous material thereon.

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

There was no objection.

Mr. BARRETT of South Carolina. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I want to thank the gentleman from my home State of South Carolina (Mr. WILSON) for introducing this measure.

The South Carolina Farm Bureau Mutual Insurance Company motto is ''Helping you is what we do best.'' They have been committed to that motto for the past five decades. During that time, the company has grown from serving South Carolina's agricultural community to becoming the State's largest domestic insurer. Today we recognize the company's accomplishment of providing outstanding service to the people of South Carolina for the past 50 years.

As a coastal State, South Carolina has received its fair share of severe storms. When Hurricane Hugo devastating our State in 1989, the South Carolina Farm Bureau Mutual Insurance Company was there to pick up the pieces, paying out more than $71 million in claims. Ten years later Hurricane Floyd slammed into our coast, and the company once again did a remarkable job helping us recover, settling 90 percent of its reported claims within 1 week.

Madam Speaker, the South Carolina Farm Bureau Mutual Insurance Company has helped many South Carolinians through difficult times. It is no wonder the company received an excellent rating from the world's leading insurance rating agency.

Again let me thank the gentleman from South Carolina (Mr. WILSON) for introducing this measure on behalf of the South Carolina Farm Bureau Mutual Insurance Company.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I too join with my colleagues, especially the gentleman from South Carolina (Mr. WILSON) in introducing House Resolution 300, in recognition of the South Carolina Farm Bureau Mutual Insurance Company.

Madam Speaker, as a member of the Committee on Financial Services, I want to join with all of my colleagues in supporting this legislation that gives due recognition to the South Carolina Farm Bureau Mutual Insurance Company on its 50th anniversary.

□ 1430

I recognize the mutual insurance company both as a member of the Committee on Financial Services and as a member of the Committee on Agriculture, but Madam Speaker, even more so, I recognize South Carolina's Farm Bureau because I am a native of South Carolina, having been born on a farm in Aynor, South Carolina, raised in an agricultural community in the tobacco farming area. I have now fond memories, as I serve in Washington, often remembering my days of cropping and suckering and dragging and curing tobacco and then taking it to market in some of the areas around Mullins and Marion and Conway, South Carolina.

On December 19, 1955, the South Carolina Farm Bureau Mutual Insurance Company was organized and began

selling greatly needed insurance products to farmers; and, today, the company is the largest domestic insurer in the State serving South Carolinians from many, many walks of life.

The South Carolina Farm Bureau Insurance Company came along at a time when South Carolina farmers were looking for better options in the way of obtaining good insurance coverage that was also affordable. Five decades later, the company supplies a diversity of insurance products to South Carolinians from all walks of life.

The weather-related disasters affecting the gulf coast, and now the new England area, gives us all evidence that mutual insurance companies are essential in helping communities rebuild. The South Carolina Farm Bureau Mutual Insurance Company faced a similar tragedy in 1989.

That year, a category 4 hurricane named Hugo created over $7 billion in damage to the Palmetto State of South Carolina; and at the time, Hugo was the costliest hurricane in United States history. The mutual insurance company's staff worked days and worked nights, 24 hours a day, to help make sure its policyholders were dealt with and served correctly; and they settled over 16,264 claims.

In 1999, Hurricane Floyd struck the coast of South Carolina. The South Carolina Farm Bureau Mutual Insurance Company settled 90 percent of the reported claims within 1 week.

Today, the South Carolina Farm Bureau Insurance Company has a presence in every county in the State of South Carolina, which is one reason why they are able to provide such timely and quality service.

As its motto, ''Helping you is what we do best,'' suggests, the South Carolina Farm Bureau Insurance Company has provided a wide range of financial services to the people of South Carolina for a half a century. Five decades of growth and successful development is a wonderful milestone that should be recognized not only by South Carolinians but by all of us throughout this entire Nation as well.

Madam Speaker, I reserve the balance of my time.

Mr. BARRETT of South Carolina. Madam Speaker, I yield as much time as he may consume to the gentleman from South Carolina (Mr. WILSON), the author of the resolution and a genuine friend of the farm bureau.

Mr. WILSON of South Carolina. Madam Speaker, I thank the gentleman from South Carolina (Mr. BARRETT) for the time.

Madam Speaker, I am honored to speak on behalf of H. Res. 300. I appreciate the leadership of the gentleman from South Carolina (Mr. BARRETT), my neighbor and long-time friend, for coordinating this resolution, along with the gentleman from Georgia (Mr. SCOTT), our South Carolina-born friend.

Henry Ford once said that ''quality means doing it right when no one is looking.''

Today, I am honored to recognize a South Carolina company that epitomizes Mr. Ford's definition of quality service. For over 50 years, the South Carolina Farm Bureau Mutual Insurance Company has quietly built a distinguished record of providing quality products and excellent customer service to thousands of families across my home State.

The company's story began in the 1950s when many residents of South Carolina simply could not have access to affordable insurance coverage. When disaster struck their homes or vehicles, they were unable to pay for the damages and often found themselves facing a financial crisis.

On December 10, 1955, a group of innovative South Carolinians responded to the needs of citizens by establishing the South Carolina Farm Bureau Mutual Insurance Company.

Today, South Carolina families have come to trust and rely upon the South Carolina Farm Bureau Mutual Insurance Company, led today by chief executive officer Phillip Love, for a diverse line of auto, homeowners and other insurance coverage.

As the largest domestic property and casualty insurer in South Carolina, this company now employs almost 500 people and administers over 344,000 policies.

After Hurricane Floyd devastated parts of our State in 1999, the South Carolina Farm Bureau Mutual Insurance Company settled 90 percent of reported claims in 1 week. The company's excellent track record continues to prove that it epitomizes quality customer service.

Today, I am honored to congratulate the South Carolina Farm Bureau Mutual Insurance Company on over 50 years of great accomplishment and wish the company continued success.

I urge my colleagues to support H. Res. 300.

Mr. SCOTT of Georgia. Madam Speaker, I yield such time as he may require to the distinguished gentleman from South Carolina (Mr. SPRATT).

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

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

Madam Speaker, I want to commend the gentleman from South Carolina (Mr. BARRETT) for taking this initiative, and I want to join my other colleague from South Carolina in recognizing the South Carolina Farm Bureau Mutual Insurance Company on its 50th anniversary. Its motto is ''Helping you is what we do best,'' and as that motto suggests, the South Carolina Farm Bureau Insurance Company has provided a wide range of financial services, insurance services to the people of our State for nearly a half century now.

The South Carolina Farm Bureau Insurance Company came along at a time when farmers in our State were looking for better options in the way of obtaining good insurance coverage that was also affordable. Recognizing that need, the organizers of the South Carolina Farm Bureau Federation went to work and secured a charter from the South Carolina Secretary of State on December 1, 1955. The result, five decades later, is a company that supplies a whole diversity of insurance products to South Carolinians from all walks of life, not just farmers. Among some of the services they provide are auto insurance, homeowners insurance, life insurance, as well as financial services such as banking, individual retirement accounts and credit cards.

I was here in 1989, and I recall well the bedlam in our State after Hurricane Hugo struck in Charleston and then moved inward, coming all the way to Charlotte, North Carolina. The South Carolina Farm Bureau Insurance faced probably the biggest natural disaster in the history of our State except for the Charleston earthquake, and it faced the test of its ability to handle such a massive amount of claims, but it rose to the occasion. It settled some 16,000 claims and paid out more than $71 million.

Then, in 1999, the South Carolina Farm Bureau Insurance Company was tested again. Hurricane Floyd struck our coast, and 90 percent of the reported claims were settled within 1 week, which would set a model, if not a record, for fast and expeditious claims management. It is no surprise then that this company has prospered and succeeded over the years.

Today, the South Carolina Farm Bureau Insurance Company has a presence in every county in our State, and that is one reason they are able to provide such timely and quality service. Theirs has become a name that folks trust and know and feel comfortable with. I am proud of their service to our State. I rise to salute them, and I wish them the best as they celebrate their 50th anniversary and look to the future.

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

Mr. BARRETT of South Carolina. Madam Speaker, I want to close in saying I thank the gentleman from South Carolina (Mr. WILSON) for being the author of the resolution. There is no doubt that the South Carolina Farm Bureau Insurance Corporation has had a fantastic effect on every segment of South Carolina life. I urge my colleagues to support H. Res. 300.

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 South Carolina (Mr. BARRETT) that the House suspend the rules and agree to the resolution, H. Res. 300.

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

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF S. 397, PROTECTION OF LAWFUL COMMERCE IN ARMS ACT

Mr. GINGREY. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 493 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 493

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (S. 397) to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others. The bill shall be considered as read. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary; and (2) one motion to recommit.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

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

Madam Speaker, House Resolution 493 is a closed rule. It provides 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. It waives all points of order against consideration of the bill, and it provides one motion to recommit.

Madam Speaker, before we open debate on the rule for S. 397, the Protection of Lawful Commerce in Arms Act prohibiting frivolous lawsuits against the firearm industry, I would like to say that our Nation's judicial system is out of control. If a group or a person does not like what someone else does or believes, they try to sue them out of existence. This seems to be the case for the firearms industry.

Our Founding Fathers designed our second amendment rights to be absolute rights that shall not be infringed. However, those who find the second amendment offensive have made a concerted effort to sue out of existence those who lawfully and legally facilitate a constitutionally guaranteed right. America's firearm companies are directly connected to and span our national history, but they are currently threatened by a lawsuit-friendly culture.

Addressing the burden of frivolous lawsuits has become a necessity for free enterprise. It seems that for some individuals lawsuits have become the latest get-rich scheme. Frivolous lawsuits drive up the cost of goods and services, and they put law-abiding companies out of business.

The passage of this legislation is time-sensitive. Every day without this legislation puts more stress on firearm manufacturers, their customers, and their employees. Indeed, some lawsuits are motivated by ideology and a distaste for the firearm industry and guns in general. They will simply keep suing until either the firearm companies are out of business or the guns are too expensive to purchase.

This form of gun control will not only compromise one of our constitutional rights but, Madam Speaker, it threatens the jobs of many Americans.

So it is important to note that S. 397, the Protection of Lawful Commerce in Arms Act, does allow the following types of lawsuits to be filed: number 1, an action against a person who transfers a firearm or ammunition, knowing that it will be used to commit a crime of violence, or drug trafficking crime or comparable or identical State felony law; secondly, an action brought against the seller for negligent entrustment; third, actions in which a manufacturer or seller of a qualified product violates a State or Federal statute applicable to sales or marketing when such violation was a proximate cause of the harm for which relief is sought.

□ 1445

This exception would specifically allow lawsuits against firearms dealers such as the dealer whose firearm ended up in the hands of the D.C. snipers who failed to maintain a required inventory list necessary to ensure that they are alerted to any firearm thefts.

Fourth, actions for breach of contract or warranty in connection with the purchase of a firearm or ammunition; and fifth, actions for damages resulting directly from a defect in design or manufacture of a firearm or ammunition.

So, under this legislation, manufacturers and sellers must operate entirely within Federal and State law. More than half our States have passed similar legislation, and I encourage passage of this rule and consideration of the underlying legislation.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise today in strong opposition to this closed rule and the underlying legislation. My friends in the majority are again bringing to the floor a rule that blocks debate in the body before it begins. Under this rule not one Member of the House, Republican or Democrat, is permitted to offer an amendment. Under this rule and under this bill, the gun lobby is rewarded while public safety is thwarted.

A few examples: The gentleman from Maryland (Mr. VAN HOLLEN) and the gentleman from California (Mr. WAXMAN) offered an amendment last night that prohibits suspected and known terrorists from purchasing firearms. That was not made in order. The gentlewoman from New York (Mrs. MCCARTHY), my good friend who will speak on this issue later, had an amendment that expands existing prohibitions on armor-piercing bullets to include those bullets capable of piercing body armor. And the gentlewoman from California (Ms. LINDA SÁNCHEZ) offered an amendment that permits courts to hear suits based on the sale of weapons to persons with domestic convictions.

Under this rule, however, not one of these amendments, or any of the five other commonsense amendments offered by Democrats in the Committee on Rules last night, will be given any consideration by the full House.

Madam Speaker, our government was built on the foundation of an open and transparent participatory process. Yet, since 1994, when Republicans regained control of the House; I might add, Republicans that argued against closed rules, participation has been limited to only those who share their beliefs.

The underlying legislation, which dismisses existing lawsuits against gun manufacturers and dealers and prohibits the filing of future suits, is not sound public policy. On the contrary, it is outright political grandstanding.

During the last 3 years, more than 34 government entities have filed valid lawsuits against gun manufacturers, distributors, and trade associations. At the beginning of 2005, 18 of those suits had won favorable rulings, while only a handful had been dismissed. The remaining cases are still in court, and I gather that this legislation contemplates eliminating those citizens' rights to be in court.

In fact, several State appeals and supreme courts have also ruled that gun manufacturers and dealers can be held liable for the reasonably foreseeable use of firearms for criminal purposes. Settlements from these cases have forced gun manufacturers to make necessary safety modifications that the industry had previously refused to do. How many times do we have to see a baby with a gun in its hand or at its head or killing some member of the family before we get to safety modifications?

The ruling in the D.C. sniper case forced the gun manufacturer Bushmaster to inform its dealers of safer sales practices that will prevent other criminals from obtaining guns, something that Bushmaster had never done before. Other rulings have resulted in major crackdowns on ''straw purchases,'' where legally purchased guns are resold to individuals unable to lawfully purchase a weapon on their own. In each of these instances, it is beyond fair to say that they were not frivolous lawsuits. Yet, if the underlying legislation becomes law, when the cases are heard then none of them would have even been filed.

Perhaps my friends in the majority can help me understand what is so unreasonable in requiring an industry that produces a product with the sole purpose of killing to take the necessary precautions to protect public safety, and is it our belief that the American judicial system is incapable of properly dismissing lawsuits that are both unreasonable and overzealous? They do it all the time.

Let us be honest and call this bill and this debate what they really are: legislative abuse, with closed rules and a political charade. Republicans are using the legislative process in an attempt to penalize attorneys and trial lawyers, historically supporters of Democrats, who hold the gun lobby, a major campaign contributor to my friends in the majority, accountable for its actions.

The majority's reckless disregard for judicial integrity mocks our Constitution's separation of powers doctrine. Dangerously, it does so at the expense of American safety.

I implore my colleagues to reject this rule and the underlying legislation, and I would say to my good friend, the gentleman from Georgia (Mr. GINGREY), that I know of nothing in my makeup that would cause me at any point in time to want to do anything in derogation of the rights of American citizens under the United States Constitution. The second amendment, the right to own a gun, is everybody's right. But manufacturers ought not be manufacturing guns that are not safe and are poorly manufactured, and nobody should be protecting them at all.

Madam Speaker, I reserve the balance of my time.

Mr. GINGREY. Madam Speaker, I yield myself such time as I may consume before calling on the gentlewoman from Pennsylvania.

I want to point out, Madam Speaker, to the gentleman from Florida, my good friend, regarding this particular legislation, S. 397, we have in this body, not just in the 109th this year, passed very, very similar, almost identical legislation, and there were some 11 amendments I think offered during the markup in the Committee on the Judiciary. Those were defeated. In fact, at least one member of the committee from the other party, from the minority party, voted against most of those amendments and voted in favor of favorably reporting this bill. This bill also was passed in the 108th Congress, H.R. 1036. I think the vote on that particular bill was 285 to 140.

Madam Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. HART), a member of the Committee on the Judiciary.

Ms. HART. Madam Speaker, I thank the gentleman from Georgia for yielding me this time.

I rise in support of the rule. This rule gets us to the point of this issue. My area of western Pennsylvania has a strong sportsman heritage, as does this Nation. Hunting has been a tradition, bringing generations of families together. As such, second amendment rights are crucial. I am a cosponsor and I strongly support Senate bill 397.

Since 1998, dozens of municipalities and cities have filed suits against America's firearms industry, somehow alleging that the manufacturer of a firearm can be responsible for the acts of criminals. These suits, following the model of the tobacco litigation, attempt to push the gun manufacturers into court to force a settlement, a large cash award, or cessation of a business. In Pennsylvania, Philadelphia attempted to claim public nuisance violations of firearm manufacturers, but a reasonable court dismissed the claim, stating that the city's charges were a ''theory in search of a case.''

Firearm manufacturers have a time-honored tradition of acting responsibly. They therefore should not be subjected to these frivolous suits. Such suits are anti-freedom, they are anti-employer, not to mention that they seek to protect the irresponsible.

In addition, the gun industry plays a large role in my State of Pennsylvania in our economy. Pennsylvania is home to 277 gun manufacturers, and the impact of sportsmen-related activity to our economy brings more than $900 million to our State. It also brings generations of family tradition. That is also good for our economy.

Senate bill 397 prohibits illegitimate lawsuits against licensed and law-abiding manufacturers and dealers. These lawsuits, which attempt to blame the firearms industry for crimes committed by criminals who misuse their products, have already cost this industry more than $100 million in attorneys' fees and a suit against the industry has yet to win.

This bill seeks to end the abuse of our judicial system by the coordinated strategy of filing endless predatory lawsuits designed to drive law-abiding gun manufacturers into bankruptcy.

Senators SANTORUM and SPECTER have both cosponsored the Senate version of this bill which passed the Senate in July. President Bush has indicated his support for this legislation, and I look forward to this bill coming to the floor so that we can pass it in the House and its being signed and becoming law, so that our American firearms industry will not be subjected to potentially bankrupting lawsuits.

As we know, there is a way to control gun crime and protect the gun industry. We need to enforce the many gun laws that are currently on the books. Not only does this law protect lawful gun owners, but enforcing gun crime works. A study by the ATF in June of 2000 documented 1,700 Federal and State gun law prosecutions and 1,000 verdicts from July 1996 to December of 1999, while there were nearly 500,000 gun crimes committed annually. The way to combat gun crimes is not through ridiculous lawsuits, but through the prosecution of gun crimes. Forcing the gun industry into court ignores a city's inability to control gun crime.

Mr. HASTINGS of Florida. Madam Speaker, I am pleased and privileged at this time to yield 3½ minutes to the distinguished gentleman from Massachusetts (Mr. MCGOVERN), my colleague on the Committee on Rules.

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

Madam Speaker, I oppose this closed rule and the underlying bill. This bill demonstrates how much of a stranglehold that the NRA and gun industry lobbyists have over the majority party. This bill is not being considered today because it is good policy; it is being considered because the majority leadership is bowing down to special interests.

While the proponents of this bill claim that the intent of this legislation is to protect jobs at mom-and-pop gun stores from reckless lawsuits, the truth is that the bill is all about protecting profits for the gun industry. Ensuring its yearly profits, not protecting jobs nor safeguarding gun sales, is atop the priorities of the gun industry.

This bill protects any gun manufacturer, distributor, or seller from any claim of negligence. Any lawsuit, current or future, would not be considered by the courts if this bill were signed into law.

Madam Speaker, on Christmas Eve in 1999, in my hometown of Worcester, Massachusetts, 26-year-old Danny Guzman was shot and killed. A week later, police recovered the 9 millimeter Kahr Arms handgun used to kill young Danny. Through ballistics, the police determined that the gun was one of several stolen from Kahr Arms by Kahr employees with criminal records. According to the police, one of the employees had been hired by Kahr to work in its Worcester manufacturing facility, despite the fact that he had a long history of drug addiction, theft to support that addiction, alcohol abuse and violence, including several assault and battery charges.

Police determined that the guns were stolen from Kahr before the weapons had serial numbers stamped on them and were then resold to criminals in exchange for money and drugs. In March 2000, police arrested a man who pled guilty to the gun thefts. The investigation also led to the arrest of a Kahr employee, a man with a criminal history who pled guilty to stealing from Kahr a pistol and a slide for another weapon.

Now, Kahr did not conduct any criminal or general background checks on its employees. The company did not even have any metal detectors or x-ray machines or security cameras or other similar devices to monitor the facility or to determine if employees were stealing, nor were there guards to check employees at the end of their shifts.

□ 1500

Mr. Speaker, anybody with half a brain has to understand that this company was negligent. Now, if this bill becomes law, gun manufacturers like Kahr Arms would be shielded from negligence. And the Guzman family's suit would be dismissed.

This is just one of the many stories that illustrate the reckless and irresponsible nature of many, not all, but many in the gun industry. And this bill will only further shield them from accountability.

Now, do not be fooled. The NRA and the gun industry want this bill not because jobs are threatened. They want this bill because they fear their precious profits will be affected should they be forced to change some of their irresponsible and reckless practices.

To my colleagues who support this bill, tell the Guzman family that they have no right to be angry at the Worcester-based manufacturer. Tell them that the death of their beloved Danny Guzman was just bad luck and could not have been prevented. The fact of the matter is, it could have been prevented by more responsible practices by Kahr Arms.

I have to believe that gun owners all across this country would not object to ensuring that gun manufacturers allow for more responsible practices in terms of protecting what they manufacture. This is not about taking people's guns away. This is about protecting people. Mr. Speaker, I would urge my colleagues to vote ''no'' on the rule and the underlying legislation.

Mr. GINGREY. Mr. Speaker, in response to the gentleman from Massachusetts (Mr. MCGOVERN) I want to point out that this bill prohibits lawsuits against a manufacturer or seller of a firearm or ammunition or not-for-profit trade association for damages resulting from the criminal or unlawful misuse of a firearm or ammunition.

But it provides, as I said in my opening remarks, Mr. Speaker, five exceptions to this liability protection, including, and I will just mention one in response to my good friend from Massachusetts. An exception would be for an action against a seller for negligent entrustment or negligence, per se, for example supplying a gun or ammunition to a person when the seller knows or reasonably should know that the buyer possesses an unacceptable risk of physical injury to himself or others.

As an example again, the D.C. snipers were successful in court on these grounds.

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

Mr. GINGREY. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, the exception that he just cited would not cover the example that I just gave. The bottom line is that it was an employee who worked for Kahr Arms that stole these weapons and that sold them to criminals for drug money.

As a result, a young man was killed. And it is our understanding, based on my conversations with members of the Judiciary Committee, that in fact this would not be covered. So having said that, I would urge my colleagues to vote ''no'' on this bill.

Mr. GINGREY. Reclaiming my time, I would again point out to the gentleman that it also would be an exception if a vendor knowingly did not keep an inventory so that they would have knowledge that dangerous weapons or firearms were actually stolen from their place of business. And that also is one of the exceptions.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I certainly appreciate the debate that we are having today on this issue. I rise in support of the rule.

Mr. Speaker, when drafting the Bill of Rights to our Constitution, our Founding Fathers guaranteed the right of the people to keep and to bear arms in the second amendment, and for 217 years the second amendment has protected our freedom.

But for years we have seen a nonstop onslaught of individuals and groups trying to erode this basic right. Now, unable to accomplish their goals at the ballot box, they are targeting arms makers in the courts for the illegal use of their product.

Their attempt to force U.S. arms producers out of business would have a serious impact not only on our freedoms but on our national security as well. Let us for a moment just look at three of the companies that are targeted by lawsuits by the antigun fanatics.

The Colt Company is a sole provider of the M–16 rifle carried by the men and women of our armed services. Beretta USA supplies the standard sidearm for all branches of the Armed Forces and law enforcement agencies across the country.

The Sig Arms Company manufactures the sidearm carried by the Secret Service and the Navy SEALS. And if these companies are destroyed, where will our military and our law enforcement get the arms that they need to keep our Nation safe? From France, perhaps. Maybe we can buy them from China.

This is why the Pentagon took the extraordinary step in sending a letter to each Member of this House urging the passage of this important legislation. The aim of these lawsuits is to deny law-abiding Americans from exercising their Constitutional rights to keep and to bear arms. This must be stopped.

Instead, we should severely punish criminals, not law-abiding companies or citizens. And if we do not do so, what is next? Are we going to sue the Louisville Slugger Company if a criminal hits somebody with a baseball bat?

Enough is enough. It is time for common sense. It is time to protect the jobs of the workers of American firms. It is time to protect our rights under the second amendment of the Constitution, and it is time to ensure that the men and women of the armed services and our law enforcement have access to the best possible firearms to protect our Nation.

Mr. HASTINGS of Florida. Mr. Speaker, I would urge my colleague that just spoke that the many people that I know, and they are numerous in my State and elsewhere that were killed by guns and are advocates against guns, are not fanatics. They are people who are victims of murder.

Additionally, I thought I made it clear, I wish to make it clear again, that insofar as the second amendment is concerned, everyone that I know in this body is protective of a person's right to own a gun.

The fact of the matter is that manufacturers who act irresponsibly should be sued by persons if they so choose when that harm comes to them.

Mr. Speaker, I yield 6 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY. Mr. Speaker, I thank my colleague for giving me this opportunity to speak out against this rule. I have been here about 8½ years now, and I came here without any political experience.

But history had taught me that we, as Americans, certainly fight for our democracy all of the time. Yet over the years, I have seen democracy, especially in this great House, deteriorate continuously.

I have seen where we go up to the Rules Committee continuously, because I always thought that when you came down to this great House, the whole idea was to have debate. And yet I see debate being challenged constantly.

Important issues that come on to this floor, the minority is not allowed to debate them, nor are we allowed to offer any kind of amendments to hopefully make a bill better. Our voices are being shut constantly. This is not the democracy that I learned about when I was in school or the democracy that I believed in as I became an adult.

Last night in the Rules Committee, the majority voted against protecting police officers and voted to make it easier for felons to get guns. The committee rejected my amendment that would ban all armor-piercing ammunition. Let me tell you about armor-piercing ammunition. That was used in the shooting back in 1993 that killed my husband and wounded my son.

And it is only by the grace of God that my son survived. I can go into how many millions of dollars have been spent to make sure that my son could have a productive life. I can talk about his hand that was operated on, because once the bullet hit it, it shattered.

We were lucky that we had anything to work with. And because he raised his hand, it only took off a little bit of his head. And these are bullets that we want to have on our streets? But that amendment was not allowed.

You cannot even hunt with them. Come on. I am hearing this debate on

the second amendment. I believe in the second amendment. I will protect the second amendment. But that does not mean that we cannot enforce the laws that are already on the books.

You know, I have the bill, that would be the NICS system, that would bring the National Instant Checks System up to where it should. You know, this is the month that we are supposed to be talking about domestic violence.

And yet because of the way the States do not keep records, we have people that are not in the NICS system. So if you want to talk about let us enforce the laws on the books, then let us pass a good NICS system that would enforce the laws that are already on the books.

Too many of our felons are slipping through the cracks of the NICS system. What I want to do is make sure that every State can come to the speed that they should be, when someone is found guilty in court, and they are being adjudicated to prison, that their rights of being able to buy a gun are taken away.

You want to talk about that we have terrorists in this country, and we have a terrorist list, but they are allowed to buy guns. Now, again, we keep hearing the rhetoric that goes back and forth in this Hall all of the time that we are trying to take away the right of people to own guns. That is nonsense.

But we can have gun safety issues put out into place so that we can bring down the number of 30,000 people killed in this country every year, so we can bring down the $100 billion that is spent every year on health care, loss of productivity, and using our police. Think about what this Hall and what this great House could do with $100 billion.

Maybe we could protect Social Security. Maybe we could protect our health care system. Maybe we can improve our educational system. You know, again, I am disappointed because I came here as an average citizen, honestly believing that a debate was good, whether people agreed or disagreed, made no difference. You had a debate and hopefully people would then make up their minds.

Let us not think that this bill is going to solve the problems that they are talking about. In a decade we have had over 15 million lawsuits. Fifty-seven of them were against gun manufacturers. Fifty-seven of them. And for this, and every other issue that we are taking away the right of victims to be able to have their day in court.

Our court system is working. Our court system is set up the way the Constitution wanted. And yet this body, with our Republican friends, wants to take away the rights of people to have their day in court.

I ask my colleagues to vote against this rule, to protect the integrity of this House, and not to protect the NRA.

Mr. GINGREY. Mr. Speaker, I want to point out that this bill on the House side, H.R. 800, which was passed, as I mentioned earlier by the House Judiciary Committee, this bill actually had 257 cosponsors, Mr. Speaker. So this is certainly not a Republican bill.

You can do the math. My colleagues certainly can do the math on the other side of the aisle. But clearly, this bill had strong, strong bipartisan support.

Mr. Speaker, I yield 2 minutes to the gentleman from Florida (Mr. STEARNS), a member of the Energy and Commerce and Veterans' Affairs Committees.

Mr. STEARNS. Mr. Speaker, I rise today in support of the rule and in support of the underlying bill. It was my bill, H.R. 800. I authored the House version. Then the Senate passed S. 397, and I am pleased that we are taking action on this important piece of legislation today.

This is a bill, frankly, my colleagues, that promotes legal responsibility. It respects, in my opinion, the legislative process, saves taxpayers dollars, protects legitimate law-abiding businesses, and strengthens our commitment to the second amendment.

□ 1515

This is an effort that has taken several years and at least three sessions of Congress to get where we are today. It has not been easy, but it has been heartening to see how much bipartisan support this bill has slowly garnered over the years.

When I first introduced this bill in 2001, it had 231 co-sponsors, but never received a vote. The next session we had 250 co-sponsors and an overwhelming 285 to 140 vote on the floor, but then the bill just died in the other body. Now we have 257 co-sponsors on my bill. The Senate overwhelmingly passed their version, and we are poised to pass this historic piece of legislation today.

But when we started debating this issue, there were only a handful of States that had their own laws prohibiting these junk lawsuits. Today there are 33 States that have laws prohibiting these frivolous lawsuits. So not only is this bill bipartisan in the House and in the Senate; it is bipartisan in this Nation with 33 States, both Democrats and Republicans in the State legislatures and Governors signing on to the bills that ultimately became laws.

And just a few years ago polls showed anywhere from 61 to 70 percent of the American people believed that the gun industry should not be held liable for damages caused by violent criminals. Today, that already solid majority has risen even more, to an astounding 79 percent of the American people, according to a March 2005 survey.

Mr. Speaker, this is a bill and an issue whose time has obviously come. I urge my colleagues to support the rule and, obviously, to support the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, just in case people think that it is only those of us who believe in our legal system that are opposed to this particular measure, I have in hand a letter from law enforcement's opposition to H.R. 800, and here is what it says:

''Dear Representative: As active and retired law enforcement officers, we are writing to urge your strong opposition to any legislation granting the gun industry special legal immunity. The bill would strip away the legal rights of gun violence victims, including law enforcement officers and their families, to seek redress against irresponsible gun dealers and manufacturers. The impact of this bill on the law enforcement community is well illustrated by the lawsuit brought by former Orange New Jersey police officers Ken McGuire and David Lemongello.''

I gather that their lawsuit would be dismissed as frivolous.

''On January 12, 2001, Officers McGuire and Lemongello were shot in the line of duty with a trafficked gun negligently sold by a West Virginia dealer. The dealer had sold the gun, along with 11 other guns, in a cash sale to a straw buyer for a gun trafficker. In June of 2004, the officers obtained a $1 million settlement from the dealer. The dealer, as well as two other area pawn shops also, have implemented safer practices to prevent sales to traffickers, including a new policy of ending large volume sales of handguns. These reforms go beyond the requirement of current law and are not imposed by any manufacturers or distributors.

''If immunity,'' this is what the law enforcement community, some of them say, ''if immunity for the gun industry had been enacted, the officers' case would have been thrown out of court and justice would have been denied. Police officers like Officers McGuire and Lemongello put their lives on the line every day to protect the public. Instead of honoring them for their service, legislation granting immunity to the gun industry would deprive them of their basic rights as American citizens to prove their case in a court of law. We stand with Officers McGuire and Lemongello in urging you to oppose this legislation.''

It is signed by the International Brotherhood of Police Officers, the Major Cities Chiefs Association, the Hispanic American Police Command Officers Association, The Police Foundation, the Michigan Association of Chiefs of Police, chiefs of police from New Jersey, Ohio, Massachusetts, Nevada, California, New York, North Carolina, Maine, Oklahoma, Texas, Missouri, Rhode Island, and Kansas and Virginia and countless others that time will not permit me to add.

If police officers who are out there protecting us cannot find the protection in this House of Representatives from bullets or armor-piercing bullets, and we are going to protect people who manufacture that stuff from having legal suits brought against them, some

that may be dismissed, some that may be won, some that may be lost but it is an American right, just like that second amendment is an American right that I will go to my grave believing in, but I will go with these police officers in believing that it is wrong to deny people an opportunity to take their matter to court and have it decided appropriately by a court of law and juries of their peers who are all 435 of our constituents.

In addition to what is wrong is this system is wrong. When you close out amendments that would allow people to have an opportunity to come down here on the floor of the House of Representatives and represent their constituents, this is a closed rule; and I urge my colleagues to vote against this closed rule.

Mr. GINGREY. Mr. Speaker, I yield 2½ minutes to the gentleman from New Hampshire (Mr. BASS), a member of the Committee on Energy and Commerce.

Mr. BASS. Mr. Speaker, I thank the gentleman from Georgia (Mr. GINGREY) for yielding me time.

Mr. Speaker, I would only point out that this bill, with the exception of one and maybe two changes, has already been debated by this House. I appreciate the fact that my friend from Florida would be concerned about it being a closed rule, but this is certainly not the first time that we have considered this bill. I think I have voted on it a number of times in the past.

The fact of the matter is all this bill does is the same thing the last version did that we voted on before and the one we voted on before that: it protects licensed and law abiding firearms and ammunitions manufacturers and sellers from lawsuits that seek to hold them responsible for the crimes that third-party criminals commit. It does not hold harmless unlawful, non-law-abiding arms manufacturers and sellers; but it simply allows for some immunity from the frivolous lawsuits that gun manufacturers have faced now for many years. Thirty-three States, including my home State of New Hampshire, have passed similar legislation at the State level.

Indeed, the argument is brought up that this does set a precedent of providing special protection to a segment of the industry; and I say, you are right. You are absolutely right about that. And sad to say, I wish this bill was not necessary. I wish that there were not adventurous trial lawyers that see deep pockets as a new way to line theirs. I wish we had not reached the day that we have to protect, as we may later on this week, restaurants and public schools from frivolous lawsuits related to obesity claims; but the fact of the matter is we need to do that. We need to do that because there is no direct connection now between gun manufacturers and crimes that are committed with guns unless there is negligence of one sort or another.

I urge my colleagues to support this bill because it is a sad reality that legitimate industries in this country need special protection against entities that are looking to make money, to provide new sources of revenue outside of the tax base, and other ways of looking for people that can afford to settle on cases that they would never ever settle on under any other circumstance.

This bill has been debated. This is a good bill, and I urge the Congress to adopt it when it comes up on the floor.

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

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

Mr. Speaker, despite their best arguments against free enterprise, personal responsibility and the protection of lawful commerce, critics fail to provide an alternative solution to the problem without compromising our liberties and second amendment rights.

Just as a car is a tool for transportation, an ax is a tool for cutting trees and shrubs, prescription drugs are tools for better health, a firearm is a tool for hunting and self-defense and protection of our citizens. Any of these tools used in an irresponsible manner and used contrary to their attending purpose can hurt and, yes, even kill others. But a gun by itself, Mr. Speaker, cannot commit a crime. It takes an individual to use the product illegally and irresponsibly.

The protection of Lawful Commerce in Arms Act is a bill to curb our lawsuit-friendly and, yes, sometimes abusive society and to protect law-abiding citizens from individuals who avoid responsibility and undermine the good faith of our legal system.

Frivolous lawsuits against gun manufacturers threaten the survival of the gun industry, the jobs it creates, and our constitutional right to purchase, keep and bear arms. While many cases are dismissed, it only takes one bad ruling to sink a company and to send ripple effects across an entire industry. Although America's first gun manufacturer, Springfield Armory, went out of business in 1968, we still have to protect America's remaining law-abiding companies who conduct business in a responsible and in a lawful manner.

It would be a tragedy for a Nation with such a rich and innovative history in manufacturing to have our police and military carry over foreign-engineered firearms. We need to protect the American firearm industry. We need to restore responsibility and end these frivolous lawsuits.

Mr. Speaker, I encourage passage of this rule and passage of the Protection of Lawful Commerce in Arms Act.

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.

PROVIDING FOR CONSIDERATION OF H.R. 554, PERSONAL RESPONSIBILITY IN FOOD CONSUMPTION ACT OF 2005

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 494 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 494

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 554) to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. Notwithstanding clause 11 of rule XVIII, no amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1530

The SPEAKER pro tempore (Mr. LATOURETTE). The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

Mr. GINGREY. Mr. Speaker, for purposes of debate only, I yield 30 minutes to the gentlewoman from California (Ms. MATSUI), 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, H.R. 494 is a structured rule. It provides 1 hour of general debate, equally divided and controlled by the chairman and ranking minority member of the Committee on the Judiciary. It waives all points of order against consideration of the bill. It provides that the amendment in the nature of a substitute recommended by the Committee on the Judiciary and now printed in the bill shall be considered as an original bill for the purpose of amendment. This resolution makes in order only those amendments printed in the Committee on Rules report accompanying the resolution, and it provides that the amendments printed in the report may be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or the Committee of the Whole. It waives all points of order against the amendments printed in the report, and it provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today to speak on behalf of House Resolution 494 and the underlying bill, H.R. 554, the Personal Responsibility in Food Consumption Act. First, I want to take this opportunity to thank the distinguished chairman of the Committee on the Judiciary, the gentleman from Wisconsin (Mr. SENSENBRENNER), and the ranking member, the gentleman from Michigan (Mr. CONYERS), and additionally I want to commend the gentleman from Florida (Mr. KELLER), a member of the Committee on the Judiciary, for authoring the underlying bill.

Mr. Speaker, today the House will consider H.R. 554, the Personal Responsibility in Food Consumption Act, a common sense piece of legislation that passed this House in the last Congress by a substantial bipartisan vote of 276 to 139. I might further add that 55 Democrats joined with 221 Republicans supporting this bill in an effort to help rein in this mentality of jackpot justice that has plagued our judicial system and cluttered the dockets to a virtual standstill. This legislation would require courts to dismiss any lawsuits that seek damages for injury resulting from weight gain, obesity, or any health condition associated with obesity filed against manufacturers, distributors, sellers, marketers, or advertisers of any food product, in addition to trade associations that represent them.

Of course, support of this bill is not limited to Capitol Hill, Mr. Speaker. A recent Gallup poll found that approximately 9 in 10 Americans, a number of whom are themselves in the ranks of overweight or even obese, opposed holding the fast food industry legally responsible for diet-related health problems of people who eat that kind of food on a regular basis.

Without question, Mr. Speaker, obesity is a problem in our society. Having practiced medicine for nearly 30 years, I am well aware of the habit and complications that obesity can wreak on a person's health, especially over a long term. Like most other Americans, I am also well aware that obesity is on the rise in our country, and particularly among our children. However, the root of the problem is not the existence of fast food or the presence of a local fast food restaurant, but rather the root of the problem lies in the choices of consumers. I have never heard of anyone pulling up to the drive-through window with a hamburglar sitting in the passenger seat forcing someone to buy just one more Big Mac.

Mr. Speaker, allowing an individual to sue a restaurant because the consumer chose to eat there often or chose to eat too much is simply ridiculous and, frankly, it is a dangerous waste of the court's time. For every frivolous case that takes up a spot on the docket, a legitimate case where an individual is truly harmed and truly needs expeditious judicial review gets pushed farther and farther down the line. And as we all know, justice delayed is justice denied.

The title of this bill emphasizes the type of solution needed to address the underlying problem. It is called personal responsibility. It is not just a catch phrase. Individuals have to take control of their own lives. They have to make wise decisions, especially when it comes to their health. And when an individual does make a poor decision, he or she should not be able to abuse the courts so as to shift responsibility to someone else in order to cash in.

Mr. Speaker, while H.R. 544 prohibits certain types of lawsuits, it does make various reasonable exceptions to ensure the protection of a consumer's legitimate claim for legitimate harm. An individual, for example, can still sue in those instances where a contract or a warranty is breached, as long as the basis for the lawsuit is not related to weight gain, obesity or a health condition associated with either. Additionally, a manufacturer or seller is still liable if they knowingly violate a Federal or State statute concerning the marketing, the advertising, or the labeling of a product.

Mr. Speaker, this bill would still allow individuals to bring obesity or weight gain related matters before the FTC, the Federal Trade Commission, or the FDA, the Food and Drug Administration, for consideration and appropriate action. Obviously, individuals can still sue in accordance with applicable State laws protecting against deceptive trade practices and if a person becomes sick from a tainted food product.

In closing, I just want to emphasize that this legislation is common sense and it includes exemptions to ensure legitimate claims still make it to court while abusive lawsuits are stopped at the courthouse door.

Again, Mr. Speaker, I look forward to the consideration of this rule, and I ask my colleagues to support the rule and the underlying bill.

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

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Georgia for yielding me this time, and I yield myself such time as I may consume.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, this rule, House Resolution 494, will allow the House to take up a bill limiting civil liability for the food and restaurant industry from obesity lawsuits.

We have already debated this legislation once. We now have precious few legislative days left on the calendar and an ever-expanding list of legislative priorities, yet the majority leadership has decided to take up a bill that preempts a handful of obesity lawsuits that are already being effectively handled in the courts. Given that, is this really the most pressing issue facing the American people? The courts are working fine. This bill is simply unnecessary.

Here is just a short list of issues we might be addressing today: The debt, the trade deficit, Iraq, housing for Katrina victims, the bird flu, port security, border security, nuclear plant security, and energy independence. I am sure the American people would appreciate a debate on any of those issues over what we are doing today.

In touting the merits of H.R. 554, my colleagues on the other side of the aisle have cited the need for American people to take responsibility for what they eat and how they live. I very much agree. However, I would respectfully submit that maybe it is also time that Congress starts taking some responsibility for the challenges facing the American people. The disconnect between the content of this legislation and the concerns of our constituents would be humorous if it were not so disturbing.

Mr. Speaker, obesity is one of the great health epidemics in the United States, and as today's debate will show, it continues to go ignored. If you talk to any health professional in the country, whether it be the Director of the National Institutes of Health or a nurse at a local clinic, they will tell you that our health care system is on an unsustainable path, especially when it comes to obesity.

Obesity is the number one preventable cause of death in America. According to the RAND Corporation, obesity will account for 20 percent of all health care costs by 2020 if we do not change course. This challenge demands responsible, forward-looking leadership.

As Members of Congress, we need to take personal responsibility for the trajectory of the health care system in the United States. It would be cheaper to prevent this train wreck now than

to wait for obesity to overwhelm the capacity of our health care system. Our citizens are hungry for leadership, and they are not getting any.

The obesity epidemic in the United States should spur this Congress into action. Since 1980, childhood obesity rates have more than doubled among preschoolers and adolescents. Obesity among children ages 6 to 11 has more than tripled. Overweight children have a 70 percent chance of being overweight as adults, facing higher risks for many diseases, such as heart disease, cancer, stroke, and diabetes.

I recently visited a dialysis center in my hometown of Sacramento, California, earlier this year. Many patients there had diabetes. Mr. Speaker, diabetes is a terrible disease. In its late stages it limits terribly one's quality of life. We need to be doing more to prevent it. We just do not need another cheeseburger bill. What we need is a debate about health care, about prevention, and about our priorities.

Two-thirds of all Americans are obese. According to the Centers for Disease Control, health care costs related to obesity are costing us more than $117 billion annually and much more in damage to our citizens' quality of life. We should not accept this fate for so many of our Nation's children. Dealing with obesity by talking about tort reform does just that, it says that Congress is more concerned about the industry than it is about the long-term health of our Nation and of our children.

No serious policymaker believes that we can turn this tide with a few half-hearted calls for Americans to exercise more. This is going to take real leadership, real investment. It will take a relentless campaign to educate our citizens, along with public pressure to recognize the importance of this issue. It will mean taking a hard look at whether our public schools are up to the test in terms of offering nutritious meals and physical education classes for everyone. It means asking whether industry advertisers are targeting children and, if so, setting strict marketing guidelines.

In the short-term, the easy path is to dodge this whole debate, to pass this tort reform measure and walk away from the discussion. The harder path and the more responsible one would be to deal with the crisis that is here today and the even bigger crisis we all know is coming. I for one am ready for that discussion. I hope my colleagues are.

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

Mr. GINGREY. Mr. Speaker, I yield myself such time as I may consume, following which I will yield 2 minutes to the gentlewoman from Michigan.

Mr. Speaker, this bill, the Personal Responsibility in Food Consumption Act, H.R. 554, is all about, again, personal responsibility and to point out how ludicrous it would be if we allowed personal injury lawsuits against the food industry or any other company that makes a legitimate product.

We just talked earlier in the afternoon, Mr. Speaker, in regard to gun manufacturers.

□ 1545

Mr. Speaker, let me just give an example, if I might. This is a belt, an alligator belt. In fact, it is my belt. Size 36. I have a size 36 waist. This belt, I am proud to say, is hand-finished, American alligator, produced right here in the good old U.S.A. This alligator skin was obtained from a Louisiana hunt, it says on this belt, 1993, manufactured by the Trafalgar Limited Belt Company, a good company. And the belt has served me very well. Size 36 fits me well.

Mr. Speaker, let us suppose now that I decided, it is unlikely that I would do this, but let us suppose I decided I wanted to wear a size 42 and I punched a few extra holes in this belt, which is a size 36, so I could wear it and buckle it with a size 42 pair of trousers. These trousers fell right to my knees in a public place. I do not think I should have the right to sue the belt company because I used its product in a manner that it was not designed to use. I could go out and buy myself a size 42 belt.

Let me give another example, and this is more likely. Let us suppose I really felt like my waist was a size 34, and so I cinched this belt up really good so I could proudly say I am not a 36, I have a 34 inch waist at my age. I would feel pretty good about myself.

But, unfortunately, Mr. Speaker, there is a nerve at my waist called the lateral femoral cutaneous nerve. If someone puts too much pressure around their waist by wearing a belt inappropriately, by cinching it up too tightly, they put compression on that nerve, that lateral femoral cutaneous nerve, and I speak from knowledge on this from 30 years as a practicing physician. That condition, my colleagues can look it up, but I will share it with them, it is called meralgia paresthetica. If Members do not believe me, look it up. It creates tremendous numbness and loss of feeling in the anterior part of the thigh.

Let us suppose someone misused this belt and wore it as a size 34 and decided for that reason to sue this Trafalgar Company, this good, solid American company that makes this belt, for damages. That is totally ridiculous and ludicrous, and that is why this bill is so important. That is why it is called personal responsibility.

Mr. Speaker, I yield 2 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. Mr. Speaker, I thank the gentleman for yielding me this time, and I want to applaud him for maintaining a size 36 over the years; and I will decline to share my dress size with the Nation.

Mr. Speaker, I rise to support the rule and the underlying bill, H.R. 554, also known as the Personal Responsibility in Food Consumption Act, and sometimes fondly referred to, as the gentlewoman from California (Ms. MATSUI) said, the Cheeseburger Bill.

Mr. Speaker, our Nation is a Nation of freedom. Liberty, individuality, and personal choice are all critical ingredients. A recipe for self-reliance, individual responsibility, and choice has been handed down from generation to generation.

That is why it is so distasteful to see a handful of greedy people trying to strike it rich by attacking the American food industry. The blame-obsessed legal system has increasingly tried to poison the restaurant business with frivolous lawsuits.

Our food industry actually employs about 12 million people. It is the Nation's largest single private sector provider. It provides a legal product, and it provides it in a legal way. And now, because of the avarice of a few, it has become a huge target with a huge bull's-eye on its back.

Mr. Speaker, most restaurants are small businesses that contribute to their community in literally countless ways. What is more, many of them are too small to defend themselves against out-of-control, deep-pocketed trial attorneys who want to file lawsuits against them, who see them as just another target, perhaps see them as just another ATM machine.

I am proud to support this rule and proud to support H.R. 554, which prohibits profiteering from groundless claims about weight gain, to protect our vital food and restaurant industry, to help defend our economy and American jobs, and to support the fundamental tenets of our Nation: personal choice, liberty, and freedom.

Mr. Speaker, I am obviously a pretty good customer of the restaurant industry, but I also recognize that with democracy comes responsibility, the responsibility of citizens to make the right decisions for themselves and the responsibility of a government to stop those who seek to hurt fine American businesses for a drive-thru, fast windfall. I urge my colleagues to support this rule and the underlying bill.

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

Mr. Speaker, it is clear that today's legislation is not the answer. Certainly it is not about addressing the larger issue, obesity, and its impact on the American health care system.

This legislation demonstrates the blind eye the majority leadership is turning to the very real challenges Americans are facing today. Regardless of what happens with this legislation today, America's health care system will still be in dire need of responsible leadership. The American people deserve an honest discussion.

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

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

Mr. Speaker, I would like to close by thanking my colleagues for a productive discussion on the rule and the underlying bill. Today, this House has an

opportunity to again pass meaningful reform to not only promote personal accountability but also to strengthen the opportunities for legitimate claims to be heard and adjudicated. Let us take one more step to turn back the tide of so-called ''jackpot justice.''

While runaway juries and frivolous lawsuits might make a few individuals and certain ambulance-chasing lawyers rich, the American people ultimately pay the price both economically and socially.

Mr. Speaker, discouraging individuals from taking personal responsibility does not help anyone. In fact, it will only make matters worse. Encouraging healthy lifestyles and wise dietary choices should always trump rewarding poor decisions by shifting the blame to innocent bystanders.

The Personal Responsibility in Food Consumption Act of 2005 is a good bill, and I look forward to further discussing its merits on the House floor today.

Mr. Speaker, as I mentioned earlier, a strong bipartisan majority passed this bill in the last Congress; and I have no reason to doubt that we should be able to pass it again by a similar, maybe even a stronger, margin; and I urge my colleagues to support this rule and the underlying bill.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise to join many of my colleagues in strongly opposing the restrictive rule set forth on H.R. 554, the ''The Personal Responsibility In Food Consumption Act of 2005.'' As you know, in light of the world we live and the importance of nutrition, this is a very important piece of legislation. Having such a restrictive rule truly goes too far and limits the protections of the American people. It goes without saying; this bill is drafted so broadly, it would immunize defendants for negligent and reckless behavior, including mislabeling of food products. I also object to the fact that the legislation applies retroactively, and is written for the benefit of a single special interest—the fast food industry. Third, I believe the legislation constitutes an unwarranted and hastily considered affront on our system of federalism. Finally, I oppose the bill because there are far preferable ways to respond to this issue than by rushing to judgment to pass a one-size-fits-all Federal law preempting all 50 states. Despite my concerns, I am pleased to see that a few very important amendments were ruled into order. If adopted, I believe these amendments will make major improvements to the bill.

In closing, let me note that while this issue may be important, there are far more urgent issues we need to be focusing on at this time. The aftermath of hurricanes Katrina and Rita, where thousands lost their homes and hundreds lost their lives. Unfortunately, those who were impacted the most were children. For example, many children lost 1 or both parents or a guardian as a result of Hurricane Katrina and Rita. This is where our thoughts and legislative actions need to be. In addition, the earthquake registering 7.6 in magnitude that struck Pakistan has caused major devastation in the region. While the numbers are still coming in, it has been estimated that 23,000 have died and at least 47,000 have been injured. There have also been a historical number of children impacted by this massive earthquake. Those impacted have no access to clean drinking water, making them more vulnerable to disease and other infections.

Mr. GINGREY. 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 SPEAKER pro tempore (Mr. LATOURETTE). The question is on the resolution.

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

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

The yeas and nays were ordered.

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

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 3 o'clock and 54 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1730

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATOURETTE) at 5 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on H. Res. 494 and on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H. Res. 494, by the yeas and nays;
H.R. 1409, by the yeas and nays;
H. Res. 492, by the yeas and nays;
H.R. 3549, by the yeas and nays;
H.R. 3853, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 554, PERSONAL RESPONSIBILITY IN FOOD CONSUMPTION ACT OF 2005

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 494 on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 310, nays 114, not voting 9, as follows:

[Roll No. 524]

YEAS—310

Aderholt
Akin
Alexander
Baca
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Berkley
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
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, Gene
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Issa
Istook
Jackson-Lee (TX)
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Larsen (WA)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
Matheson
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Melancon
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tanner
Taylor (MS)
Taylor (NC)

Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Turner
Upton
Van Hollen
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—114

Abercrombie
Ackerman
Allen
Baird
Baldwin
Becerra
Berman
Blumenauer
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Clay
Cleaver
Clyburn
Costello
Crowley
Cummings
Davis (IL)
Delahunt
DeLauro
Doggett
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Green, Al
Hastings (FL)
Hinchey
Holden
Holt
Honda
Inslee
Jackson (IL)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kilpatrick (MI)
Kucinich
Lantos
Larson (CT)
Lee
Levin
Lipinski
Lofgren, Zoe
Lowey
Maloney
Markey
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (WI)
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Owens
Pallone
Pascrell
Pastor
Payne
Price (NC)
Rahall
Rothman
Rush
Ryan (OH)
Sabo
Schakowsky
Sherman
Slaughter
Solis
Spratt
Stark
Strickland
Stupak
Tauscher
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey

NOT VOTING—9

Andrews
Boswell
Davis (FL)
Grijalva
Keller
Kingston
Lewis (GA)
Roybal-Allard
Schiff

□ 1753

Mr. BERMAN, Mr. DAVIS of Illinois, Mrs. LOWEY, Mrs. MCCARTHY, Mr. OWENS, and Mr. WAXMAN changed their vote from ''yea'' to ''nay.''

Messrs. GONZALEZ, THOMPSON of California, KENNEDY of Rhode Island, VAN HOLLEN, and LANGEVIN changed their vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN IN DEVELOPING COUNTRIES ACT OF 2005

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of suspending the rules and passing the bill, H.R. 1409, 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 Illinois (Mr. HYDE) that the House suspend the rules and pass the bill, H.R. 1409, 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 9, not voting 9, as follows:

[Roll No. 525]

YEAS—415

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
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
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
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
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
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
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
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shaw
Shays
Sherman
Sherwood
Shimkus
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—9

Brown-Waite, Ginny
Flake
Gohmert
Johnson, Sam
Paul
Shadegg
Shuster
Stearns
Westmoreland

NOT VOTING—9

Andrews
Boswell
Davis (FL)
Grijalva
Keller
Kingston
Lewis (GA)
Roybal-Allard
Schiff

□ 1803

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

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.

A motion to reconsider was laid on the table.

MOURNING LOSS OF LIFE CAUSED BY EARTHQUAKE THAT OCCURRED ON OCTOBER 8, 2005, IN PAKISTAN AND INDIA

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 492.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and agree to the resolution, H. Res. 492, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 423, nays 0, not voting 10, as follows:

[Roll No. 526]

YEAS—423

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
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
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
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
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
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
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
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
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—10

Andrews
Boswell
Davis (FL)
Doolittle
Grijalva
Keller
Kingston
Lewis (GA)
Roybal-Allard
Schiff

□ 1811

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.

WILLIAM F. CLINGER, JR. POST OFFICE BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3549.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and pass the bill, H.R. 3549, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 422, nays 1, not voting 10, as follows:

[Roll No. 527]

YEAS—422

Ackerman
Aderholt
Akin
Alexander
Allen
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
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
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
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
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
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
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
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)

Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Abercrombie

NOT VOTING—10

Andrews
Boswell
Davis (FL)
Grijalva
Keller
Kingston
Lewis (GA)
Roybal-Allard
Schiff
Stark

□ 1819

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

WILLIE VAUGHN POST OFFICE

The SPEAKER pro tempore (Mr. LATOURETTE). The pending business is the question of suspending the rules and passing the bill, H.R. 3853.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and pass the bill, H.R. 3853, 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 421, nays 0, not voting 12, as follows:

[Roll No. 528]

YEAS—421

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
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
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
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
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
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
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
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
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
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—12

Andrews
Blunt
Boswell
Davis (FL)
Fattah
Grijalva
Keller
Kingston
Lewis (GA)
Murtha
Roybal-Allard
Schiff

□ 1827

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GRIJALVA. Mr. Speaker, due to a previous commitment, I was absent from legislative business on Monday, October 17, 2005 and Tuesday, October 18, 2005. Had I been present, I would have voted accordingly: On rollcall No. 521, approving the Journal, I would have voted "nay". On rollcall No. 522, passage of H. Res. 457, I would have voted "yea". On rollcall No. 523, passage of H. Res. 491, I would have voted "yea". On rollcall No. 524, passage of H. Res. 494, I would have voted "nay". On rollcall No. 525, passage of H.R. 1409, I would have voted "yea". On rollcall No. 526, passage of H. Res. 492, I would have voted "yea". On rollcall No. 527, passage of H.R. 3549, I would have voted "yea". On rollcall No. 528, passage of H.R. 3853, I would have voted "yea".

PERSONAL EXPLANATION

Mr. ANDREWS. Mr. Speaker, I regret that I missed five votes on October 18th, 2005. Had I been present I would have voted "yes" on rollcall Nos. 525, 526, 527 and 528. I would have voted "no" on rollcall No. 524.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2290

Mr. SMITH of Texas. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2290.

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

There was no objection.

□ 1830

SALUTING THE HOUSTON ASTROS

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I know that we have spent the day on some very serious and very important issues.

Coming from Houston, Texas, however, I wanted to salute my team, even as they make their way to St. Louis to begin their journey and their trek that we hope will be a successful run at the World Series. The Houston Astros have given us a good run this season. It is not over. We had a challenging game last evening.

But I thought it was always appropriate to thank a team when it is on its way to making good. The Astros have played their hearts out. To Drayton McLane and family and to the Astros and their leadership, their coaches, their corporate office and all of the players and their families and all of the Houston fans, hold on and be strong.

Because we know that a good run and a strong play and the right kind of spirit will give us the opportunity to look down at Wednesday and Thursday for a better day. So thank you, Astros, for a season already done. And we look forward to a new day on Wednesday and Thursday.

PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I was unavoidably detained in my district. Had I been present, I would have voted, ''aye'' on rollcall vote 521, ''aye'' on rollcall vote 522 and ''aye'' on rollcall vote 523.

IRAQI ELECTIONS

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today to express my enthusiasm about what the future holds for Iraq's women. This past weekend marked yet another courageous showing of women who are eager to live in a democracy, first in Afghanistan and now in Iraq.

The message is very, very clear that these individuals are ready, willing, and able to vote for a change. President Bush stated that our fight in Iraq includes promoting the rights of women everywhere. This fight is a very important one. Our society proves that when women are given the same rights and opportunities as men, the entire nation benefits greatly.

The constitutional referendum specifies equality regardless of sex and actually reserves 25 percent of the national assembly for women. Because of this provision, for the first time in Iraq's history, women will have a voice in their country.

Currently, two-thirds of all Iraqi women are illiterate. Since our presence in Iraq, 2,400 schools have been renovated, 3,000 teachers trained. And this is resulting in 2 million girls back in school.

The progress that has been made for the women of Iraq is exceptional. During Saddam Hussein's reign, women were imprisoned, tortured and raped; and their attackers faced no recourse. There was no justice under this dictator of terror.

Today, injustice no longer is the rule. Iraqi women will no longer have to fear the terribly cruelty of their past because they will have control of their future.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. DENT). 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 gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

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

There was no objection.

BRING OUR TROOPS HOME FROM IRAQ

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

Ms. WOOLSEY. Mr. Speaker, I did not see any purple fingers in this Chamber so far this week. We all remember how the Iraqi elections in January were hailed by the President's supporters as the turning point in Iraq.

Well, now there has been another election, a referendum on the Constitution. And what we are hearing from the pro-war forces is that we are still in for a long and deadly occupation in Iraq.

It was all going to be so simple, remember? We would march into Baghdad and depose Saddam Hussein. The grateful Iraqis would embrace the American presence, and a glorious democracy would spontaneously bloom. The Iraq situation was often compared to Germany and Japan after World War II where we were able to quickly fashion functioning democracy.

The New York Times cites Richard Armitage, Bush's former deputy Secretary of State, who notes that those were homogeneous societies, whereas Iraq is a patchwork of rival ethnic groups. Armitage also points out that Germany and Japan, in 1945, were cowed populations, exhausted and deeply shocked by the war.

Iraqis, however, were unshocked and unawed. They simply want their country back. So 2½ years and 2,000 body bags later, we are spinning our wheels and the President who drove us into this ditch in the first place has no plan for getting us out.

Instead, according to a New York Times article on Monday, he seems to be preparing us for, and I quote, ''a struggle of Cold War proportions.'' Does that mean we can look forward to a half century of American boots on the ground in Iraq?

One of the President's aids says in the article that this is a struggle of ideologies that is not going to end with one election or one constitution, or even a string of elections. Is this what the American people signed up for, a titanic ideological struggle with no end in sight? No, they were told Saddam Hussein had to be removed because he had deadly weapons pointed at American cities.

As he has repeated over the last few years, the President is mixing apples and oranges. The President is saying that there is a threat of Islamic terrorism which is real and must be addressed, and that is true. Though I would argue we need to use more diplomatic and fewer military tools in that struggle.

Then there is the war in Iraq, which is and was not a country of Islamic terrorists until we actually invaded that area and actually inflamed Muslim extremists and served as a recruiting tool for al Qaeda.

In a twisted way it turns out that the Bush administration was right. You cannot separate Iraq from the war on terrorism. What they did not tell us is that invading Iraq has helped the wrong side of the war on terrorism.

That same Times article quotes Kenneth Pollack, a scholar who initially supported the Iraq invasion. Pollack now says, and I quote him, ''The theory that democracy is the antidote to insurgency gets disproven on the ground every day.''

So if we cannot defeat the insurgents by continuing to hold elections, what can we do? There is only one answer. We can take away the one thing that animates the insurgency in the first place, that is, our perceived military occupation of Iraq.

Mr. Speaker, I traveled to Iraq a few weeks ago to meet with our military and to learn more about their mission. I cannot tell you how impressed I was with their courage, their loyalty, their intelligence. From the officers down to the citizen soldiers of the National Guard, they are indeed the best America has to offer.

Unfortunately, they have been let down by their civilian superiors who

sent them to Iraq on false pretenses, on a poorly defined mission, without all of the tools they needed, and without a plan to get them out of there.

Our soldiers deserve better. They deserve a clear strategy from their President. They deserve a one-way ticket back home.

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

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

ORDER OF BUSINESS

Mr. PAUL. Mr. Speaker, I ask unanimous consent to speak out of order for 5 minutes.

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

There was no objection.

THE IRAQ WAR

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

Mr. PAUL. Mr. Speaker, supporters of the preemptive war against Iraq say it was justified by the unprovoked 9/11 attacks. They claim that Muslim hatred for our democracy, freedom, Western values, and prosperity inspired the 19 suicide terrorists who attacked us on that dreadful day.

Opponents of the war argue that al Qaeda radicals who planned the attacks were not allies of Saddam Hussein, and that Iraq posed no threat to our national security. They further argue that our occupation of Iraq now inspires a growing number of radical Islamists to join the ranks of al Qaeda and support its war against U.S. troops in Iraq and Afghanistan.

But proponents of the war insist that our presence in Iraq is not what motivates al Qaeda to attack us, since we had no troops on Iraqi soil on 9/11; and yet al Qaeda attacked us anyway.

The enemy, they claim, is simply a group of radical Islamic fundamentalists who have hijacked the Muslim religion and declared war against our values for no legitimate or logical reason.

We should look at the facts if we want to understand why a growing number of Iraqis and Muslims worldwide are now motivated to join the insurgents in a guerrilla resistance that includes suicide terrorism. It is true that there were no U.S. troops in Iraq on 9/11, but it is also true that Saddam Hussein and Iraq had nothing to do with that attack.

In addition, we have been bombing Iraq since 1991, more than 10 years, on a regular basis. Stiff economic sanctions imposed on Iraq for over a decade by the U.S. and Britain caused extreme suffering and death of hundreds of thousands of innocent Iraqis, many of them children.

Most military experts consider an economic blockade an act of war. We insulted and provoked millions of Muslims, especially fundamentalists, by keeping a military base in Saudi Arabia after the Persian Gulf War.

Osama bin Laden specifically expressed outrage at this policy in his writings. Throughout the 1980s, we allied ourselves with Saddam Hussein, a secularist in his fight against Iran and other Shiite fundamentalists.

We involved ourselves in this civil struggle within the Muslim community. For decades, we supported various secular Arab governments throughout the region, always in opposition to religious fundamentalists. The U.S. never waivered in its enthusiastic support of Israel over Arab-Muslim interests.

For decades Muslim fundamentalists have viewed U.S. policy as being driven by religious zealots because of the strong vocal support from many fundamentalist Christian leaders.

For literally hundreds of years, Europe has continually challenged Muslim and Arab domination of the Middle East. We have never, Europe or the United States, denied our interest in controlling Middle East oil. From Woodrow Wilson to the current neoconservative brand of foreign policy, the zeal for spreading democracy and Western values through force of arms has antagonized most Muslims.

□ 1845

If we continue to insist that our policy of foreign intervention has nothing to do with the ongoing war against an enemy we refuse to understand, we guarantee that this war will not soon end.

My suggestion is to change our foreign policy. Stop the war, bring our troops home, and stop the wasteful spending overseas. If we do not, the real security of our homeland will continue to be in jeopardy and the economic consequences will get worse and our freedoms at home will be further reduced.

It is time to say no to undeclared wars. It is time to say no to political and U.N. wars. It is time to say no to preemptive war. It is time to say no to nation building. It is time to say no to assuming it is our duty to make the world safe for democracy. It is time to say no to meddling in the affairs of others. It is time to say no to fighting countries that have never threatened our national security. It is time to stop financing extravagant war spending by printing more money. It is time to say yes to more sensible diplomacy.

The senseless death and suffering of so many with nothing to show for it must end. Peace is a far better goal to strive for than an undefined victory in a war that has no end.

The SPEAKER pro tempore (Mr. DENT). 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.)

EXCHANGE OF SPECIAL ORDER TIME

Mr. EMANUEL. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Ohio (Mr. BROWN).

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

There was no objection.

MAKE WISE BUDGET CHOICES

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

Mr. EMANUEL. Mr. Speaker, since the year 2000 this Congress has racked up more than $3 trillion in new debt. Mind you, at a time in which in 2000 the American budget was running a surplus, but in that time we have run deficits on average a little north of $400 billion and we have added $3 trillion to the Nation's debt.

How did we do it? We have tried to fight two wars with four tax cuts; and this Congress has served as an ATM to the special interests, showering them with billions in tax breaks and handouts. The prescription drug bill is a classic example where we are now adding close to what the American people were once told would be a $400 billion prescription drug bill, is now worth $800 billion and $139 billion in extra profits to the pharmaceutical companies over 10 years.

Yet, all of the sudden when it comes to rebuilding the lives of our fellow citizens in New Orleans and on the coast, we are talking about cutting education, health care, areas of environment and energy for the rest of America, $50 billion; and all the while we are trying to do that this Congress under a Republican majority wants to shower the wealthiest 1 percent, those who earn over $200,000, with more tax cuts and more debt. Yet, what are we saying to the rest of America? You are going to get cuts in education, health care, environment, energy, national security areas, homeland in the area of police.

Yet the interesting thing, while all of this is happening here in the United States we are trying to turn ourselves into a pretzel, trying to cut $50 billion from our education and health care. What are we doing in Iraq at this time? What are we doing in Iraq?

We are actually renovating and building 110 primary health care centers, vaccinating 3.2 million Iraqi children, rehabilitating 2,700 schools, training 36,000 secondary school teachers in Iraq. We fund 3,120 community development projects in Iraq, and we have provided housing for tens of thousands of Iraqis. And what do we tell the American people in the same area,

health care and education? We are going to cut in America.

This is the only time in American history. When you look back to it, Abraham Lincoln thought of the land grant colleges and the transcontinental railroad system. Eisenhower at the end of the Korean War thought of the interstate highway system. President Kennedy at the ending days of Vietnam was thinking of putting a man on the moon.

At this time when we are thinking about, as we have always thought towards the end of the war, every President—Roosevelt had the G.I. bill—every President said, how do we bring this peace home to America and how do we make sure we invest in America so we reap the benefits as a country? Only this President at this time in this war is thinking about rebuilding another country while cutting back in the United States.

President Lincoln thought of the land grant colleges. We are going to cut Pell grants. President Eisenhower thought of the interstate highway system. President Kennedy thought of putting a man on the moon. What are we going to do? We are going to cut Amtrak in this country.

This is not the way to invest in America. You want to make the 21st century the American century like the 20th century? You have to invest in America. What have you done? You have turned the budget into a pretzel all to protect tax cuts for the wealthiest of Americans.

They are patriots too. When it comes to America's future, every American must have skin in the game. When it comes to rebuilding the coast, that is the families and the communities of New Orleans, Mississippi and Alabama. The choice should not be cutting Pell grants and college loans, cutting student nutrition programs, cutting health care for our elderly and most vulnerable as a way to pay for that.

Yet at the same time this Congress has allocated $445 billion to Iraq and it is going to go north to $600 billion unaccounted for, unpaid for, all debt the American taxpayer has to pay for. And what are the Americans going to get for it? Cuts in education, cuts in the students loan programs, cuts in health care clinics. Our senior citizens are going to get cuts in health care.

That is the budget you have presented to the American people. The American people deserve better. We can build a stronger America. We do not and America does not deserve gas prices at $3 a gallon. Energy prices this winter are going up by 50 percent. Inflation is increasing at its fastest rate, 15 percent.

What are you providing Americans? You are providing them protection for those who earn $200,000 or more and the rest of America gets cuts in its investment for its future. Yet you have told the Iraqis. Why do we not give Iraq some cuts in their investments and provide America the schools we are talking about in Iraq?

I have no problem investing in Iraq's future. What I have a problem with is the cuts in America's future that you want to make here. We can do better for America. We can definitely do better. A stronger America around the world begins at home.

You are making the wrong choices for America's future. I hope as we deal with this budget and the time coming up for this budget that we understand that writing $445 billion of hot checks for Iraq's future and cutting education and health care in America is not the right choice.

UNRECOVERED GOLD IN THE GULF

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

Mr. POE. Mr. Speaker, down in the depths of the warm waters of the Gulf of Mexico lies some old Spanish galleon with unrecovered gold, but there is another type of gold in the bottom of the Gulf of Mexico, black gold. We call it crude oil. There is also white gold there as well. We call it natural gas.

These natural gold reserves are energy for today's Americans and we need to drill for these gold reserves. According to the Department of Energy, families across the United States will experience winter heating bills that will be up to 50 percent higher for those who heat with natural gas. This alarming data is yet another reason for us to open up the Outer Continental Shelf and begin drilling for more natural gas and oil off our own coastlines.

The so-called global warming will not keep Americans warm this winter. We have got to become more self-sufficient when it comes to energy, natural gas and crude oil. It borders on the absurd to continue to be held hostage by foreign countries and foreign oil and ignore the billions of barrels that have yet to be drilled off the United States coastline.

Mr. Speaker, I have introduced H.R. 3811 to help relieve our energy woes and help stop U.S. dependence on foreign oil. This legislation will allow for safe oil and natural gas exploration along the Outer Continental Shelf. This bill would do away with all the moratoriums and executive orders that limit leasing activities while maintaining environmental.

Right now 90 percent of our coastline is off limits to drilling because the Federal Government prohibits it. In this chart, Mr. Speaker, I show the three places off the coast of Texas, Louisiana and Mississippi where we drill. All the red here, these are sacred places where we cannot drill for oil. Maybe Texas, Louisiana and Mississippi ought to join OPEC.

In any event, Mr. Speaker, we have got to drill off these other areas because there is oil and there is natural gas in these areas off our Outer Continental Shelf.

It is a myth, Mr. Speaker, that we cannot drill offshore safely. The best experts in the world are from the United States and they know how to drill safely. It is a myth perpetrated on the American people by environmental extremists. No one wants polluted waters. I certainly do not, but we can have both safe drilling and environmentally correct drilling as well.

Let us look at some of the facts, Mr. Speaker. This chart shows pollution from oil, crude oil. Most of the pollution that is in our oceans comes from nature itself, from seepage on the bottom of the ocean. About 63 percent comes from nature; 32 percent comes from jet skis and oil runoff from American soil; 3 percent comes from those tankers that are bringing crude oil in from the Middle East; and way down here 2 percent of the pollution of crude oil comes from offshore drilling. It is a myth to think that we cannot drill offshore in a correct, an environmentally correct way.

The National Academy For Sciences has furnished this information. The American public needs to know the truth about offshore drilling. If coastlines like Florida are worried about the environmental threats, maybe they should stop people from using jet skis and boating because more than a quarter of the spills come from just that. But maybe we should do some research.

According to the Department of Interior, since 1985 more than 7 billion barrels of oil were produced in Federal offshore waters, with less than .001 percent spilled. That is a 99.99 percent record for clean operations. My Jeep leaks more oil than this.

Katrina and Rita hit the coastline very hard, Mr. Speaker. There were high winds, billions of dollars in damages, refineries were closed, but we did not hear anything about oil spills from offshore rigs that were damaged. Why? Because it cannot occur. Even those violent ladies of the gulf could not get a good oil spill to happen.

People in these coastal States want cheap gasoline. They want natural gas, but they say do not drill off our coastlines. Mr. Speaker, this is hypocritical and it violates common sense. Plus, leasing these reserves will bring money to the United States Treasury and to State governments.

If Americans expect to continue driving and heating their homes at low prices, we must begin safe drilling in other places besides the gulf. Economies on the coast rely heavily on tourism and they voice concerns about the so-called environmental impact. Mr. Speaker, if fuel costs continue to rise, the planes and automobiles will be used less and these tourists will never show up at these coastal places. It seems like the consequences of higher gas prices could have a worse impact than an innocent oil rig that is 100 miles off the coast.

Around the world nearly every other major country with oil and gas reserves is promoting investment and developing their offshore capacity. They

even drill in the North Sea, the roughest waters in the world, and they do so safely.

Mr. Speaker, we need to continue to explore the Outer Continental Shelf or we will suffer the consequences. Someone has said we will freeze in the dark and end up riding bicycles if we do not use common sense. Mr. Speaker, that is just the way it is.

NATIONAL OCEAN INDUSTRIES ASSOCIATION

BASIC FACTS ABOUT OFFSHORE OIL AND NATURAL GAS

U.S. offshore energy production is an essential component of the nation's energy and economic security. U.S. offshore development accounts for more than 25 percent of the country's natural gas and more than 30 percent of its oil. Each year, offshore energy development contributes between $4 and 6 billion in revenues to the federal Treasury. Millions are also paid to states and local communities. The federal offshore produces approximately 600 million barrels of oil and about 4.5 trillion cubic feet of natural gas annually.

The U.S. offshore industry leads the world in developing and commercializing advanced technologies that protect sensitive environments and improve the quality of life for all Americans. The U.S. offshore energy industry operates in accordance with the world's most stringent standards for human safety and environmental protection.

Since 1985, more than 7 billion barrels of oil were produced in federal offshore waters with less than 0.001 percent spilled—a 99.999 percent record for clean operations. Government statistics show that the injury and illness rate for offshore workers is about 70 percent lower than for all of private industry. Thirty percent of the 15 million fish caught by recreational fishermen annually off the coasts of Texas and Louisiana are caught near platforms. Conservative estimates show annual catches of approximately 450,000 pounds of reef fish annually, valued at approximately $2 million.

NATIONAL BENEFITS

Producing America's Energy

The submerged lands of the outer continental shelf (OCS) of the United States have proved to be one of the most bountiful sources of offshore oil and natural gas in the world. On a per-day basis, the OCS currently produces about 13.9 billion cubic feet of natural gas and about 1.3 million barrels of oil. The federally managed OCS provides the bulk—about 89 percent—of all U.S. offshore production. Five coastal states—Alaska, Alabama, California, Louisiana and Texas—make up the remaining 11 percent.

Offshore Energy Revenues Enrich the Nation

Between 1953 and 2002, the offshore energy industry has contributed more than $145 billion to federal revenues. Most of these revenues were derived from royalty payments that are assessed on oil and natural gas produced from federal lands—typically one-eighth or one-sixth of oil and natural gas' market value. Royalties, rents and bonus payments are collected by the Minerals Management Service (MMS)—which often results in that agency serving as the second largest collector of federal revenues after the Internal Revenue Service.

Although most the revenues derived from offshore energy activity are deposited directly into the federal Treasury, these revenues are also the source of funds for the Land and Water Conservation Fund and the National Historic Preservation Fund. State and federal agencies use the Land and Water Conservation Fund Act to buy parks and recreation areas. Annually nearly $1 billion dollars in OCS revenues flow to this program.

Likewise, the National Trust for Historic Preservation has received more than $2.5 billion in offshore energy proceeds to help preserve historic legacies since 1982. Like the Land and Water Conservation Fund, money from the National Historic Preservation Fund is distributed to states whether or not they have any offshore leasing or production seaward of their coasts.

Coastal states in producing areas also have a direct claim on OCS revenues under Section 8(g) of the Outer Continental Shelf Lands Act. For leases on the submerged lands lying outside the 3-mile state zone and as far as 10 miles offshore, 27 percent of the royalty, rent and bonus revenues are paid directly to the adjacent states.

States have used these funds for a variety of programs. Alabama established the ''Forever Wild Program'' with offshore leasing and production money to acquire, maintain, and protect unique habitats. Mississippi has a similar ''Gulf and Wildlife Protection Fund'' and Louisiana uses its money for education.

Employment

The Gulf coast of Texas, Louisiana, Mississippi and Alabama is the birthplace of offshore prospecting for oil and natural gas, and the economic benefits of that development continues to accrue to that region to the present day. There are more than 85,000 jobs that are directly related to the industry, and an equal number of workers employed in supporting jobs indirectly related to OCS activity.

The average salary and benefits for workers of producing companies employed as a direct result of activity in the Gulf of Mexico was estimated to be $52,580 in 1992. (The last year for which statistics are available.) Since then, a shortage of skilled labor due to the recent boom in industry activity has pushed earnings even higher. In addition to payroll expenditures, producers pay several billion dollars each year to vendors and contractors who support OCS activities.

SAFETY AND ENVIRONMENTAL PERFORMANCE

The National Academy of Science's National Research Council recently released the results of a comprehensive study entitled, Oil in the Sea III: Inputs, Fates, and Effects. The report finds that although the amount of oil produced and transported on the sea continues to rise, improved production technology and safety training of personnel have significantly reduced both blowouts and daily operational spills. In fact, the report states, today, accidental spills from platforms represent only 2 percent of petroleum inputs in U.S. waters and about 4 percent worldwide. Furthermore, the MMS has found that most spills are quite small—with the median being three barrels or less. Between 1971 and 2000, 41 percent of all spills were less than three barrels in size, 81 percent were less than 10 barrels, and 96 percent were less than 100 barrels.

The industry remains under intense scrutiny by its two primary regulators—the MMS and the U.S. Coast Guard—as well as a host of other governmental agencies with oversight responsibilities such as the Environmental Protection Agency and the National Oceanic and Atmospheric Administration. However, it is the MMS that regulates all exploration, development, and production activities on about 8,000 active leases to ensure that these activities are conducted safely and in an environmentally sound manner. The MMS reviews and approves industry exploration and development plans before allowing any operations to commence, monitors all lease operations to ensure that industry is in compliance with relevant requirements, and conducts scheduled and unscheduled inspections. In 1997, MMS conducted over 12,000 inspections of OCS facilities.

INNOVATION BOOSTS U.S. ENERGY

The Deepwater

Between 1996 and 1999, technological advances coupled with economic incentives passed by Congress under the 1995 Deepwater Royalty Relief Act, encouraged energy companies to acquire more than 2,600 leases in waters 800 meters or greater pushing the total number of leases in the Gulf of Mexico to more than 7,000.

The number of deepwater exploratory wells drilled more than doubled from 1996 to 1998, despite the limited number of rigs that can work at such water depths and the decline in crude oil prices during this time period. During that same period, production from deepwater wells jumped 50 million barrels, bringing total Gulf of Mexico deepwater oil production to more than 570 million barrels in 2001—nearly a 535 percent increase from 1995. By 2002, deepwater activity contributed 959,000 barrels of oil and 3.6 billion cubic feet of natural gas per day to U.S. energy supplies—approximately 61 percent of the Gulf's total production.

Innovative technological leaps have enabled this thrust into ever-deeper waters. Floating drilling rigs and production platforms are now able to maintain position over top of a well thousands of feet below without the need to moor a fixed structure to the ground. Dynamic positioning systems using computer-controlled directional propellers compensate for wind, wave or current to keep the vessel stationary relative to the seabed, while innovative hull designs maintain stability even in ''hundred-year'' storms. As a result, drilling is now taking place in waters more than 10,000 feet deep, an accomplishment that would have been unimaginable just 20 years ago. Since 2001, industry has announced 11 major discoveries in waters exceeding 7,000 feet.

The Deep Shelf

Trapped more than 15,000 feet within the earth's crust, so-called ''deep natural gas'' represents a tremendous untapped domestic energy resource. Government studies estimate that there could be more than 20 trillion cubic feet of untapped deep natural gas deposits in the Gulf of Mexico—about as much as is currently being produced from all areas in North America on an annual basis!

Annual gas production from Federal waters of the Gulf of Mexico has exceeded additions to proved gas reserves every year since 1984, causing a decreasing trend in remaining proved gas reserves. New discoveries of deep gas on the OCS offer the best short-term opportunity for achieving the large reserve additions and necessary high flow rates to offset declining gas production, which has been falling since 1997. Recent deep gas discoveries on the OCS have shown these new completions can produce as much 20 to 80 million cubic feet per day.

Unfortunately, despite significant advances in deep gas technology, these prospects remain very challenging to find and develop successfully. Since 2001, Gulf natural gas production has decreased from 5,128 BCF to 4,175 BCF in 2003. Deep gas discoveries may help reverse this trend however: deep gas production increased from a relatively low 284 billion cubic feet in 2000 to 421 billion cubic feet in 2002.

New Life for the ''Dead Sea''

As recently as the late 1980s, many experts agreed that oil reservoirs in the Gulf were drying up. With oil and natural gas output slackening, some dubbed the Gulf of Mexico

the ''Dead Sea''. However, leading edge technologies breathed new life into the Gulf—technologies that have enabled more efficient exploration in deeper waters and production from the deepest recesses of the earth's crust. Now the Gulf is widely recognized to be among the most promising areas in the world and oil production levels have increased sharply every year since 1996.

Leading edge offshore technology helps the country to find and produce the energy to heat our homes, fuel our cars, run our computers and drive the economy in faster, safer, cleaner and more efficient ways than ever thought possible. These innovations began with the natural gas and oil industry but they enrich the lives of all Americans. As the leading technological laboratory in the oil industry, the Gulf's transformation provides an interesting snapshot of the advances that have reverberated around the world and helped to keep energy abundant, affordable and clean.

The SPEAKER pro tempore (Mr. GOHMERT). 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.)

HONORING PPL ELECTRIC UTILITIES AND THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL 1600

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

Mr. DENT. Mr. Speaker, I rise today to speak in praise of the actions of PPL Electric Utilities and the International Brotherhood of Electrical Workers Local 1600 for the inspiring sacrifices they made in the aftermath of Hurricanes Katrina and Rita on behalf of citizens of the Gulf Coast.

Hurricane Katrina and Hurricane Rita were two of the most destructive natural disasters to ever strike the United States. In the wake of these catastrophic storms, utilities serving the gulf States reached out across the country for technical resources and skilled labor necessary to rebuild an electric infrastructure destroyed by the forces of nature.

PPL Electric Utilities is a great corporate citizen in my district that provides electricity needs for 1.3 million customers in eastern Pennsylvania. When the people of the gulf coast needed assistance, PPL true to form answered the call for help after both hurricanes. More than 180 of the company's employees willingly agreed to leave their homes and their families to help restore an essential basic service, to assist victims of the hurricanes in getting their lives back to normal.

Many of these employees were members of the International Brotherhood of Electrical Workers Local 1600, skilled, dedicated union members whose efforts were desperately needed in the fight to restore a functioning electrical grid in the devastated areas. These workers endured long hours of work, oppressive heat, uprooted trees, biting insects, and many other hazards to their personal safety.

In accomplishing their important task they earned respect and admiration of the people from Mississippi and Louisiana, as well as from those back home in Pennsylvania. Through their hard work, caring and professionalism they became true good will ambassadors of the Commonwealth of Pennsylvania and the 15th Congressional District. It is my intention today to make sure this distinguished body is fully cognizant of the dynamic deference of both PPL Electric Utilities and the International Brotherhood of Electrical Workers Local 1600 and of their exceptional work in the Nation's time of need following Hurricane Katrina and Hurricane Rita. By working hand-in-hand, these two organizations toiled long hours to ease the suffering of the many affected by these natural disasters.

□ 1900

30-SOMETHING WORKING GROUP

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

Mr. MEEK of Florida. Mr. Speaker, once again it is an honor to be here before the House, and I would like to thank the Democratic leader, the gentlewoman from California (Ms. PELOSI), and our elected leadership team, the gentleman from Maryland (Mr. HOYER), and also the gentleman from the great State of New Jersey (Mr. MENENDEZ) and the gentleman from South Carolina (Mr. CLYBURN).

We come to the floor, as you know, Mr. Speaker, almost every day to talk about issues that are facing Americans; some that we are working collectively on, others we are not working collectively on but should be working collectively on. Tonight, we are going to talk about some of the issues that we did not talk about last night, but I can tell you that the themes continue to run together.

I am here tonight with the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) and the gentleman from Ohio (Mr. RYAN), Youngstown, Ohio, and as the gentlewoman from Florida was not here, I can tell her that what we are hearing and what we were talking about last night was the fact that now we are looking at how are we going to move forward in the aftermath of Hurricanes Katrina and Rita, how are we going to respond to those Americans that have paid taxes all of their lives, and how are we going to correct past wrongs.

From the beginning, the majority side has come off the block saying, well, the story is kind of changing now, which is interesting, but I have a copy of yesterday's Washington Post where there is a lot of bold talk about, well, first we are going to start with Medicaid, which is a program that provides health care for financially challenged Americans throughout this country, and we are going to find this $500 million to offset some of the Katrina cost there; and then we are going to go to some folks who really cannot fend for themselves, we are going to pick on someone that is not our size and we are going to go and cut free and reduced lunches for financially challenged children, and then we are going to hit these small farming programs that we have out here so we can make sure they cannot compete with foreign agricultural interests, which are already cleaning our clock in many ways with the help of this majority that we have here now.

Now, this has kind of changed, but it has the same theme. Now we are going to go after young people, 30-somethings that are trying to educate themselves to compete against those kids coming from other countries here to the United States and that are taking their jobs, and I will let my colleague, the gentleman from Ohio (Mr. RYUN), talk about China and other countries. As a matter of fact, these days, they do not have to come to the United States. They can stay where they are and they will have good American jobs because the workforce is there. And they will definitely be educated. Yet we are willing to cut Pell grant opportunities and some other things.

So there are a number of issues still on the table, but I hope we can talk tonight about the lack of an independent commission. I understand that there are going to be some additional partisan hearings this week here, if that is what you want to call them, here in the Congress on the House side. I hope that we will have an opportunity to talk about the lack of a Hurricane Katrina independent commission that 81-plus percent of Americans have called for.

So, Mr. Speaker, I am glad to be here once again with my colleagues, and I look forward to some fruitful conversation with them. With that, I yield to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, I appreciate the comments of the gentleman, and I want to welcome back the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ), who we missed desperately last night.

Ms. WASSERMAN SCHULTZ. I was pining for you as well.

Mr. RYAN of Ohio. And I announced last night that my brother had a baby last week.

Ms. WASSERMAN SCHULTZ. Oh, congratulations. That is fantastic.

Mr. RYAN of Ohio. Yes, that was my big announcement. His name is Nicholas John. So I will probably be saying that to every 30–Something for the next 6 months.

But we had a great discussion last night on so many different issues, and

the Katrina issue was one. I want to go back and sort of fill in the blanks here a little bit and let people know that the Democrats are proposing that we create an independent Katrina commission like we had an independent commission to oversee 9/11. And here is the bill, H.R. 3764.

We are asking for an independent commission, meaning Republicans or Democrats do not rule the commission. It is independent of this body. It is independent of the White House. It is like we had for 9/11. Because we feel, as Democrats, that what we all had to watch happen on TV was one of the great national tragedies, not only the natural disaster that happened but the response from a government that we have been promised over the last number of years would be adequately equipped to respond, would respond in a timely manner, and that they would have a coordinated response in order to save American lives if there was an emergency.

Because after 9/11, and since then, we have been told by this administration and by this Congress that we are protecting you. You are safe. It is okay. We are going to do it. We are the party that is strong with these kind of issues. Then we found out during Katrina that that just was not the case.

You throw that on top of what we are watching happen in Iraq, and we are losing our confidence. If you ask the American people, they are losing their confidence too. That is why over 80 percent of the American people in every poll that we have seen want this independent commission. But what the Republicans have set up is a real farce. They might as well put the Chair of the Republican National Committee in charge of the oversight committee of Katrina.

There are eleven Republicans and nine Democrats, which means the minority party is not allowed to subpoena witnesses. The Republican Chair of that committee and the other 10 Republicans on the committee will be the only ones who can subpoena people to come and testify before the committee and really give this thing a thorough overview and a good look-see and overturn every rock possible to figure out what the real problems were and what the real problems are.

This is not about politics. This is about making sure the United States post-September 11 has an adequate emergency response system in place regardless of where you live. Because that could very easily been New York, it could have been L.A., or it could have been Youngstown, it could have been Miami. It just so happened to be New Orleans and it happened to be a natural disaster instead of a terrorist attack.

But if it was a terrorist attack, we cannot explain how we would have responded any differently. It was about communication and coordination and all these other things that we need to ensure for the American people. And we believe that an independent commission that is free of politics is the only thing that is going to give us those answers. That is what the Democratic Party is asking for, that is what the gentlewoman from California (Ms. PELOSI) is asking for, and that is what 80 percent of the American people are asking for.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, if the gentleman will yield, I want to thank the gentleman from Ohio for his comments, and he is absolutely right.

Number one, I am sorry I was not able to participate with my colleagues last night. I was in my district. And when you are in the district, you really get a true sense of how people are feeling. The gentleman is absolutely right, there is a crisis of confidence out there in America. People really have had their confidence in their government's ability to deal with their everyday problems badly, badly shaken by one scandal after another, by one more bit of evidence of corruption and cronyism.

What all of this points to is and is emblematic of is a system that cries out for reform. We absolutely have to have some reform here in Washington, and one of the first reforms that needs to occur is to change this partisan committee that is stacked with Republicans and is currently not being participated in by Democrats and shift it to an independent bipartisan commission that is going to be able to be objective and review what really happened.

Every day that has gone by since Katrina's aftermath, a little bit more trickles out, a little bit more dribbles out, and if we are going to be able to restore the American people's confidence in their government's ability to respond to disasters like this, be they natural disasters or man-made disasters in the form of terrorism, we have to start by restoring their confidence and utilize a process that is going to be objective and that they know they can have confidence in in terms of the outcome, like the 9/11 Commission.

There is a never-ending possibility of more disaster looming over us. Even now, we have Wilma, the 21st storm looming out there in the ocean, potentially about to bear down on Florida and then the gulf coast again, nearing this weekend. If we do not get the American people answers as to how the aftermath of Katrina occurred and make sure it does not happen again, it is not like we have the luxury of time being on our side. We have storm after storm. We have the fact that you never know when a man-made disaster is going to occur. By their very nature, they are surprise attacks. It means it is ever more important we reform the system and make sure that our government is ready to respond, that we have a comprehensive ability to do that.

When we have people engaging in CYA, which is exactly what is occurring here, and when you look at the former Director of FEMA, who in today's paper it was revealed was more worried about his title in the aftermath of Katrina than getting the job done, that is deeply disturbing.

Mr. RYAN of Ohio. That is a joke.

Ms. WASSERMAN SCHULTZ. It speaks to the structure of their ability to respond to that disaster.

Mr. RYAN of Ohio. Does that not say a lot about what we are dealing with in the leadership today?

Ms. WASSERMAN SCHULTZ. It does.

Mr. RYAN of Ohio. It is all about what is my title. After the greatest natural disaster in the country and everything that is going on, you are talking about your title.

That just proves what we talk about a lot here with the 30-Somethings. It is more politics than it is policy. It is more politics than it is actually fixing the problems.

Ms. WASSERMAN SCHULTZ. Absolutely.

Mr. RYAN of Ohio. Evident by, my God, this guy is worried about his title after Katrina. Give me a break.

Ms. WASSERMAN SCHULTZ. Let us explain what we are talking about. In the press today there was an e-mail exchange revealed between the spokesperson of FEMA and then Under Secretary Brown where he was appalled that Secretary Chertoff had made him, I think it was the point person, I forgot the title he was given, in the aftermath of Katrina. But he looked at it as a slight, an insult, and somehow a demotion from his position as Under Secretary.

In the devastation and aftermath of Katrina, is that what we want the FEMA Director to be worried about, what he is called?

Mr. RYAN of Ohio. Right.

Ms. WASSERMAN SCHULTZ. And how he is perceived in terms of title?

Mr. RYAN of Ohio. Terrible.

Ms. WASSERMAN SCHULTZ. That is how out of touch this administration is. They are that badly out of touch, and that is why the system cries out for reform. We have to make sure we reform the system so that we can restore people's confidence and that they understand that the three C's are incredibly important: No more corruption, no more cronyism, and we have to restore people's confidence.

Mr. MEEK of Florida. Mr. Speaker, I think what the gentlewoman is saying is so very, very important. We talked last night and spent quite a bit of time on the culture of corruption and cronyism, and we know that it takes a while to get a culture. It is not like an incident here and an incident there. It is a culture.

Mr. RYAN of Ohio. It is not random.

Mr. MEEK of Florida. It is not random. It is a way of doing business here in Washington, D.C. Unfortunately, it is affecting the entire country and in some cases it affects some parts of the world that we are also concerned about, and there are also parts of the world we are concerned about outside

of Iraq. I think that is important to point out.

I just want to mention something that the gentleman from Ohio (Mr. RYAN) talked about, this H.R. 3764, which is the House bill that will create this independent commission just like the 9/11 Commission. The only difference between the bill we see by the gentleman from Ohio, House Resolution 3764, and the 9/11 Commission is the fact that it says the independent Katrina commission versus the 9/11 Commission.

□ 1915

So it is language that we all understand and eventually, like the 9/11 Commission, the majority side came around and voted for it. Some did.

I think it is also important for us to understand that independent commissions are not a new phenomenon to the way to deal with issues in correcting wrongs that took place or possible mistakes that could have happened.

For instance, I mention the 9/11 Commission, which is the most respected commission that came after 9/11. Also, if we look at the commission after the *Challenger* space accident in 1996, the Presidential commission that looked into the NASA program and things that we needed to look at.

And also in the aftermath of the accident at Three Mile Island in 1979 there was an independent commission; and numerous independent commissions established by the White House after plane accident tragedies to make sure that we do not make the same mistakes and correct issues that might have contributed to loss of life. After the attack on Pearl Harbor, there was another independent commission.

These independent commissions are given authority to go out and make sure that we do not continue to repeat some of the same issues that we are seeing right now. We are seeing a repeat on issues that are facing Americans time and time again.

Now, I want to say to the gentleman from Ohio (Mr. RYAN) on H.R. 3764, how many Republicans are on that bill?

Mr. RYAN of Ohio. Mr. Speaker, as far as I can see, there are not any.

Mr. MEEK of Florida. Mr. Speaker, I want to make sure that my Republican colleagues know, either in the leadership or the rank and file, that they know it is okay for you to call for an independent commission even though there is a Republican in the White House, even though there is an agency appointed by that Republican administration, because we are all Americans. We should have this independent commission to make sure that we are able to deal with the Federal response to natural disasters or terrorist attacks, whenever it may happen, or making sure that we can deal with some of the issues in the present.

There are still 100,000 individuals that were affected by Hurricane Katrina that are still in shelters or displaced in some Red Cross emergency housing. The deadline for shelters to be empty was a couple of days ago, but we have trailer parks that are sitting empty. The trailer park has been established, the asphalt has been laid, the trailers have been delivered; but the people cannot move in because of technical issues of getting them in, need it be someone did not hook the power up to the trailer or the sewage is not where it is supposed to be. So there is still a lot of work to be done and lessons to be learned.

Any American city, here in Maryland today, there was an alert about a possible tunnel attack. The week before last it was the New York subway station. So we see cities and counties and local communities finding themselves in harm's way, and Americans may have to leave with what they have in their pockets or on their backs.

If we do not learn from lessons learned, having an independent commission of people who do not have a vested interest, a political vested interest in the outcome of the report, then we are not going to get better as a country, and we are not going to be better prepared.

Two things that we learned under the scenario of Hurricane Katrina: one, we are not ready. How about that. All of these top-off programs that have been created, and when I say top-off, I want to make sure Members understand what I am saying. These are the programs where the Department of Homeland Security would go into a local community and go through an exercise in case a chemical weapon was actually detonated or a terrorist event was to take place here and how would you deal with it, how would hospitals deal with, how would first responders deal with it. Where would the people go. We did that with Hurricane Pat in New Orleans. We knew. When I say ''we,'' the Federal Government knew that anything over a category 3 would bring about catastrophic damage to the area.

I have a little picture that too many Americans are all too familiar with. This is a neighborhood east of downtown New Orleans. Billions of gallons of water flooded 80 percent of the city of New Orleans. Now, that is not Hurricane Katrina by herself; this is a lack of governance. I want to know why the Corps of Engineers stopped their work. After 37 years of working on the levee, why did they stop working to make sure it is safe. Hurricane Katrina came through and the event was over, and it did not look like this. When the levee broke in several areas, all of the loss of life took place at that time. Pretty much all of the property damage for sure took place at that time. When you say it was an act of God, well, I am not going to put all of that on God. I am going to put some of it on this government that should have been there.

Let me just put this poster down because I want to make sure that this aerial picture that was taken, and I am going to put it down for a minute because the real issue, and this is the picture before or right after people were on those roofs waiting, living it out for 3 days, waiting on the cavalry, waiting on someone to come and say is it possible to get off the roof.

Here is another picture. There is concern about somebody looting a Walgreen's for food, and people had to improvise. People are jumping in a boat not with a paddle, but with a board. Here is a kid in a refrigerator trying to find safe haven. It took awhile for all of this ingenuity to come about because definitely they could not count on the government, whether it be State, Federal, local. We need to get to the bottom of this. We need to make sure that this is not coming to a city near all of us, and we are not standing and waiting and hoping and praying that the helicopter is going to come soon or the boat is going to come soon. I think it is important. We need to learn from our past mistakes.

So 81 percent of Americans support this independent commission. For people to talk about they do not quite understand, independent commission, why? We do it when we have a horrific event in our country, whether a plane crash or a natural disaster.

Mr. Speaker, I yield to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I have mentioned this before and likened the lack of desire on the part of the Republican leadership here to establish an independent commission. For example, if the executives and CEO of Enron after the fiasco that corporation went through, it would be as if we said, Okay, Mr. CEO of Enron, you go ahead and investigate what happened at Enron and do a report and a full examination of the doings of your corporation and you get back to us and let us know what steps need to be taken to prevent it from happening again. We can do the same thing with Tyco.

I think the gentleman is smiling, and people who might hear this description would be sort of laughing to themselves saying of course we would not do that. This leadership is saying of course we would not have an internal partisan committee that would investigate. For some reason that is not ludicrous to the people who run this institution. It would be ludicrous to anybody who was a rational person who would actually want to get to the bottom of what happened. One would think given the information that has come out slowly over the last weeks now that there would be some more deep, abiding concern.

Let me go back to what I was saying earlier that came out today. Secretary Chertoff, according to The Washington Post, apparently belatedly named Brown the on-site disaster coordinator on the night of August 30 and declared Hurricane Katrina ''an incident of national significance,'' which is the highest order catastrophe under their new national response plan.

This was the reaction of then-Under Secretary Brown and his assistants, ''Demote the Under Secretary to PFO, principal Federal officer?'' an outraged FEMA press secretary Sharon Worthy wrote Brown at 10:54 p.m., soon after Chertoff's decision.

''What about the precedent being set? What does this say about executive management and leadership in the agency?''

Brown's reply was, ''Exactly.''

Reading a little further, there are e-mails ''that show that the government's response plan, 2 years in the making, began breaking down even before Katrina hit the gulf coast.

''Before the storm hit, Brown's deputy chief of staff, Brooks Altshuler, said White House pressure to form an interagency crisis management group was irrelevant even though a task force and principal Federal officer are key parts of the plan.'' He says this: ''Let them play their 'Reindeer Games' as long as they are not turning around and tasking us with their stupid questions. None of them have a clue about emergency management.''

Mr. Speaker, these are the people that were responsible for making sure that the people in that picture survived and actually got out and did not have to float in a refrigerator to save their own lives. This is what they were worried about, their own little title and the petty garbage that you would think is reserved for the smallest of issues.

Mr. MEEK of Florida. Mr. Speaker, during this time, they spent more time having press conferences thanking everyone and saying you are doing a wonderful job.

No, you are doing a better job.

No, I want to make sure you know that you were doing a good job.

Meanwhile, folks are still clinging onto life, people are running out of insulin. They need medical supplies and people are drowning in nursing homes. These are Americans. These are Americans. These are individuals that live in our communities. There were veterans caught up in this stuff. There were teachers caught up in this. There were individuals counting on their government for them to be there for them, be it State, local, or Federal. I am not here to protect anyone. I want to make sure that we have what we need from an independent commission to make things better.

I remember this time very vividly when these e-mails were going on. This was at the height of the rescue, and they were running around here talking about titles and respect.

Mr. RYAN of Ohio. Mr. Speaker, we can blame the FEMA people complaining about their title and all of that stuff, but who appoints these people? These people are appointed by the President of the United States. This goes to his judgment to hire a horse attorney, not a horse's attorney; but he is an attorney for equestrian activity, that is what this gets to.

This President appointed this person, and he appointed the other people. The top seven or eight people who were involved in the top FEMA flow chart were appointees from President Bush, and they were not qualified. They had no emergency management experience. We need change in the government today. We need to change the way the situation is. We need to change the leadership. We need to reform the way we do business. We need to change the way we do business, and you do that through an independent commission, not through politics.

Do Members think that the majority party here, the Republican Party, is going to somehow oversee this whole process and dig up and say, What were we thinking? This guy was asking about his title during the greatest natural disaster in the history of the country. They are not going to highlight that and say maybe that was a little bit of the problem. They are going to do their best to keep that out of the press. Fortunately, that stuff makes its way in. But why not have an independent commission, bipartisan, to figure out exactly what happened. If we do not implement this change, we are going to be in real trouble the next time this happens.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, one of the things that I wanted to highlight was one of the things we have been asking people to do. H.R. 3764 is the Democrats' bill that would establish an independent commission on the response to Hurricane Katrina. The way that the administration relented on the independent 9/11 Commission, as the gentleman from Florida (Mr. MEEK) referred to earlier, they initially opposed, was the groundswell of support, particularly from the families of the 9/11 victims.

□ 1930

And we need a groundswell of support from the 81 percent of Americans that, when polled, say they think the only way to approach the response and the investigation of the response to the aftermath of Katrina is through an independent commission. We need people to contact us and become citizen cosponsors of H.R. 3764.

Mr. RYAN of Ohio. Mr. Speaker, if the gentleman will yield, they can e-mail us at 30SomethingDems@mail.house.gov. They can e-mail and be a citizen cosponsor, but call their Members of Congress, call their Senators. I mean that is what really needs to happen.

Mr. MEEK of Florida. Mr. Speaker, the gentleman has the website at the bottom.

Mr. RYAN of Ohio. Mr. Speaker, they can go to the website at www.housedemocrats.gov/Katrina or they can e-mail us. We will put them on either way. But I think it is important we also need to get ahold of the people who represent folks at home, who come down to Washington, D.C. for 3 and 4 days during the course of a week, and let those folks know that this is something they are interested in because it speaks to more than just this legislation. It speaks to the independence that we think needs to oversee this process. It also speaks to the kind of change that we need in government. We need this kind of independence. We cannot have people holding us back to make the proper decisions in government, and that is happening way too much down here.

Mr. MEEK of Florida. Mr. Speaker, reclaiming my time, I think it is important to note that everyone has some sort of inquiry going on. I mean we have this partisan commission here in the House that obviously we tried to push an independent commission. That is out of order. We cannot do that. We do not need to do it because we have control, and since we have control, we are going to keep control of this situation to make sure it does not get out of hand because there may be some political reasons that we do not want certain things to come out. Well, this happened in America. It did not happen somewhere across in some foreign third world land to a group of individuals who are not a part of our democracy. These are people that live within the borders of the United States of America, born here, and I think it is important that we do not leave any American behind because the whole country can learn. So why deny the whole country from that?

Someone may say, Congressman, Congresswoman, we got it covered. We are dealing with it here in the House. What are you talking about? We are all Republicans, but we got it. We will take care of it. As a matter of fact, the White House appointed someone inside the White House, a high-ranking Homeland Security adviser to the President. Well, that is interesting. We are going to keep the adviser who advises the President on the part of Homeland Security to do a report to let him know what went wrong. If something went wrong, then maybe the adviser did not do what she should have done in this case, maybe some of the conversations that we know that the President's Chief of Staff had with the folks on the ground and the Deputy Chief of Staff that happens to be the boss of the person who is doing the inquiry.

I always tell people, I come to the floor and say, listen, this 30–Something Working Group in looking at what is happening and what is not happening, this is not a game. This is serious, and we went on the White House website 2 weeks ago. This thorough review that they are doing, not a mumbling word about this review. Not anything where Americans can be reassured that our country is doing all that it can to make sure that we do not make the same mistakes, have the same kind of loss of life that took place.

Now, here is the front page, and our President is there and honors Buckley, the anniversary and all. It is good stuff. I mean this is stuff that the

President does. And then we have the little thing that people can click on. I want to make sure that folks know that this is not the Wasserman Schultz-Ryan-Kendrick Meek report.

Mr. RYAN of Ohio. Third-party validators.

Mr. MEEK of Florida. Third party validators. Then they can go over to the Homeland Security responding to Katrina and Rita and the same picture that was there a couple of weeks ago, the President hugging an emergency worker, rightfully so. I think that is important. But it says nothing, not even a press release, about what we are doing and if what we find we are going to make corrections and these are the subject areas that we are concerned about. Nothing. Absolutely nothing. So we know under the drape of not only corruption, cronyism, but this culture that we have here that the majority does not have the ability to even have an inquiry on themselves.

I said this as a joke several weeks ago, and I am going to say it again because it is very real. It is like my coming to the floor saying, Listen, my name is KENDRICK MEEK, and I have made some possible mistakes, and to make sure that I do not make these mistakes ever again I am going to investigate myself and I will be back in a couple of weeks to let you know what the findings are. That is how off balance, I am just trying to find the right words, that this whole theory is of the fact that the White House can look into itself and that we are going to have some findings that are going to save American lives in the future and that the House is going to have a partisan commission that is going to look at the agency that we did not give proper oversight to and still do not. The Committee on Homeland Security right now, I am here and I am giving the report, I am on the committee, has not even had one, hear me, not even one hearing since Katrina, not one public hearing to talk about what has worked and what has not worked and why do we have this problem and why do we still have people in shelters. Not a mumbling word. Not one. I am telling my colleagues if I am lying, I am flying, and I am still well footed right here. Not one hearing. That is horrible for the Department of Homeland Security, for the committee that deals with it. And I told my colleagues we are here to take care of the Federal business.

I like some of my colleagues. We go and we talk about baseball games and all of these things, and they are nice people. I consider myself a pretty nice person. But let me tell the Members something. This is about business. It is not personal. It is about business. It is about the business of protecting the American people, and if we are going to sit here and act like nothing is really going on, something is really wrong, and that is the reason why we need this independent commission.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, will the gentleman yield?

Mr. MEEK of Florida. I yield to the gentlewoman from Florida.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, we have been talking about what they are not doing, that they are not establishing an independent commission. Let us mention what they are getting ready to do because we all can describe what we think the response to the aftermath of Katrina should be. Obviously, a pretty significant fiscal hit on our economy. No question about it. Between Katrina and Rita, we have refineries down. We have gas prices that have skyrocketed out of control. We have people having to dig deeper into their pockets. A dollar is not going as far as we would like it to or as it was previously before the storm hit. So one would think that the Republican leadership's response would be to ease up on the tax cuts. Let us pull back on making them permanent. Let us push back the reconciliation process, which is Washington speak for budget cuts. Let us make sure that we can ease some of the pain and dull the sharp point that has been the aftermath of Katrina.

So, instead, what is their response? Because it certainly is not any of that. This week on Thursday we expect what will be an extremely close vote on a rash of Republican spending cuts that will cut to the core, to the deepest heart of the people who need the help the most, the people who have truly been impacted by the aftermath of Katrina. They are actually going to ask us, force us, to vote on cuts in the Medicaid program, force us to vote on cuts in the Food Stamp program, force us to vote on cuts to higher education. This is a laundry list of items that they are going to propose now. A 2 percent across-the-board random set of cuts that are going to impact the people who were hurt the most by the aftermath of Katrina. It boggles the mind. How that could be a natural response to the needs of the people who are hurting the most is just so far beyond me. I feel like I am dealing with people who live on another planet sometimes.

Mr. RYAN of Ohio. Mr. Speaker, if the gentleman will continue to yield, there is no doubt about it, to be so far removed. And if we look back, we have got three wars going on right now and four tax cuts primarily to people who make hundreds and hundreds of thousands, 300, 400, 500, 600, 700, 800,000-plus, billionaires who are getting these kind of tax cuts, and then not only to do this. After Katrina we have got a $500 billion deficit. Now we are going to cut $10 billion out of the Medicaid program for low-income folks who need health care and their kids. $9 billion out of college students loans. What? It is so competitive out in the world today, and we are going to cut student loans? And throughout this whole process, through 9/11, the war, Katrina, natural disasters in the gulf coast, hurricanes last year, all this stuff that has been going on, not one time has the President asked those people who make more than $1 million can they maybe help us out a little bit? A novel idea. Please, somebody who makes more than $1 million, help us. And he is the President of the United States, for God sakes. He can call these people into his office and ask them for help. Ask them for assistance. We need to balance the budget. We need to make investments in education. We need to make sure that the poor folks and the middle class folks in our country have adequate health care coverage.

And then with the wounds wide open, to throw a little salt in it, he repeals the Davis-Bacon provision, which says that for the Federal money being spent to rebuild the gulf coast after Katrina that the people working would have to get prevailing wage in that area. And the prevailing wage in that area is 9 or 10 bucks an hour, and the President repealed that so the Federal money going to that area does not have to be prevailing wage. How much lower is he going to go? He is trying to help these people, and they want to go back and rebuild their community, and he is saying no. He is going to say we are going to pay them minimum wage. That is salt in the wound.

And those same people are going to be the same folks who will probably need Medicaid, who still want to send their kids to school and need the student loan and the Pell grant, which is being cut by $9 billion. Meanwhile, and I am going to just reiterate what the gentleman from Illinois (Mr. EMANUEL) said before we got here, all the while we are spending $20 billion in reconstruction in Iraq, building and renovating 110 primary health care centers, vaccinated 3.2 million children, rehabbed 2,700 schools and trained 36,000 secondary teachers, funded 3,100 community development projects, and provided housing for tens of thousands of Iraqis. Meanwhile, we are repealing the prevailing wage provision for our own people? We are cutting health care and student loans for our own people? This is outrageous. This is absolutely outrageous what is going on.

We need change in the government. We need reform. We need people to come down here who are not going to be so tied to the special interests to be independent and make independent decisions for the best interests of this country, not any other, and in the process hurt our country.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, if the gentleman from Florida will continue to yield, I was just going to say that all of this points to this culture that the gentleman from Florida (Mr. MEEK) referred to earlier, this culture of corruption and cronyism. And it has created this groundswell of need for reform. We cannot go on like this anymore. I mean I am raising young children. He is raising young children. The gentleman from Ohio's (Mr. RYAN) brother is raising a young child now. We need to make sure that the next generation that comes up does

not inherit a badly damaged country that results from the policy decisions that are being made here. There is some deep harm that will reverberate for at least a generation as a result of these cuts and more and more tax cuts and an ever-burgeoning deficit and more and more reliance on foreign countries and more debt. There are consequences for these kinds of things.

When I go trick or treating with my kids on Halloween, that is when I most often get to see my neighbors and spend some really good time talking to them, and those are the times that they grab me by the wrist and say, ''Debbie, what is going on here?'' Every year that goes by with another year of this Republican leadership literally not having any ability to be in touch with the reality of the lives of real people is another year that we have shaken the confidence to the core of the American people.

□ 1945

We have got to move in the direction. We have got to get some reform. We have got to get some leadership in America that understands what the basic needs are of the people.

Instead, we have an administration that appears to be of the wealthy, for the wealthy, and by the wealthy. It has, I think, actually reached historic proportions. We have never had a time where you have had the priorities of the leadership in the government so focused on the most elite set of people in the country.

Mr. RYAN of Ohio. We are not making this up.

Ms. WASSERMAN SCHULTZ. I wish I were making it up.

Mr. RYAN of Ohio. I really think if I was not here and coaching some football in high school in Ohio and I was flipping through and watching us, if I was not exactly plugged in as much as we are, I would think they have got to be making this up. I mean, they just cannot be serious about all of this stuff. They have got to be fudging the facts or misrepresenting them or putting a certain spin on it like they do in D.C.

We are not making this stuff up. I do not think you can, even if you wanted to.

Picture this, natural disaster in the U.S. In the U.S. years ago, they passed the Davis-Bacon provision, which two Republicans authored just by coincidence, that when Federal money is spent somewhere, including natural disasters, wherever the money's being spent, the workers have the right to be paid the wage in that area.

Then during the greatest natural disaster, the President repeals it for the very people who are going to go back in and rebuild their own community. What? You have got to be kidding me. Who would believe that?

At the same time, to pay for the rebuilding of the community, we are going to cut health care for the poor; we are going to cut student loans for middle-class people; and we are not going to ask the rich people to pay for anything, not even the rich people, people who make four or five, six, seven, eight. Even during this, you just wanted to ask millionaires to give a portion of their tax cut back to help us fund this. It is like you cannot believe it.

It is almost like when you play sports, did you ever have those moments where things kind of slow down a little bit? That is what it feels like down here. You are just slowly watching the unraveling happen. We come to the floor every night not for therapy, but we come here because we hope that we can convince the American people that the Democrats are for changing all this and making this better and reforming the way government works. Reform is not consistent necessarily with tax cuts for wealthy people. It is about fixing the way government executes its responsibilities, and this is what we are for, and that is what this independent commission is for.

Mr. MEEK of Florida. I did not want you to leave out, he raised the ceiling as it relates to small businesses to a quarter of a million dollars that an agency could spend on a credit card and not necessarily have to do business with the small businesses in the area. That was also suspended. These are small and the minority businesses, too. When we say small businesses, these are small businesses, period. This is not something where you say just women-owned businesses and minority businesses. These are small businesses, period.

So I think it is important we realize that any outrage in this Congress is not from the majority side as it relates to it. If you start talking about, well, first of all, I want to help you out, we are going to respond to the disasters, matter of fact we want businesses to move back, we are going to let the businesses back in before we let the residents back in, you have got to do more for our small businesses than give them a boon and say good luck. They have no employees.

In the meanwhile, we want the people to come back, but as it relates to the construction, to build the bridges and rebuild the schools and do all the things that need to happen to make this a functional community; but we do not want them to make too much money. We want them to make the minimum wage on these jobs, or whatever wage you want to pay them, but not a prevailing wage that is this Federal law.

Because this happens to be an emergency, and this is the President's thinking, since this is an emergency, I can just suspend Davis-Bacon. I could not do it under calm waters; let me do it now. Let me just hit you while you are down on all fours.

Mr. RYAN of Ohio. What is coming out of the conservative think tanks at this time, well, what is going to happen is these workers are going to get this extra money from the prevailing wage, and they are going to give it to the unions. Then it is just going to pad the union coffers.

I do not know if you have the chart there or not, union membership in the three hardest hit gulf States, the highest was 10. The lowest was four, and another one was like five. Five percent of the workers were union workers. It was just nonsense, and then you look how many union members are there, none basically. None.

Mr. MEEK of Florida. When you think about it, some people may say, well, what are they talking about? What are these three Members of Congress talking about that happen to be in the minority, a few votes shy from being in the majority, to be able to make what we are talking about reality?

This would not be a discussion about an independent commission to look at Katrina or what did happen or what did not happen in Katrina, best practices, so when another U.S. city goes through a situation where they have to evacuate the entire city, families being displaced, living with others, some people living in arenas, some folks living in gyms and church fellowship halls and synagogue fellowship halls throughout the country, how do we bring about the kind of organization that is needed to make sure that we can get Americans back into their normal lives so that hopefully it will not be a burden on the U.S. taxpayer for a very long time?

The way things are set up now, A, there is no oversight, especially in this House. There is no oversight about the urgency of making sure that we save as many dollars as possible through a functional government doing what it is supposed to do on the timelines. It is not there. Money is still going out for vouchers to stay in hotels. I mean, folks need to have shelter; but if there is a cheaper, better way that will get them back home and to get them helping them, being able to get the paycheck or even open their business, then let us do that to make them self-sufficient. That is not the conversation.

The conversation here is to say, well, let us make some budget cuts, and we do not want to talk about Iraq. We did want to talk about that. Oh, my goodness, if something comes out about Iraq, get out of the way; we have got to fund it. Matter of fact, can we add another billion to it, can we, because I want to make sure we give our commitment to the Iraqi people. Let us get another billion.

But when it comes down to the Americans, our people, once again, I will say we salute one flag. I do not know, we have to look at these student loans and grants, and we have to also look at Medicaid, additional cuts on top of cuts that we have already made.

Well, my colleague said something that I thought was very interesting, and I know our time is coming to an end shortly, about the fact that we have to ask millionaires. We are not

talking about folks that make a hundred, not even $400,000 a year. People that make millions a year, the Congress has to ask if we can roll back some of the tax cuts that they are enjoying right now in the hundreds of thousands to help the country after it was hit by the biggest natural disaster that it has ever been hit with. We have got to ask.

But guess what, no one is asking folks on Medicaid, no one is asking kids that receive free and reduced lunch for the reason because they are poor. No one is asking them. No one is asking States as it relates to rolling back their Head Start money to make sure that kids are ready to perform in this working world and that they go to school ready and prepared. The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) worked on that in the Florida legislature.

No one is walking around here asking about that. Folks just say, well, you know what, this is what we are going to do; tough talk for hard times. We are not going to pick on someone that can pick back. We are not going to hit a person that can knock us to the floor, because they will be able to give campaign contributions to my opponents. No, we are going to get the folks that we say we are trying to help. We are going to hit them. Matter of fact, we are going to floor them, and we are going to do it because we can. That is what makes this such a tragedy.

That is why we need this independent commission. That is the reason why we need H.R. 3838, an anti-fraud commission that will oversee all of the contracts that are going on in the present to be able to review it all, to make sure that it is not left up to some bureaucrat so that I am sitting somewhere in the Committee on Homeland Security and they are saying, well, you pick up The Washington Post or New York Times, whatever the hometown paper may be in someone's area, and say there were millions of dollars that were spent and someone charged $1,000 for a roll of toilet paper, and we do not know what happened, but we are looking into it.

No, that is after the taxpayers have already been raped of their money and the victims were made victims again because the money ran out. So we do not have time for an Iraq-Halliburton experience that we have an investigation going on, meanwhile thousands of dollars are going out the door.

If folks want to have tough talk about budget and fiscal responsibility, then we have to have management, and we have to have oversight. You just cannot let billions of dollars out the door and expect the people who have already made mistakes again and again and again say here is another $62 billion, see if you can do better this time. It is just not going to happen, and that is the reason why we have to have it.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, in our last few minutes, I want to just point out that the responsibility lies at the feet of the President. He has the bully pulpit to ask people who are among our wealthiest to make sacrifices.

I represent a community that has a lot of wealthy people, and I know they say to me all the time, you know what, I am willing. They understand what the needs are. They get it, and I know we have an hour tomorrow night, that we are going to have an opportunity to come out here again.

One of the things I think we should talk about, and I do not want to do a rush job on it, is there are steps we can take. There are things we can do to make people whole. There is a way that we can restore Americans' confidence in their government, and there are reforms that we can and must make. I hope we will have a chance to talk about that more tomorrow night because we have got to take this country in a new direction. It would be irresponsible for us to continue hurtling down the path of irresponsible public policy and harm that we are bringing on people who are already knocked to the ground, and now we are putting our boot on their neck to keep them that way.

Mr. RYAN of Ohio. I agree. We want to take the country in a new direction, in another direction.

Since 1994, the Republicans have held this Chamber. The President has been in for 5 years. They have controlled the Senate on and off for a good while over the past decade and a half. We want to take the country in another direction, because if you look at the leadership, I just believe that because of the lack of experience they just are not governing. They just do not know how to govern.

When you look at the increased poverty rates, when you look at wages, when you look at what is going on with companies like Delphi and General Motors, when you look at the health care crisis in this country, when you look at the poverty crisis, the cuts for school funding and local communities, libraries being cut, prisons and jails that cannot handle the load that is coming in, in every single aspect here, reducing our dependence on foreign oil, every single aspect here has been the ball has been dropped.

We want to take the country in a new direction, in a better place, with the changes that I think the Democratic Party wants to provide.

If you want to e-mail us, it is 30somethingdems@mail.house.gov, and let us know if you want to be a citizen cosponsor of the independent Katrina commission, which we think would be the best way in a nonpartisan, bipartisan way to try to address the issues, and I thank my good friend from Florida for the opportunity to join both my colleagues here tonight.

Mr. MEEK of Florida. I thank the gentleman from Ohio (Mr. RYAN). I am glad you were able to sum it up for us. The gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) is right to let us focus on things we are doing.

We mentioned the pieces of legislation the Democrats have offered to this Congress. The Congress and the majority side have not accepted that legislation. We are still willing to fight on behalf of the American people.

□ 2000

MEDICARE PART D

The SPEAKER pro tempore (Mr. JINDAL). Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. GINGREY) is recognized for 60 minutes as the designee of the majority leader.

Mr. GINGREY. Mr. Speaker, we just heard from the other side, the 30–Something Democrats. I have been listening, as I know my colleagues have, to the 30–Something Democrats for about a year and a half now a couple or three times a week. It is the same old same old. Now they have pledged to come back tomorrow night with some positive information voice, and I look forward to that. In fact, I am going to listen very closely, because all I have heard from my three colleagues on the other side, the 30–Something Democrats, the two from Florida, the one from Ohio, very intelligent, very well spoken, very articulate, and very, very negative.

So before we get into our special hour talking about something positive, a Medicare prescription drug benefit for our needy seniors, I just want to suggest to my colleagues who spent the last hour talking negative we look forward to hearing from them tomorrow night maybe on something positive for a welcomed, welcomed change.

Mr. Speaker, it kind of reminds me of the fall of 2003, my first year in the 108th Congress, when we worked so very hard on trying to bring to our seniors finally, after almost 38 years, a prescription drug benefit under Medicare. What we heard from our colleagues on the other side of the aisle was very similar to what we just listened to in this Chamber over the last hour from the 30–Something Democrats. It was all negative. There was no plan, there was no alternative. It was just: Seniors in my Democratic district, you men and women who have supported me and let me represent you in the Congress, this is what I suggest that you do, you take out your AARP card and you cut it to shreds because that is what I, your Congressman or your Congresswoman on the Democratic side of the aisle, plan to do.

Yet, Mr. Speaker, what we did was an historic benefit. In fact, for 2 years now, and it will continue until January 1 of 2006 when the official Medicare Part D prescription benefit plan is available, we had an almost a 2-year transition plan of a Medicare prescription drug discount card which would allow our neediest seniors actually to have $600, a debit card if you will, not a credit card, but $600 each of those 2 years if they were at or near Federal

poverty level low income, below about $11,000 a year for an individual or below $14,000, $15,000 a year for a couple, basically men and women, our seniors who are on Medicare and essentially living off of their Social Security benefit and very, very little else.

I think it was a tremendously compassionate thing for this Congress, this leadership, this Republican majority and this President, George W. Bush, to finally deliver on a promise that had been made by prior Congresses, prior Presidents. I will not get into naming names or saying who was in charge at what period of time.

The fact is Medicare was first passed in 1965. Medicare was a very good program then, it is a very good program now, but it desperately needed modernization when we have come to realize, especially over these last few years, how important it is to have an opportunity to have that prescription drug benefit to go along with Part A and Part B.

Part A of course, Mr. Speaker, you understand is a hospital part and the nursing home part. There is a pretty high deductible for that as well, today something like $850 out of pocket before there is any coverage for Part A. And Part B, if God forbid a person end up in a nursing home after 100 days, there are no benefits in any period or episode of illness. Everything else is out of pocket, and that is why so many of our seniors who do end up in a nursing home pretty quickly become dependent, wards of the State almost, and Medicaid, which is strapping our States so badly now across this country, pays about 85, 90 percent of all skilled nursing home bills, is paid by Medicaid because people literally are going broke and they cannot afford it.

So here again, as I waited of course to have this opportunity to speak on the Republican side, the aisle where we have dedicated, Mr. Speaker, to explain and talk about something positive. We are a positive party. We want to do things that are for the benefit of the people and not just stand around and criticize like we heard over this last hour.

I do not hear a plan from the other side, yet they voted almost overwhelmingly, thank goodness there were a few in a bipartisan fashion did vote in favor of the Medicare prescription drug modernization plan Part D, and it should not have been a partisan issue. It should have been not about the next election, but doing something that is going to help the most treasured part of our society, really, that being our senior citizens, and particularly those who are in greatest need. So, Mr. Speaker, it is a pleasure to be asked by the leadership tonight to lead this hour as a physician Member of the body.

There are actually 10 M.D. physicians in this congressional body of 435 Members. There are other Members who are health care professionals, be they psychologists or pharmacists or registered nurses and physical therapists, veterinarians, people that have worked in health care, and I think we all owe it to our colleagues and to the American people to get behind and to support this legislation which will in fact go into effect January 1, 2006.

Mr. Speaker, it is important for each one of us on both sides of the aisle not to discourage our constituents, our seniors from signing up for this prescription drug benefit, but to explain it to them and let them know and to particularly let those know who are at a low income level.

We mentioned just a few seconds ago about that amount, about $11,800 for an individual, a single person, a widow or a widower, or about $15,000, $16,000 for a couple, that they are eligible for supplemental help. We anticipate, Mr. Speaker, that the deductible for the Medicare Part D prescription drug benefit would be about $250 a year and that the monthly premium would be about $35 a year, $32 to $35 a year. That is what we predicted a year and a half ago. Now that these plans are rolling out and are being offered to our seniors, the marketplace is working. Competition, that competitive entrepreneurial spirit is working without government price controls, and many of these plans are going to be offered or are being offered right now to our seniors at as low as $20 a month premium, not $32, not $35, but $20 a month. So already the predicted cost is coming down, and as a result of that I think the number of seniors who sign up and take advantage, sure, there will be, Mr. Speaker, some seniors who will realize that they already have coverage. Maybe they are a retired State employee, possibly a teacher, maybe they are a retired Federal employee, possibly they work for a company like in the State of Georgia, Lockheed Martin or Coca-Cola or Home Depot, some of these strong companies that seniors have worked for 30 or 40 years, and that was not atypical with the great generation, they stuck with the job and with the company and they have been promised health care benefits and benefits that do include prescription drug coverage.

In this bill, by the way, we have done everything we could to make sure that companies do not drop those plans, that those promises made are promises kept. That is in addition part of this Medicare modernization. So some people, Mr. Speaker, some seniors will decline to sign up for Medicare Part D because they already have a plan and they have a good plan and they stick with it, and that is perfectly understandable. But for those seniors who do not have anything, who get to go to their doctor, maybe their family practitioner, their general internist for that annual physical, and lo and behold they find out that their cholesterol is elevated, their blood sugar is elevated, their blood pressure is elevated and they have that need to be on medication and they go to the drug store with a fistful, literally a fistful of prescriptions, maybe four or five. You talk about sticker shock. Currently our seniors in that situation, they are maybe not part of an HMO and they do not get any discount because of volume, it is just them trying to fill a prescription.

I know that recently I went to the drugstore and happen to be on a statin to lower my cholesterol and ordered a 3-month supply, and only to find out that my part of the prescription, I think 25 percent of the true cost, was going to be $110. When I asked the pharmacist what it really cost, the cost per pill, and I will not mention the pill in fairness to the company, but it was something like $5.25 for each pill, and it is necessary that I take that every day, and my health is pretty good. But you take a lot of our seniors, Mr. Speaker, they do not have one thing wrong, a lot of times it just almost like you might say is multi-system diseases. They may have three things that impact each other. What has happened in the past of course is this: They maybe were too embarrassed to say they could not afford the prescription, and maybe they turned around and walked out and said they would be back but never came back. Or possibly they asked the pharmacist, instead of a month's supply, just give me a 2-week supply, and then they would go home and they start breaking those pills and trying to stretch it just like we oftentimes have to stretch the budget when things are tight.

But the problem is, of course, that is when these diseases get out of control. That is when the elevated cholesterol results in plaque formation in the coronary arteries, or the blood sugar gets elevated and all of a sudden there is a problem with blindness and loss of limb or a patient ending up on renal dialysis.

I hope my colleagues would listen carefully to this. We heard at the outset a lot of Members, and very legitimately and honestly and sincerely, oppose this bill and the vote was a very close vote, and indeed it was. I am very proud that I voted yes, and I think most if not all of the physician Members as a body also voted yes on both sides of the aisle. But there were men and women of good faith who voted no. In some instances they were voting no because they did not think that we were doing enough. You even hear that today, the hole in the doughnut is too big and the plan is not good enough. It might be okay for some people, but for the typical average senior who is a Medicare beneficiary or someone who is on Medicare because of a disability, it is just not good enough. We want to do more, we want to close down, shrink down that hole in the doughnut, so they voted no. And I can understand that line of reasoning.

There were Members mostly on this side of the aisle who felt that we cannot do this because we cannot afford to do it. We have got a deficit, we have got a debt that is far too big by everybody's admission. Although we

would like to do this, we cannot do it because we cannot afford really to do anything. We are in a war in the Middle East trying to bring democracy. I think we are succeeding there. I think the light at the end of the tunnel is beginning to shine brighter and brighter with the success and the 60 percent plus turnout here recently in the new constitution and then hopefully parliamentary elections a month from now.

□ 2015

The point I wanted to make, Mr. Speaker, in regard to the cost, the cost was calculated based on the fact that you would continue to spend in the Medicare program in this country the same amount, maybe increasing depending on, as the population of seniors increased for part A, you would have the same situation for part B; it would increase because of an increase in population of seniors.

And then you would have this added expense. We were told initially that that was about $400 billion over 10 years, and then there was a recalculation and maybe it was going to be as much as $600 billion. The fact, Mr. Speaker and my colleagues, is this. We get no credit for the fact that taking prescription medications, when our seniors can go to the drug store and get those prescriptions filled, and they can in a very timely fashion lower that blood pressure, lower that blood sugar, lower that cholesterol, and guess what, we do not end up spending money on them for part A or part B, do we except maybe for an annual check-up on an outpatient basis by one of our wonderful primary care physicians who work so hard and such long hours? No. We keep them out of the hospital.

Before the Medicare modernization, before December of 2003, you could not even go to your doctor and get a routine thorough physical and have it paid for under Medicare. You could not get a blood test for cholesterol, you could not get a mammogram, you could not get a PSA blood test screening for prostate cancer, you could not get a colonoscopy.

In this bill, in addition to the prescription drug benefit, all of those things are now available and paid for. This is what we call, Mr. Speaker, preventative medicine. Not waiting until somebody is eligible for coverage under part B because they show up in the emergency room having had a stroke because their blood pressure could not be treated, or they ended up on the operating table getting the coronary bypass or even worse, having a leg amputated because they never had the money to treat their diabetes.

We save money, Mr. Speaker, on part B because of part B. And even if we did not, it is the compassionate thing to do. It is the compassionate thing to do. Who wants to end up spending the rest of their life in a nursing home after a stroke no matter who is paying for it?

But as I said earlier, those days are limited to 100, and then after that, mom or dad or grandmom or granddad exhausts every bit of their savings, everything that they have worked their whole lives for, maybe they wanted to send a grandchild to college, an opportunity that they never had when times were tougher, and all of a sudden they lose it all simply because we did not, Congress did not, give them this coverage, this Medicare prescription drug benefit.

So I say, Mr. Speaker, to my colleagues, to anybody who will listen, that this was the right thing to do. This is not something that we can afford to put off. You cannot. I have heard people say, well, gee, you know, the seniors have waited 3 years, surely because now we are in a bind, and we are trying to figure out a way to pay for the restoration of the gulf coast and rebuild that infrastructure, certainly we need to do that and we need to look for so-called offsets. And they are there.

We talk about maybe taking a little haircut and cutting 1 to 2 percent of the growth in every Department. I think we can find those cuts, and I think we can do that. But to ask the seniors to wait another year or two or three, that would be the cruelest of ironies on our part.

And I, Mr. Speaker, am not willing to do that. And I would beg my colleagues, let us not go down that road. We are about to do something that is really good for our seniors. It may be not unlike what we have done in the Middle East. We hear, whether it is from the 30-something Democrats or in the editorial pages from our liberal newspapers in this country, the constant, constant negative criticism and naysayers, and this talk about what is your exit strategy.

I have been hearing that, Mr. Speaker, for 2 years. What is your exit strategy? I mean, you know, you are in the early part of the fourth quarter of a football game, and you are winning, but the going is getting a little tough. If you pull your team off the field, you do not win; you forfeit.

And all of those lives, 2,000 dead, and four times that many injured, are for naught. What a disgraceful thing that would be if we did not follow through. So the analogy then is the light is at the end of the tunnel, it is shining brightly, I think, as I stand here tonight, Mr. Speaker, in the Middle East.

And I think that is absolutely true in regard to health care for our seniors as we go forward. And to all of a sudden snuff out that light because we have this natural disaster, this catastrophe which nobody could prevent or predict, and we have to respond to it, but as Thomas Payne once said, when he was serving at Valley Forge with George Washington, these are the times that try men's souls.

But we, thank God, Mr. Speaker, can walk and chew gum at the same time. This Republican leadership can deal with both of these issues, and it would be a terrible mistake to turn our backs on our seniors at this critical time where we are seeing light at the end of the tunnel and providing for them a benefit that they well, well deserve and have needed for so long.

The thing about this bill that excites me, Mr. Speaker, I guess one of the things that I am the most excited about, is the fact that the benefit is the greatest for those with the greatest need. Yes, there is a hole in the donut, and it is true that for some people the benefit would not be great if they were not spending anything on prescription drugs.

And there are those in our society who are very fortunate. Sometimes in medical parlance we refer to this as having the Methuselah gene: they enjoy long life and good health, and other members of their family the same. And, you know, maybe they will go see the doctor every year or two; but everything is always fine, and so they are not spending any money on prescription drugs.

So they may look at it and say, gee, $250 deductible if I have to spend anything, that is out of my pocket. And if I am spending $30 a month, you know, that is another almost $400, and I am not currently spending that. So, you know, I look at that and I have spent $700 the first year of the prescription drug benefit that I have got, and last year I did not spend anything on prescription drugs, so I have lost $700. Well, that is true. That is true.

But what that individual needs to realize, and I hope that my colleagues in the Congress on both sides of the aisle will make sure that they in a very fair way explain this to their constituents, you beware that next year or next month or next week or even tomorrow, do not all of a sudden have a little chest pain and end up being that person that needs to be on four or five prescription drugs, and then your bill could be 3 or $4,000 or $6,000 or $8,000 dollars a year.

And it does not take long for that to put one in the poor house, if they can afford it at all. So for everybody, for every senior there is something that we call catastrophic coverage. So if they spend, an individual on Medicare, spends in any year up to $3,600 on prescription drugs out of their own pocket, that of course would include the deductible and the copay and then, yes, the gap or the hole in the doughnut; but beyond that, if there are still costs for prescription drugs, the Medicare part D insurance program pays 95 percent of everything above that.

That is a wonderful benefit, what we call catastrophic coverage. I hope most people will not get into that situation. But clearly they could. They could get into that situation. So what I am saying, Mr. Speaker, is this is a good benefit for everybody; and everybody is eligible, from the lowest income to the highest income. If they do not have coverage in some other way for prescription drugs, then they are eligible for this benefit.

Of course, those who are living off of Social Security and they have very little assets, not much stuff, we all, I think, Mr. Speaker, have too much of a desire for stuff, stuff that really in some instances is not very important. Certainly more stuff does not necessarily make you happier.

But a person can own their home, they can own it free and clear. They can own up to 50 acres of land that may have been in the family for some time and they do not want to sell. They can certainly own an automobile. But they cannot have much stuff beyond that. Much assets.

But if they meet that means test, then the deductible is covered. The monthly premium is covered. There is no copay up to the first $2,250 or 25 percent as it is to everybody else, and there are no holes in the donut, there is no gap in the coverage. Everything is catastrophic coverage almost from day one, maybe a dollar copay for a generic prescription, and up to a maximum of $5 for the most expensive.

Remember I talked, Mr. Speaker, earlier about that statin that I was taking that cost $5 a pill. For our needy seniors, a 3-month supply, 100 pills, you do the math, that is over $500. They might have a $5 copay for a prescription like that.

Mr. Speaker, I see that one of my physician colleagues has joined us, and I thank him for taking time out of his busy schedule to be with us during this leadership hour to talk about this Medicare part D prescription drug benefit that we talked about.

He was very much a part of that, Mr. Speaker, and he was in the 108th, my classmate, my friend. I yield to the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding to me. I could not help but see as the leadership hour progressed you were doing an excellent job of covering all of the things that I think are so important to tell our constituents and our seniors about this plan.

Of course, it is an optional plan. There is no requirement that anyone take this plan. But still I think it is worthwhile for families to sit down, perhaps the day after Thanksgiving, while everyone is at home and thinking about things, to sit down and look at these plans and decide if it might not be a good idea for the Medicare beneficiary in your family.

I would stress that the first date that the benefits will be available will not be until January 1, but the first day that a senior can sign up for a plan is November 15. So that Friday after Thanksgiving or the Saturday after Thanksgiving after you have had enough leftover turkey and pumpkin pie and football, maybe it would be a good idea to sit down and decide if this is not worth a little closer scrutiny.

I took the liberty of going to the Medicare.gov Web site. If anybody has not been there recently, I would encourage them to do so. If you are unable to use a computer, ask your son or daughter or your grandchild to do it for you. I promise you they know how.

But looking on the Medicare.gov Web site for my State, Texas, there are some interesting figures available there. And perhaps one of the most interesting there, it is too small to show on the television, but there are a variety of plans that are available in the State of Texas.

Just going down the list here, we see one that has a monthly premium of $28, which is lower than the premium that was originally designated as $37, the premium that we originally designated on Medicare, and there is no deductible incurred with that expense. So that is a straight monthly expense.

□ 2030

Mr. Speaker, I would argue that that is a heck of a deal. And again, there are several plans like this, and they are all available for you to see in your State at the Medicare.gov Web site. Furthermore, for people who want to look into using one of the Medicare HMOs or PPOs, one of the Medicare advantage plans that will be available, there are several in my State of Texas; there are several in the counties that I represent. There is a PPO plan with basically a zero drug premium, and there is an HMO plan with a zero drug premium and zero drug deductible, so these are significant savings for people who are on Medicare who do spend money on drugs.

I would stress, and I have had constituents call me, and they looked at the plan and they say particularly when looking at the concept of a $37-a-month premium with a $250 deductible, they will say this is of no benefit to me. That may be true, in which case do not do it, but look at some of the plans that are available in your State, in your county and see if there is not one there.

Have a family discussion. Involve your children or your grandchildren in the discussion, because doggone it, we take good health for granted. It is something, though, that can change year by year and that is, after all, why we buy insurance, not to save us money on our current expenditures, but to protect us from those very hefty expenditures that may be incurred in the future.

I must tell the gentleman from Georgia (Mr. GINGREY) he has done a very thorough job about discussing Medicare. I agree with him completely about the need for cutting the deficit this year. I think that is critical that we do so, but this plan is not the place to make that cut. And for anyone who has heard a story or a rumor that the Medicare prescription drug part D roll out may be delayed because of problems with the deficit, that is simply not true. This program will roll out on time. And as we always like to say, it is on time and under budget.

With that, I yield back to my good friend from Georgia.

Mr. GINGREY. Mr. Speaker, I thank the gentleman from Texas (Mr. BURGESS), and I thank him so much for being with us tonight. I would welcome, if time would permit, for him to stick around with us and possibly get into a little bit of a colloquy regarding some other salient points of this bill. Certainly, I appreciate him being here and giving us this time this evening.

I was earlier, Mr. Speaker, talking about that statin that I bought a 3-month supply of just last week and that the cost was going to be, the true cost, I paid 25 percent according to my plan, the prescription drug plan that I have, but the true cost was over $500. Well, a senior who maybe has no prescription drug coverage under any plan, they are not part of an HMO, they are not retired from a company or they are but the company is not providing prescription drug coverage as part of the health care benefit, if you multiplied 3 months times four which would give you 12, if my Georgia Tech math serves me well, then that cost would be $2,000 for that one prescription.

Well, that is getting pretty darn close, Mr. Speaker, to the $2,250 that we were talking about, that the gentleman from Texas (Mr. BURGESS) was talking about. And the savings on that you would not have to have too many more prescriptions, maybe an antihistamine or two or an antibiotic here or there during the course of a year to get up to at least $250, if you have got one very expensive drug like that statin I mentioned. The senior who was enrolled in that scenario, they would actually save about $1,100 a year. That is how much the coverage would give them.

Of course, if they had prescriptions above that and they got into the gap or the hole in the doughnut, certainly there would be more out-of-pocket expenses. But I think it is very important for people to understand when they hear these naysayers, some of whom we heard from earlier tonight during their leadership hour, that this is a waste of time and effort, and it is not any good. And now that you have torn up your AARP card, and by the way, the reason they made that recommendation when we came out with the transitional prescription drug discount card when we first passed this bill, knowing it would take almost 2 years to get the prescription drug part B insurance program part up and running, AARP had the audacity to support a Republican proposal, Mr. Speaker.

I think the other side must have felt that that organization was always their best friend or, as the saying goes, in their hip pocket. And they could not stand the fact that AARP, and I am a member, have been since age 50. I will not tell you how many years I have been a member. It is a wonderful organization of 37 million seniors in this country. AARP serves them very well. And AARP as far as partisan politics, we are blind to whether it was an R or a D proposal. When they saw a good

thing they supported it, and that is what they should have done, and that is what our colleagues on the other side of the aisle should do.

When you see a good thing, do not constantly say no, no, no, just because you are afraid that the majority party or this President is going to get credit for a job well done and a promise made and a promise delivered. Get on board. Join the team for the benefit of our seniors and to support a good program when you see one.

It is a time now for all of us to work with our seniors to make sure that they understand the program, that they know how to contact Medicare, www.Medicare.gov or dial 1–800–Medicare. There are organizations in every State, the CMS, Committee on Medicare-Medicaid Services, has contracted with Medicare to explain this benefit.

I know in my own office, Mr. Speaker, we are going to put computer terminals in the main office and have someone there that can be online with seniors who just drop in and say, I have gotten the brochures; I have seen the public service spots on television, but I am still a little bit confused and would you help us out. I know that I am going to do that. I know that the gentleman from Texas (Mr. BURGESS) is going to do that.

I know that my physician colleagues and my health care provider colleagues in this body and hopefully all 435 of us will take that opportunity, because there is a wonderful program and as the gentleman said, and I am so glad that he reassured our colleagues and anybody who might be listening to us this evening during this leadership hour, that we are not going to delay this program. We cannot afford to do that to our seniors. They have waited too long. And as I said earlier, this is a compassionate program, and it would be cruel to pull that rug out from under them when they have waited so long for this opportunity.

With that, my colleague from Texas (Mr. BURGESS), if he would like to make a few more comments and possibly we can have a little bit of dialogue back and forth with the remaining time that we have this evening. And I will turn it back over to the gentleman from Texas at this point.

Mr. BURGESS. Again, I think you have done an excellent job of laying out the case for the prescription drug benefit. We have a saying back in Texas when something is a really good deal, we say it does not cost, it pays. I kind of feel that way about the part B Medicare benefit.

There are three ways that the Medicare part B benefit could, in fact, result in a costs savings for the Medicare program. One was by introducing competition. The second was by the more timely treatment of disease with appropriate medications. And the third way was by intervening far earlier in the disease process before it gets to the more costly end-state of the disease.

Well, guess what, we will not know about the latter two for some time, but we do know about the competition aspect. And competition works. Competition has driven down the cost of premiums. Competition has driven down the cost of the deductible for many of the plans that are going to be available in my State, in my congressional district, and many other areas across the country.

How soon will we know about whether or not the timely treatment of disease results in a lowered cost for treating the disease? I cannot tell you that. But the fact that the emphasis is going to be not only on the timely treatment of disease but on prevention, identifying those individuals who are at risk, using the disease management tools that are available in the Medicare program, how powerful is it that someone would have the knowledge that a patient's weight had gone up day over day so that they need to go to their doctor's office and get their congestive heart failure treated, get their medications adjusted on Friday morning rather than coming into the emergency room late on Sunday night and incurring 4 or 5 days in the intensive care unit at who knows the figure, 6, 7, 8, $9,000 a day.

That is the kind of cost difference we are talking about from the timely treatment of disease. As far as intervening early in the processes so perhaps that person never gets to the stage of heart disease where they develop congestive heart failure, incalculable the amount of dollars that could be saved. Just by increasing exercise, modifying the diet to reduce that risk of type 2 diabetes. Disease management will be a powerful tool for holding down costs in the future.

Again, the gentleman from Georgia (Mr. GINGREY) has done a great job in outlining the benefits of this plan, and I certainly thank him for taking time out of his schedule to come and explain this to his constituents and the American people at large.

I am happy to enter into a colloquy if there is any time left; but I honestly think, Mr. Speaker, that the gentleman from Georgia (Mr. GINGREY) has done a wonderful job, and I will yield to him for whatever his pleasure is at this point.

Mr. GINGREY. Mr. Speaker, I thank the gentleman so much. I appreciate his being with us in talking about this issue.

The gentleman and I are not only colleagues of course here in the Congress, but we are, as I said earlier, fellow physicians; but I think most of our Members realize we are both OB–GYN specialists so we share so much in common. And I would guess that the situation in Texas is very, very similar to the situation in Georgia. Maybe there are some figures that you would want to mention in regard to Texas; but, Mr. Speaker, in Georgia we have got a State maybe a little smaller than the State of Texas population-wise and certainly geography-wise, but we are a State of almost 9 million people now.

There are approximately 85,500 Medicare beneficiaries; 16,700 of those live below 135 percent of the Federal poverty level. These are the folks that are going to benefit the most, and that is why I felt so strongly and passionately about this compassionate program. It is those 16,710 who are at or below 135 percent of the Federal poverty level, Mr. Speaker. There are another 7,000 in Georgia, that brings it up to about 25,000 people in Georgia who are at or below 150 percent of the Federal poverty level. All of these individuals, all of these individuals will be eligible to receive supplemental benefit.

Earlier in the discussion in the hour we talked about the numbers, and I need to correct it a little bit. I think I may have given numbers that were a little bit on the low side. But you may qualify, listen to this, seniors may qualify if you are single and have income below $14,355 and resources are less than $11,500. That does not include your possibly paid-for home and homestead and your automobile. And married couples who have income below $19,200 and resources less than $23,000. Again, excluding their homestead their home and their automobiles.

These individuals and those at or about the Federal poverty level, again, no deductible, no co-pay, no monthly premium; and you get that prescription filled for $1 on generic or maybe as much as $3 or possibly $5 for one of those very expensive drugs that I talked about earlier.

□ 2045

And, Mr. Speaker, here again my colleague may want to talk about the situation in Texas, because I suspect it is very similar.

Mr. BURGESS. Well, Mr. Speaker, the gentleman has caught me without having done my homework as well as he has, so I do not have those figures at hand. But when my colleague was going through that it reminded me of the times we were on this floor over the last 18 months talking about the Medicare prescription drug discount card. And of course in the hour before us there were some individuals who were fairly negative about anything that might be offered from the Republican side of the aisle and they spoke very harshly against that prescription drug discount card for the past 18 months. And that was so pernicious, so pernicious to people who may have benefited from that prescription drug discount card; the $600 a year subsidy and the discount rates that were available on that card.

What a shame. What a shame that their constituents did not get to participate in that because their representatives came back and told them, no, this is a bad plan. It is a Republican plan and it is not good for you.

Well, this is a compassionate plan. This is a bipartisan plan, because there were Democrats who supported the bill, I am grateful to say, the night that we took that vote in November of 2003.

So I urge people, regardless of their party affiliation, to look at the benefits that are available to you in your State, in your area. Look at it with your loved ones. Look at it with your children or grandchildren because there may be some significant savings, some significant benefit to you.

There is also a benefit to the program at large. If you treat your disease more effectively, if you prevent disease effectively overall, that disease process is going to cost less, and that is good for the country as a whole.

I have to tell the gentleman from Georgia that I just cannot let this hour go by without asking one additional time for some type of sane liability reform in this country. We have had good liability reform in Texas, so why does it matter to me with the rest of the country? Why do I even care, since Texas is taken care of? The reason I care is because the cost of defensive medicine in this country in the Medicare program alone probably approaches $30 billion a year. That is almost the cost of this prescription drug program.

If we could reform our liability system, this program costs us nothing. It is the right thing to do and we should do that this year. And I yield back to the gentleman.

Mr. GINGREY. I thank the gentleman from Texas for his leadership not only on the Medicare Modernization and Prescription Drug Act, but also on medical liability. He has been a stalwart supporter of the Health Act that we have passed in this body so many times over the last few years.

Mr. Speaker, in the remaining time that we have I wanted to make a couple of additional comments. We got some good news here recently in regard to the COLA, the Social Security COLA, which is about a 4.6 percent increase next year because of the Consumer Price Index. That is good news for our seniors. That is about a $40 per month, typically, increase in that Social Security paycheck.

Now, it is true that the premium for Medicare part B, even though that premium only covers 25 percent of the true cost, will also have an increase next year of about $10. That $10 from $40 leaves $30 still remaining in that COLA. And even for the seniors who get no supplemental help, that $30 will pretty much cover the premiums for Medicare part B. In fact, it may more than cover them, because, as I said earlier, because of the marketplace, because of competitiveness, pharmacy benefit managers and companies that are going to offer the Medicare prescription drug discount program, we are hearing premiums as low as $20 a month.

And another thing, Mr. Speaker, that we need to say before we conclude the hour, because we have heard so much negative rhetoric about this tremendous gap in coverage, the hole in the donut and the program not being nearly good enough, is that we will have an opportunity to reduce those costs by some companies now with a slightly increased premium, maybe as much as $40, possibly $50 a month, so that there will be no gap in coverage. It will close that hole in the donut completely. So people will have the option of paying a little bit more and having coverage without any gap.

Mr. Speaker, in conclusion, I want to again remind our seniors and ask our colleagues to remind their constituents that beginning November 15 through May 15, 2006, a 6-month window of opportunity will be the time to sign up for the Medicare part D prescription drug benefit. Look at the program and compare. If you have something else, make a comparison, and then make a decision. And make that decision early. Because if you do, then that coverage starts January 1. If you wait until after the program starts there may be a month gap before that coverage kicks in. And if you wait beyond May 15, then there will be a surcharge. So it is very important to do it in a timely fashion.

I thank my colleagues for their attention, and I thank the leadership for giving me this opportunity to discuss something as vitally important as this Medicare prescription drug benefit for our needy seniors.

IRAQ WATCH

The SPEAKER pro tempore (Mr. JINDAL). Under the Speaker's announced policy of January 4, 2005, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 60 minutes.

Mr. MCDERMOTT. Mr. Speaker, I come to the well tonight as part of our continuing Iraq watch to talk with the Members and the folks who are watching about the issues that face us in Iraq.

During the last few months, we have had everything sort of arranged so that we should not pay any attention to the chaos and the deaths and everything else. We were told again and again that the democracy train was on the track and it was going down the track. And a big date was on Sunday, this past weekend, when the Iraqis would vote on a referendum adopting a constitution.

Now, that constitution appears to have been ratified by the Iraqi people. But when I came to this House many years ago, there was an old Texan here who I came to know and respect a great deal. He was the ranking member and then was the second and then finally the chairman of the Committee on Banking and Financial Services. He once handled a very contentious committee of the House in a way that was very respectful and very understanding and gave everybody, Republicans and Democrats, a chance to say whatever they wanted. And, boy, it took forever, but he was always in control.

At the end of it, I congratulated him. I told him I thought I had never seen a committee handled more masterfully. The Committee on Banking and Financial Services at that point was the largest committee of the Congress. There were 50 Members. This man's name was Henry Gonzalez. He was from San Antonio. His son now serves here. Well, Mr. Gonzalez said to me, Jim, I learned two things from an old guy in San Antonio. One of them is, never try and lasso a cow running downhill. Let him run out until he is tired. And the second one is, it is always too soon to congratulate yourself.

I think it is useful for us tonight to think a little bit about that old Texas aphorism as we consider what happened in Iraq in the referendum for the new constitution. This is a constitution that was voted on by people and was created by people who were selected by us, basically. We put them together, molded them and talked to them and kept shaping what was going on inside the organization.

There are three groups of people basically in Iraq, although there are some others, but there are the Shi'a and the Sunnis. Those are two sects of the Muslim faith. And then there are the Kurds, who also happen to be Sunni believers in Mohammed. Now, those three groups of people have all different interests.

The Sunnis have been in charge of Iraq for many, many years. Going back to the end of the First World War, Sunnis have generally been the leadership. In fact they have been the leadership in the country during that entire period. And the Shi'a, although more numerous, have never been in charge because it has not been a democracy. It is very obvious that a minority people, the Sunnis, were running the country. And it was obviously something that was a real irritant to the Shi'a. And in the midst of this, the Kurds got totally forgotten. The Kurds simply were pushed aside.

So when it came time to write a constitution, the United States did something which I think you can understand the thinking that might have gone into it, and that is that if you want to control Iraq, pick the largest group. They are not a majority, but pick the largest group and add one of these other groups to them and that will give you a majority. And if you can get them to see things the way the United States wanted them to see it, we could then drive a constitution which would be acceptable and be voted on by the 18 provinces.

Now, they did that. The Shi'a and the Kurds together wrote a constitution, and it is an interesting constitution because it sets up this kind of a situation. It says that the Sunnis can make their own state and the Kurds can make their own state and the Shi'a can make their own state and they will be loosely connected at the center, in Baghdad, by a federation. So there will be a federal style of government like we have, except for the fact that states will have way more power than the federal government does. Each state can

go its own way. If they want to use Muslim law, sharia law, in the Shi'a area, they can put that into place. If they do not want to use that in the Sunni area, then they do not have to put it in place. And if the Kurds want to do something entirely different, they can do something entirely different. So it is a very, very weak bringing together of this country.

Now, one of the issues that is a contentious issue, of course, is the control of their natural resources. Iraq is a very wealthy country. It has oil. One of our diplomats said, Iraq is important because it swims on a sea of oil. The oil is under the area where the Kurds live and where the Shi'a live, so they can pump the oil in their little area and have money to make a nice country. And the Kurds can pump oil and make a nice little country for themselves. But the Sunnis are left out in the cold, because there is no bringing all the money to Baghdad and deciding it should be distributed equally among the three. There is no requirement that that happen. They do not have to give anything to the federal government. They can make their own way.

So now you can begin to see why the Sunnis might be a little bit reluctant to get involved in this new Iraqi government, why they opposed the issue of the constitution, because there was no protection for the minority.

One of the things about our Constitution is that it is designed to protect the minority. That is why we have a Bill of Rights. The government, the President, the Speaker, the Senate cannot run over people in this country because every citizen has a Constitution with a Bill of Rights which says what they are entitled to.

□ 2100

If you do not feel like you are getting it, you can go to court and exercise it in the courts and have the courts enforce your rights to free speech or ability to live without search and seizure, or your right to bear arms. All of these are rights in our Constitution.

This Iraqi Constitution has none of those rights for the minority. So there is nothing guaranteed to the Sunni or to the Shia or to the Kurds. In fact, the Constitution was written so that the 19 provinces in Iraq, if any three of them have a two-thirds ''no'' vote, the Constitution would have failed. It would not have been ratified. They would have had to have gone back and come up with another Constitution that made better sense or had more public support.

Now, in an election like this you would say, well, this is a free and fair election. We are going to let everybody vote. And we basically walled off the whole country. They walled off each province. They put a curfew on. They simply restricted the movement of people throughout the entire period and had some very interesting results.

Now, when Saddam Hussein was president of Iraq, he won with 100 percent of the vote and everybody kind of laughed; that is interesting. That must have been some election. Nobody believes 100 percent of the vote. In the Soviet Union when there was 100 percent, you knew the fix was in. There was no real opposition.

What has happened is now that the vote is over and we now look at this election through the eyes of some analysts, the first one is in Time magazine of October 18, today, and there are allegations of ballot stuffing that make this election tainted in the eyes of the Sunni. More than 90 percent of the voters in many Shiite and Kurdish provinces were reported to have voted for the proposed Constitution. In Anbar, a Sunni area, the numbers were equally high. In the swing provinces, the numbers simply look implausible. When you look at the number of votes that they say are there and how many people are supposed to be there, it does not look like things were as they might seem.

So from the eyes of the Sunnis, this is an illegitimate election. It did not ratify the Constitution as far as they are concerned. It is stolen.

Now, what do you think is going to be the reaction to that? What do you think the reaction will be to that? Well, one does not need to be a political analyst or read the New York Times or Washington Post to realize if people think the election has been stolen, they are not going to respect the results and they are very likely going to continue the insurrection.

I think everybody who looks at this situation from the very start said that if this passes, given the way it was put together and given the way the vote came out, there was no way a victory could be declared by the passage of this Constitution.

Now, I am sure the White House and others will come down and it will be in the press tomorrow about how wonderful it is, they have taken another step down the road toward democracy. Well, they have taken another step. I do not know if it is toward democracy. Other papers suggest what is coming is chaos. If you look at the San Francisco Chronicle of today, this says the government is facing a big challenge. Many questions are still to be resolved. Now why is that?

Well, this Constitution was a kind of a moving target. It was not like they wrote it and then they printed up a million or 5 million or 10 million copies and sent them out all over the country to people. They never got it finally written, so most people voted for something today that they had never had a chance to read. They might have heard about it in the mosque or in the street or somewhere, but they never saw and read a copy of it.

One of the things that was happening, one of the groups of Sunni people or politicians, they decided they would go with the Constitution. They were going to support it, but they had a meeting and they talked about some amendments. They needed six or eight or 12 or 14 amendments. Who knows what they wanted. Nobody knows. I do not know. Nobody knew in Iraq. Certainly the average person in the street who voted on this never knew what it was about. And so what this says is the Constitution, they put an amendment in at the last without meeting in body. They just stuck it in there that says they can have major changes in this Constitution before the next election, which is supposed to occur in December. This Constitution was supposed to set up the procedures for them to elect a real constitutional body, a real parliament in December. The one that they have now is called the interim. That is the one we kind of appointed. The fact is that no one knows what is going on.

Now, for PR purposes, our government will say we have taken a further step, we have now moved forward. No one should be surprised. No one in the United States should be surprised if we continue to have our young men and women die. Five of them died the day after the election. Almost 2,000 Americans have died already. We have spent somewhere in excess of $200 billion on this war.

When you think about it, and probably some Members have forgotten, remember when we were told we would not have to pay for this war. When they start pumping oil, the Iraqis will have enough money that they can do all of their own reconstruction. They do not have enough oil pumping to keep the lights on. Most cities do not have lights on but about 2 hours a day. Many do not have fresh water. This is after the United States, with all of our military power and all of our political clout and everything else, has been unable to bring order to this country.

Now, the President will tell you, and I can almost make the speech for him, Well, this election went off very well, and it is because the Iraqis that we trained as policemen and soldiers were out in the streets and things were quiet.

Mr. Speaker, there were Americans standing with machine guns standing prepared to back them up in every situation. This was not an Iraqi-run election; this was an American-run election.

The analysts do not see an end to this. There has been an average of 570 attacks per day, despite the apparent approval on Sunday. Think about it, is that country at peace? Are these people satisfied with what is going on if there are 570 attacks per day?

If we had one attack, we would think the sky was falling, much less having a bomb going off here and there and everywhere all over the place, 570 a day. If we had that going on in this country, we would probably be doing a whole lot different in this body than we are.

We had the mayor of New York who apparently did not want to go to a debate, and suddenly there is a big terror alert in New York and they are searching people's bags. And then it comes

out people are not even sure about this information and where the information came from. You realize the use of fear continues in this country on a daily basis. That is what is going on in Iraq. They are creating fear everywhere.

I was over in Amman, Jordan, a few weeks ago. You come there and you realize that there are no hotel rooms. There are a million Iraqis living in Amman, the capital of Jordan. Anybody with money and the ability to get out of Iraq gets out because it is so unsafe. It is so unstable. It is hard to live there with no electricity, no water. It does not make any difference if you have money. If there is no water in the pipes, you do not have water. It does not make any difference if you have money, if there is no electricity. You may have your own generator, but that is a tough way to live with a generator; and then you have to worry about getting gasoline for it. They have a shortage of gasoline. They are importing gasoline into Iraq because their own refining capacity is not sufficient to meet the needs of the country.

When you look at that situation and say, we are going to have another election in 3 months and then we will have a duly elected parliament and then we can go away, folks, what is happening here is the American people are being taken along 1 week at a time. Wait one more week; I can see a light at the end of the tunnel. You are going to see and hear from people that somehow if we just last a little longer, we are going to make it. Some people have accused me of having a certain bias, and perhaps I do.

There are columnists, and this is in The Washington Post. This is George Will's column. George Will and I have one thing in common: we are both Cubs fans; otherwise I do not think we agree on very much. But George Will wrote a very interesting article today. His title is ''Standing Up a Constitution.'' Like you bring in an 18-wheeler with a constitution on the back of it and you push it off and stand it up, now it is in place, we have had elections, and so we must now have a constitution.

He says the first civilian leader of the U.S. occupation, retired Army General Jay Garner, and you may remember General Garner only lasted a couple of months. Well, the reason was he laid out his timetable, reconstruct the utilities, stand up the ministries, appoint an interim government, write and ratify a constitution and hold elections. He said there would be a functioning government in Iraq within 90 days. Ninety days. This was just after Baghdad had fallen. He was the governor, and he was going to run the place. He made this prediction we would get out of there in 90 days.

That was never going to happen. We knew it was not going to happen. The people in the White House did not want it to happen that way. They immediately pulled him and put Bremer in there. The first thing that Bremer did was to disband the army. Think about this for a minute. You have 500,000 people in the army. Are all of those people evil? Are they all bad? Are they all members of the Baath Party? Probably not. The sergeants and the privates and the lieutenants. Yes, the generals and the colonels perhaps. But what Bremer did with one swipe of the pen, he wiped out the entire army so there is no pay. Everybody has to go home to their village disgraced. They cannot take care of their families, cannot pay their bills. What he did was put 500,000 Iraqis underground with a rifle and a grudge. This insurgency that we are seeing, this civil war that we are watching, actually, and it is going to get worse, is one that is simply being driven by decisions made by the United States.

Now what George Will says in this article is that we should not get too excited about a big turnout. He said the fact that people voted in tribal factions enmeshes them in the democratic process and its civilities. They voted, and so now they are stuck with it. Perhaps, but he says in 1929 through 1933, the turnout in German elections was especially high because so were the stakes. In Germany's turmoil, the issues included which mobs would control the streets and which groups would be persecuted. In Iraq's turmoil, the issues are exactly the same.

□ 2115

What followed that period when Hitler came to power was the same chaos that he came out of and put a hold on Germany.

What is going to happen here? We think this constitution is going to stand up? We think that somehow they are going to sit down there when members of the parliament are being killed, when members of the parliament cannot leave the country because they do not dare to leave because they do not know if they will be able to get back in? They simply are a nonfunctional government. This is a failed state.

And Mr. Will finishes by saying: ''When America's Constitution was ratified in 1789, federalism was an unfinished fact. It still is but today's adjustments of States rights and responsibilities are'' usually ''minor matters'' that are handled out here in the floor. We basically know what the Federal Government does and we know what the State Government, and it has taken us 200 years to work all that out.

''If the Federal Government of 1789 had not grown in strength,'' and it did not start strong but it gradually got stronger and stronger, ''relative to the States, far more than most ratifiers of the Constitution anticipated or desired . . . '' They never thought the Federal Government would be as strong in this country as it was when we started. But they had a mechanism by which that could happen. This constitution that we gave the Iraqis prevents that from happening. What we have done is basically we have divided the country up on a religious basis or ethnic basis. We have not done anything to create nationhood in Iraq. We say we have, but the acts, the things that we have forced down their throat as a constitution basically have not worked.

''So,'' he says, ''the question today, which will be answered in coming years by the political process framed by Iraq's new constitution, is whether the constitution 'stands up' a Nation or presages the partitioning of it, perhaps by the serrated blade of civil war.''

He is really saying this question is not over by any stretch of the imagination. There are many analysts, when we read the newspapers worldwide, particularly in the Middle East, who believe that we are going to have 18 separate states. All these states will have their own power, and they will fight war among themselves, and they will always be weak. Some people say that is exactly what the United States wanted. They did not want a strong Iraq. That is why we had to take out Saddam Hussein. We had to take out this strongman who had this country and he controlled it.

Nobody controls Iraq today. I do not care how many soldiers we put there now. We do not control it. We go and control this area, and then we walk and we go over to this area, and suddenly the place that we controlled a couple weeks ago is back right where it was when we went there in the first place. So what is now developing in this country is continued chaos.

Now, there are other articles in today's paper. Many of my colleagues are responsible for all kinds of things in this country, and it is not easy to have a full chance to read all the newspapers, so that is why I am coming out here to talk about this, to talk about what is in the newspaper.

This is a column written by a doctor who is the chief executive of the Iraqi National Movement, which is a Sunni political party. This is a Sunni political leader, in the New York Times in today's editorial page, and his name is Hatem Mukhlis. And the title of his article is that we are ''Voting 'Yes' to Chaos.'' From the point of view of the Iraqi Sunni, this vote that happened a couple days ago, what he says is, ''The Iraqi constitution, if it passes, will break the country apart.'' That is not it might break the country apart or I am fearful that it will break the country apart. It will break the country apart.

Now, when people are of this level of political understanding, we are not talking about a taxicab driver that somebody stopped and asked him. This guy is a political leader in the country, and he does not say that is what he wants. That is not what he wants. But what he is implying is that this is a situation that we have created, and he says, ''Anyone who thinks that such a constitution would calm the insurgency has probably been spending more time than he should have reading Alice in Wonderland.'' The guy obviously knows a little bit about America. He probably was educated here. One would

be surprised how many Iraqi leaders were educated in United States universities.

When I went to dinner in Amman, I was at a table with 12 people, of which seven had been educated in the United States and four had been educated in Great Britain. These people are not uneducated or unaware of the ways of the world. They simply know the place in which they live and the people with whom they live. They know the history. They know the way Iraqis think. They know Arab customs. They know what can happen, how people will think about a given situation, and they know that if we put this thing together and say, well, anybody can go off and run their own state, that some are going to go off and run their own state. There is just not any question about it.

And when the country starts coming apart, what is the United States going to do? Are we are going to stand back and say, well, okay, they can have Shi'a country over here and a Sunni country over here and a Kurdish country over here, it is all right with us? Is that what we set out to do when we went in there?

We certainly have not gotten what we thought we were going to get, although we now have passed a constitution. It got so bad, there was so much fear in our government that we were not going to be able to pass this constitution that they went in in the last couple of weeks trying to change the way the votes were going to be counted. They said it has to be two-thirds of those registered to vote. Not two-thirds of those who voted, but it has to be two-thirds of those registered. If they have got 100 people registered, two-thirds is 66. But if 54 of them vote, how do they get 66 against even if everybody voted no? It has to be two-thirds of those 54 who vote. And there was so much uproar over this change that we put through in the days just before the election, the United Nations came in and said if they do that that is not going to be a fair election. We were worried up to the very last minute whether or not we could control what was going on there and have it come out the way we wanted to have it come out.

Now, this Iraqi says: ''Rather than unifying Iraqis, this constitution would only increase the rift between our ethnic and religious groups. It could also lead to the Balkanization of the nation, as the 18 states coalesce into three superstates, with the Sunnis trapped between the Shiites to the south and Kurds to the north. Hatred toward those Iraqis who return to Iraq on the backs of American tanks will be nurtured. Inevitably this would lead to more hatred towards the United States, since even though it is the American troops that are preserving Iraq's unity, it was the invasion that has led to this chaos.''

We are in a no-win situation at this point. The President cannot win this. Unfortunately, and I think it is unfortunate for all of us, not just Democrats, it is unfortunate for Republicans, the President has said we are going to stay the course. This course has led into more and more and more problems. And it is almost impossible to imagine that the President is going to let this happen right on through the next election.

Images of the Americans leaving off the roof of a hotel in Saigon in 1975 are not out of the realm of believability for this particular situation in Iraq today because the American people want to have their own security taken care of. What they saw with all this money wasted in Iraq was that there was not enough money to take care of the problems of people of Louisiana, Alabama, and Mississippi.

Somebody said that the loans that they give in Iraq are free but the ones that are given in Mississippi for reconstruction have interest. So somebody down there said, What I am going to do, I am going to go over to Iraq and try to pay it off, get my money in Iraq and bring it home. The point being that the American people have realized that the wasting of our resources abroad is not what we elected the President to do. He promised us in 2004 he would protect us, and yet when a hurricane comes FEMA does not exist. He is reduced to telling some guy, when there is a mess everywhere, Gee, Brownie, you did a good job. Brownie did a terrible job. He did no job really. And this war is sapping our energy as well as sapping the goodwill that we have in the world. In fact, it is building more and more hatred out there.

Now, the solution, at least if people have been reading the newspapers, there are two other things the President can do to make things look better. One of them is to distract us. I mean anybody who has ever seen a magician operate knows that they put their fingers up here and snap their fingers so people will pay attention to what they are doing up there, but with this right hand they are doing something else somewhere. They are pulling something from someplace. The distraction in the political process that this government has used has been a very common one.

Last night I was watching a DVD about the Vietnam era, and one of the things that happened during the Vietnam era when things were not going well in this country, there began to be a message from the White House that this was not being caused by Vietnamese. This was being caused by fighters coming from outside. They were coming from the Ho Chi Minh Trail, and we had to attack Laos and we had to attack Cambodia because if we did not, the fighters would be coming from the outside.

When I was watching this DVD last night, I thought to myself we could take those lines and pick them up and put them into the mouths of the President and his advisers today around the issue of foreign fighters. Iraq, they tell us, is not caused by Iraqis. It is caused by those people who were coming from outside. They are the ones. If we could just stop them. Why do the Syrians not close their border?

I am sorry? They mean that if the Syrians would close the border, suddenly this would be all over? Is that what they are telling us? His own generals say that not more than 10 percent of the people fighting in Iraq are from outside. It may be as low as 4 or 5 percent. It is a very small number of people. This is not being caused from the outside. However, if we could start some kind of border fight, they had one, a short one, last weekend up on the border with Iraq, then maybe if we could get something going on on the border there, we could get people thinking that must be what it is. The President is right, there are too many people coming in from the outside.

It is not true. It is not true. There is no evidence of that. The people who really know and who tell us the truth say it is not happening.

□ 2130

They produced a letter the other day. They said we have got a letter from Osama bin Laden's second in command to the guy running al Qaeda in Iraq. If you read today's newspaper, there is all kind of doubts about whether that letter is even legitimate. It was picked up about 3 or 4 months ago. Certain parts of it do not make any sense. It is simply very, very unlikely that that is a legitimate letter from Osama bin Laden. He is asking for 100,000 American dollars in that letter. I mean, come on.

What are we talking about here? I mean, none of that holds together, but it did happen that that letter came up just at the time of the election. Days before the election, here comes a letter.

Every Member of the United States Congress who has been in a campaign in their life at any time has had the sort of Thursday surprise of election before Tuesday. It always happens. They come out with something about that you killed your favorite billy goat in the backyard with an axe or something. Then, after the election's over, it turns out it was not true. Well, here is another one of these things that is coming, and people have to say I wonder if we can believe anything that comes out of this administration.

They will not let us have hearings here. They will not let us get anybody in here to find out what is going on in Abu Ghraib prison. They will not let us have hearings on the issues that threaten our image in the world. We say that we care about human rights, but then you look at what we do at Guantanamo and what we do at Abu Ghraib, and you have to ask yourself why would the President even go to the point of saying we cannot see the caskets coming home? Some young man or some young woman goes out and dies for our country, and they come home and the parents would like to be

there at Dover when the casket comes home. Is that too much to ask? I mean, is it really? Would it be that much trouble to make it possible for a family to go when their loved one's coming home? The President said we cannot have any pictures and it will just confuse the public; the public cannot handle it.

The United States population does not need to be hidden from the truth, and the truth is that the foreign fighter argument from Syria is phony, and they are going to use that. If they do not go into Syria or create some kind of a coup or something in the next few weeks, I will be very surprised.

On the other side of Iraq, you have Iran. I think I talked out here on the floor before, but Iran is primarily a Shiite country. It is not all Shiite, but it is primarily Shiite, as is the southern part of Iraq, which has been a back and forth flow of people for a long time. Many of the issues that arise out of this whole confederation idea are troublesome because the Arabs who live in Iraq say you are going to give the control of this country to the Persians, Iraqis and Persians.

We do not think in those terms. We do not know about that kind of stuff. We are such a hodgepodge in this country. We look at somebody and we think, well, maybe I can figure out if that person is Irish or Polish. If there is an African American, I do not know if they came from Africa or the West Indies. If we hear a Hispanic voice, we do not know where they came from. We have no idea. But in these countries, where for 1,000 years they have lived in the same place, they know where everybody is from, and they know who has responsibility for what and so forth.

We now have manufactured this business about nuclear weapons. This is the United States. We have more nuclear weapons than the whole world put together by a factor of 10, and we suddenly get up on our high horse and say you cannot have any nuclear power, because we know if you get nuclear power, you are going to go and make weapons. We have talked about that, and why do we not let the United Nations inspectors go in?

The United Nations inspector Mr. Al Baredei, he won the Nobel Peace Prize. He is the guy who went into Iraq and said I cannot find any weapons. We said we are going to have to go to war anyway. We would not accept the judgment of the United Nations that there were not weapons of mass destruction. The President had decided that the best way to confuse and scare the American people was with the threat that Iraq had weapons of mass destruction and was going to be an imminent danger to us within 24 hours. So he was going to drive that idea, whether the inspectors found it or not. In fact, he was not going to let the inspectors there long enough so that they could at some point give a clean bill of health on that particular issue. He simply would not allow it.

What we are facing now today is that we now have the possibility of going into Iran because we say they are developing nuclear power. We have nuclear power plants all over this country, all over this country. Why can they not make electricity out of nuclear power?

We do not want weapons. Sure, we can deal with the weapons part, but how about having a nuclear power industry? We are not saying people have to close down here in this country or that somehow the British cannot have it or the French and the German. Everybody else has nuclear power. Why can the Iranians not have it? Because we say they are going to use it to make weapons. Well, that may be true, but we have a mechanism by which we can monitor that, through the United Nations. Through the International Atomic Energy Agency, it can be monitored.

Where we stand today is that we have a situation, and I say this in summary, we have a situation where we have rammed through a Constitution in Iraq that both Iraqis and American conservatives are being convinced absolutely it will not work, to being very dubious about whether it will work. If that is where we are and we read in the newspaper, I bring this up because I want people to be thinking about when they read about Syria, why is Syria coming up? Why is Iran coming up? Why are we widening the war rather than pulling out and bringing our troops home?

I happen to be one of those who believes that we could be out of there by Christmas. There is no reason we could not. People say, oh, it will get worse. Get worse than what? Get worse than what is going on right now, where we are losing five Marines at a crack? I do not know how much worse you think it could be if we brought them home and let the Iraqis work it out themselves. They will find a way. They do not enjoy killing each other. That is not the Arab way.

The Arab way is to sit down and figure out a way that they can live in peace. They call it atwa. It is an arrangement that they establish between peoples, and they find ways to resolve these kinds of conflicts. It is foreign to us. We go to court. We are always going after somebody or we go militarily. The idea of sitting down and working it out, having a cease-fire and having a big peace conference in Iraq or in Jordan for that matter, with all the countries around, the Saudis do not want there to be a war. The Egyptians do not want a war. The Lebanese, the Syrians, the Turks, Iranians, none of the people around Iraq want this thing to continue to fester because the possibility of it boiling over into their people is very likely, and they are worried about that.

There is really a lot of cultural interests in bringing this thing to an end if the United States were to allow that to happen, but what is required? It is for the President to listen to what is going on in the world, and I take some hope.

The President has got one of his very trusted folks out. He has given her a new job at the State department, Ms. Karen Hughes. She went out on, I think they thought it was going to be a PR goodwill trip, and got an earful of what was going on out there. She came back with a wholly different view. She had been sitting in Washington, listening to all that goes on in the White House. Everybody's telling everybody, everything that is going is fine; everything's going wonderful; do not worry about a thing. Everything is going to get better tomorrow. She went out and find out how really bad it was.

When she came back, she brought a group of Arab negotiating women into the White House to meet with the President. That is how much things had changed. Imagine the President sitting down with a bunch of Arab women, talking about peace, about what is really going on out there?

This is not a situation that is going to be resolved with guns and military might. We have the best Armed Forces in the world. The people are the best. They are the best trained. They have the best equipment in most cases, if our military people pay attention and order stuff. We have the best and most powerful, but we cannot control the world that way. It will have to have a diplomatic aspect to it, which up to this point has not been there, and it is going to have to be there.

We cannot run Iraq as though it was a colony of the United States. There are 16 bases, which we have built, various sizes of installation. Why are we building permanent bases in Iraq if we want to get out?

It makes you wonder exactly what our plan for Iraq was. I do not think we have ever been told the truth about that, and I think that there are a lot of issues that will continue to come up and will lead us to have this Iraq Watch once a week on the Democratic side because we do not think that people on the other side really want to talk about the chaos and the problems it is causing us, both internally in the United States and externally, and the death and the cost. All of that needs to be discussed.

IRAQ

The SPEAKER pro tempore (Mr. GOHMERT). Under the Speaker's announced policy of January 4, 2005, the gentleman from Connecticut (Mr. SHAYS) is recognized for 60 minutes.

Mr. SHAYS. Mr. Speaker, I am motivated to come because of the comments made by the previous speaker, by an incident that happened today in my committee, and listening on TV to a previous speaker on Iraq.

All three of them, to the best of my knowledge, have not been to Iraq since the war, and yet, they profess to know so much about what is going on in Iraq. I have not quite understood why our colleague would go and meet with Saddam Hussein before the war and not

seek to understand and meet with our people in Iraq and the Iraqis after the war.

I voted to remove Iraq out of Kuwait in 1991 because I believed we could not allow Iraq, and Saddam Hussein in particular, to control 19 percent of the world's oil, the 10 percent that was in Iraq and the 9 percent in Kuwait, and then threaten over 40 percent of the world's oil in Saudi Arabia, the Arab Emirate, Qatar and even Iran. So even more than 40 percent. It is almost like a James Bond movie that we would somehow think that we would want that to happen.

People say it is all about oil. No. It is about our being able to light a room, heat a room, provide power in a hospital, to be able to move. Basically, it is about our lifeblood.

So we went in and removed Saddam, and we had an agreement, which he did not abide with for 12 years. In fact, we encircled Iraq, hoping, I guess, that he would eventually comply.

□ 2145

We had inspections that we sought to have him comply to, and he did not. At the time, we did not think he had a nuclear program; in fact, our CIA did not think he had it, and then his 2 sons-in-law went to Jordan and told us exactly where we would find his nuclear program. And then we were able to get Hans Blix and others to go to those areas and we found that he did, in fact, have a nuclear program. So our faith in the CIA, at least mine, sure was impacted significantly, frankly, by the failure of our people to know that, in fact, he had not just chemicals which he used on his own people.

I have been to Iraq 10 times since the removal of Saddam in 2003. I have spoken to Kurdish families that lost loved ones. They described to me how those killings took place. The helicopters flying over, the mists that they saw, their families that collapsed in utter pain. I have also seen the killing fields that existed courtesy of Saddam Hussein. Regretfully, we almost gave him a playroom in which to do these things, because we encircled him with a no-fly zone.

I voted to remove Saddam Hussein from power in 2002, and we did that in 2003 because, like President Bush, former President Clinton, Senator CLINTON, my 2 democratic senators, Senators DODD and LIEBERMAN, I believed he had weapons of mass destruction. I went to Hans Blix and asked him in his own country why Saddam wanted us to believe he had weapons of mass destruction. And he said, he wanted his neighbors to fear him and he said, he never believed that we would come in. I thought, that is kind of hard to believe. But then, when I thought about it, it is not hard to believe. He never thought we would remove him from Kuwait. He never thought we would do that, which is a real lesson that a military power that you have, as powerful as it is, if your adversaries do not think you will use it, becomes a power you ultimately may use; whereas the threat of using it if they believe you will use it means that you can get a change in behavior.

But he also believed we would not attack because we learned that the Oil For Food program had enabled him basically, as the Dulfer Report says, yes, he said, no weapons of mass destruction, but then he said that in his interviews with Iraqi officials, that Saddam believed that he had the vote of France, Russia, and China because of the Oil For Food program, and because of the Oil For Food program, he figured that the Security Council would not allow the United States to go in. Well, they did not. And he figured if France and Russia and China would not vote for us to go in, we would not go in. The President kept telling Saddam, cooperate, or we will come in. My wife would say to me, why is the President saying that? She said, I know he is going to do that. I said honey, he is not speaking to you, he is speaking to Saddam, because we do not want him to go in; we want him to comply.

Now, the bottom line is, we went in. And, in April 2003, being a Peace Corps volunteer and someone who was not in Vietnam and yet, here I am, of Vietnam age sending other troops to Iraq, I thought, well, what could I bring to the table? I realized that what I could bring is what I was trained in the Peace Corps to do: it is to understand their culture, understand how we are able to appreciate them, an Arab Nation, and to see how we could help them have the opportunity to decide for themselves ultimately how to rule their own country. In Mukasa, I was there in April 2003, and I think I was the first Member of Congress to go into Iraq; in fact, I know I was, and I had conversations with a number of people, but one of them was with a gentleman named Mohammed Abdul Hassan, and I said to him, what do we do that makes you uncomfortable. He said, when you throw candy on the ground and our children pick it up as if they are chickens or dogs. He said, when an Arab woman puts her hand to her heart, a Muslim woman, and your soldier is offended, when really she is saying, thank your for honoring me, but Muslim women do not shake hands with men, but particularly with strangers, and you are offended. You should not be offended. She is honoring you by saying, ''thank you, but.'' And, at one point, which seemed a little out of character, he put his hands on my shoulders and looked at me and said, you do not know us and we do not know you.

Well, I could not wait to get back home, because when I go to Iraq, I do it for 3 reasons. I want to see firsthand what is happening so I am not looking at it through the press. Because when you look at it through the press, it is like you look at it through a little scope. It is wherever they focus attention. I wanted to learn firsthand, because I had learned from my concern about his having weapons of mass destruction that I wanted to know firsthand, not through other sources. I wanted to see for myself. But I also wanted to come back home to be able to tell my own government things that I think they needed to do. One of them was very clear as soon as I came back. I said to our own government, we need Iraqi-Americans there, and we need Arabic speakers.

Now, at that time, Iraq was under the control of the military and Mr. Bremmer, and I think they were insensitive to the cultural differences. I think that they did not pay attention to what the State Department had said about looting, about the need for Arab speakers.

The second time I went there, I went outside the umbrella of the military. I want to make this point. I went on my own. Well, actually, I went with some nongovernment organizations that enabled me to stay in Basra, meet with Iraqis, stay in Al Gut, meet with folks in Al Gut, go to Hanacan, Sulaymania, Irbul, speak to every day Iraqis, spend the night, talk to them. The second time I went there, I started hearing, why are you putting my father and my brother and my uncle out of work? Why are you doing that? What did they do? They did not know I was a Member of Congress; they thought I was evaluating the programs provided by these nongovernment organizations, and it was honest, that is what I was doing. I just did not tell them I also happened to be a Member of Congress.

They made such a strong case. They said, why can't we at least guard the hospitals. That rings in my ear, because we have lost 3 American soldiers in my district, the first one guarding the hospital, which is to acknowledge to my colleague who just spoke that we did make mistakes, huge mistakes, and we dug a deep hole.

We basically created a void because we disbanded their Army, their police, their Border Patrol, and their government. We put over 400,000 people out of work and, in the process, all of their family members became a bit angry. So we are talking about nearly 2 million Iraqis who were basically told by our government, you have no future role in Iraq.

And I say that and I wish the administration would acknowledge it, because rather than making me more concerned about where we are today, it makes me appreciate where we are today. If we were up here in April 2003 and were a little ahead or a little behind; we dug ourselves a huge hole by disbanding their Army, their police, and their Border Patrol. But when you see how far we were down, you realize now that we have come a long way. We, the Iraqi people, and we, the United States, in the incredible dedication of our troops, we lost nearly 2,000 Americans, but we have had over 14,000 who have been injured, and some of them quite severely.

The bottom line is, though, if you appreciate that we have come a long way from the hole we dug, you do see the progress that my colleague does not seem to want to see or acknowledge, which I think has been quite significant.

Another time I went to Iraq, I had one of Mr. Bremmer's people pull me aside and say, we do not have any resources. I only have one person here: me. And it is all centrally controlled. And we need money. I need at least 50 people. The Marines are leaving and they did kind of the work I was doing, interacting with the populace and the polls are coming in and they are not going to do it the same way. We need resources.

I came back and said, we need resources. I was a little shocked to find a month later that we saw tens of billions of dollars being added. A little resources was a lot more than I thought. And I do feel that if I had it to do over again, I would have wanted to have a clearer picture of the potential costs. I still would have been very strongly an advocate of going into Iraq, but I would have liked to have known the costs better. And that is one area when I look back and I say, why did I not try to determine those better.

Another time I went in, I met with our folks who take the weapons, the IEDs, the improvised explosive devices and they break them down, and I went and saw a room filled with hundreds of these tiny mechanisms. And the people that were there, there were about 2 to 3 of them, I know 2 in particular, and they said, we only have a handful of people. We need 50 to 100 folks to help us break these down. They were key chains, the keys that would open the door, they were the car door openers, they were timers in washing machines. They said, if we had more people we could break down where they were made, because we could identify the type of unit that is made to make these bombs and we would know where to go in Iraq. When I came back, I frankly asked to meet with the President and had an opportunity to share my concerns with the President and other officials about the need to get people in that area, which is to say that, and then that happened. We got those individuals. And we were able to break down a lot more of these weapons.

I believe, as I point out in other criticism, before I talk about some of the amazing things that have happened, I believe that if the White House had been more open to legislative oversight, and we in Congress had been more aggressive on legislative oversight, Abu Ghraib never would have happened, because this is what would have happened. One of us would have been in Abu Ghraib, and a soldier would have come up to us and probably use stronger language than I am going to use, and he or she would have said, I do not know a darn thing about overseeing prisoners. I am a cook. I am in artillery. I do not know how to do it. By the way, Congressman, some pretty bad things are going on here by a few people. And we would have then raised questions, and it would have been looked into.

So one of the sad things from my standpoint is in summary, I wish that our military had listened more to what the State Department said would happen, which did: the looting, do not disband the Army, the police, or the military, or the government; I wish that we had done oversight in a stronger way.

But this is the amazing thing that has happened. It is absolutely amazing. Those who have voted against the war have been in strong criticism of the President. So almost everything he does, they are critical of. And yet, when they are critical of it and it turns out right, they just kind of fade into the woodwork. They said, do not transfer power to the Iraqis in June, do not rush them. And we did, and it was a huge success, the transfer of power in June of last year. Every critic of the President said do not do it, it will be a failure. When it succeeded, they just acted like nothing happened. Well, a huge thing happened. We transferred power.

I can tell my colleagues that it worked and it was significant because when I was there for one of my visits and I had met with the President and I had met with the Prime Minister and I had met with the foreign minister, the Foreign Minister Negroponte, and what was crucial about the transfer of power, besides giving the Iraqis the authority, was we took it away from Defense to run the government, Mr. Bremmer, and let them fight the war, and we gave it to State Department to be our liaison with a legitimate government, or at least a government that now was in Iraqi hands. I will say legitimate in parentheses since there was not any election.

So we went out on this press conference and there was all this Iraqi press, and I have to tell you, I thought, this is kind of a kick, I am going to have a press conference with Iraqis. The first thing I said was, ''we made some mistakes, but.'' And there was nodding of heads by the Iraqis because I knew that they all agreed and knew that it was a mistake to disband the Army, the police, the Border Patrol and the government, at least most of them felt that way.

Well, the first question was to the Iraqi Foreign Minister, so I stepped aside and he answered the question. I asked, is there another question. The second was to the Foreign Minister. I stepped aside and he answered that. This went on for 3, 4, 5, 6, 7 times and I finally said to Mr. Negroponte, I said, Ambassador, what better proof do we have that the Iraqis believe, and with justification, that their own people are now in charge.

□ 2200

That was a huge, huge success, for which the President basically got no credit. Then there was the election in January 2005, and all of the critics said do not have this election, it is going to be a big failure. There is going to be violence. It is not going to work.

Well, I was there on election day. And it was one of my most thrilling moments as a Member of Congress, because I was getting affirmation that we were clearly on the right track. Clearly on the right track. I was in Irbil. And I met with the Democratic Institute, and the National Democratic Institute and the International Republican Institute that are funded to help countries all around the world understand democracy.

And in these institutes were not Americans; they were all of the people we had helped in different places, in Yugoslavia and South America. They were all there to help Iraqis. It was thrilling to see all of this world community to come to help.

But at any rate, I am going and witness the vote. And I had a badge on that gave me the privilege of serving, and in Irbil there was this school, and there were three classrooms on one side, and three classrooms on the other. And people were going in, and registration was running pretty well.

Under Saddam if you did not register, you were likely to get killed. So we had a pretty good registration list. But what was amazing was in every one of those rooms the furniture was the same; it was corrugated cardboard, but so firm it was like furniture.

And people were given their local, their state, and their Federal ballot. They went behind a protected area. They voted and then they came up to the person who was right there with the three ballot boxes.

The person took their ballots, folded them up and put them on top of each ballot. And then took their finger and stuck it in the ink jar. And I am thinking, well, this is interesting. You get killed, I am told if you vote, and yet those folks are putting their finger in an ink jar.

And I learned from some from South America, they use that system in South America in some of the countries. If you try to erase the ink it gets darker. The only way you can take it off is to take your finger off. You just have to wait until the skin dies. So it is there for many, many, many days.

And I am watching this. Give the ballot. Put your finger in the ink jar. And I wanted to bond with the Iraqis. I was in a Kurdish village. And I went up, I think somewhat meekly, and I said, would it be all right if I stuck my finger in that ink jar?

Well, the woman who was in charge of the election there looked up at me, looked down at the ink jar, looked up at me again, looked down, then looked up at me again and then she said, no, you are not an Iraqi. I was embarrassed.

Everybody looked at me. I sure was not an Iraqi. And then I welled up with this incredible emotion, for two reasons. The pride that she had, and I was

not one of her. But she was a Kurd, and she said I was not an Iraqi. She did not say I was not a Kurd.

I saw Iraqis line up to vote. They were dressed up. And they brought their men with them, the Iraqi women, because they wanted to vote. And I saw them carry their children, just like we would do.

Later that day, I met with the President of Iraq. The election is in January. This was to elect an assembly which would then select people for a panel for the Constitution, that then had to be ready by September for a vote in October. And he told me he got there half an hour early. And they made him wait a half an hour.

And then he smiled, and he said, is that not terrific? But then he got angry, and he said, I was fined $1,000 for campaigning the day before the election.

And I said, well, Mr. President what did you do? He described to me what he did. And I am thinking to myself, it sure sounded like campaigning to me. And then he said, But, you know, they fined everybody else too.

And I thought, you know what, this is amazing. When I met with the election officials later that day, I learned there were 160,000 Iraqis who ran this election. Contrary to what my colleague said previously, this was not run by Americans. We taught them, Yugoslavians taught them, South Americans taught them, the English taught them, some in the eastern European nations, other Eastern European nations had come to tell them about democracy.

They set it up, and they ran it almost flawlessly. Frankly, better than happened in some of my own urban communities in my own district. There was immense pride, and there should have been pride. So it took them a while to get their government, but they did. And they were a few weeks late in getting their Constitution.

What did the press say? The press said, they are failing. That is what they said. All of the major newspapers on TV, they are failing. And I am thinking to myself, they have failed because they missed a deadline by a week or two? They failed? So I began to think. Let me think. 1776. Declaration of Independence. Articles of Confederation. Constitution of the United States. I think that was like 13 years.

And then as Condoleezza Rice pointed out to me, besides the failure of the Articles of Confederation, in our Constitution, if you were black you were three-fifths a person and a slave. Women did not have the right to vote. And there were a few other things. We punted on a few issues.

Now, the Iraqis have given women the right to vote. The Iraqis have even guaranteed 25 percent of their seats in their assembly will be women. That is what they have done. The Iraqis have said Sharia law exists if you declare under Shiia or Sunni, Sharia law. If you declare you are a Shiia or a Sunni. But if you choose to be under common law, then you are under common law.

They then have tried to draw in the Sunnis, who in the negotiations were allowed to participate even though they did not vote in the last election, they did not vote. But they were still there.

But the Sunnis would tell us that they did not have this authority to say, yes, we put our stamp of approval on this, because they said we were not elected like you were, Shiias and Kurds.

But they agreed with so much in private as to what was done. And the Shiias and the Kurds kept trying to say, well, if we do this, do this. And then we hear in the press that somehow this is a bad thing. And then I began to think about our Constitution. When we had the Constitution, it did not include the 10 Bill of Rights, and fortunately, Virginia, in particular, said we want the Bill of Rights.

And Jefferson said, we want the Bill of Rights. We had to change our Constitution 10 times in order to become these United States. We had to amend what had been already agreed to. And yet we are not even saying that the Iraqis can do the same thing? And we are saying they have to do it in 2½ to 3 years, when we took many, many years, and along the way had the Articles of Confederation.

So I look at the transfer of power in June of 2004 and say what a huge thing. Then the elections in 2005. So what about the election that just happened? I kept turning to the press to see what happened. And I did not hear what happened. And then it dawned on me: you know, it must have been a success, because the press was not talking about it. What a horrible thing to say and have to admit, but it is so true.

If it is a success, it is not going to be talked about, which is to say, frankly, if the press moves to al-Kut, that is where the bombing would be, not in Baghdad.

If the press moved to Basra, that is where all of the bombing would be. If the press moved to Kadhimain, that is where all of bombing would be because the bombing is not for domestic consumption; it is for international consumption.

The Iraqis are used to bombings. They have 400,000 people in the killing fields. They have the dead in the Kurdish areas because of the chemical weapons Saddam used. I met a woman who for 10 years was not allowed to go out of her house. I do not say out of her property, out of her house. Because her parents were so fearful, given her looks, she was attractive, that Udai and Qusay would choose her as their woman of pleasure some night, Saddam's two sons.

It was a horrific place to be. And now Iraqis are forming their government. When I asked Iraqis during any number of my 10 visits, what is your biggest fear, their biggest fear is, and it is hard to tell you how I feel when I say it, but they say that you will leave us. That you will have us taste what you have, give us an idea, give us a sense of how life could be without Saddam, give us a sense to have our own destiny determined by the majority, that you will leave us.

I say to them, we will not leave you. Now, you know what, I do not think we will. But when I hear the talk and I look at CNN and I look at other newscasts and I hear the blind, we are in a mess in Iraq, and I see the transfer of power, the election in January, the referendum now, and what I believe will be a huge participation in December, I am saying, I am in awe of what the Iraqis have done.

I am in awe of what our Americans have done. Because while we never should have disbanded the army, the police, the border patrol, their government, we did, and the Americans, the limited number of Americans had to fill in the void and pay a huge price.

But they also have done something else besides trying to maintain security, trying to teach about democracy, trying to build an economy. They have trained their army, their police, their border patrol, they are training their government officials.

Six months ago, I would have had to tell you honestly, and I would have been honest, that the police were not professionals, because they were not. They did not have enough training. They did not have enough experience. They did not have enough equipment. But now we are giving them the training, the equipment. They have the cars, the uniforms, the places, the weapons, the training clearly; and now they are getting the experience.

They are getting the experience. The military was able in the last town that we were able to free, the Iraqis went in. We followed. The Iraqis freed the town. We followed. The bottom line is, we followed and the Iraqis are now able to hold it.

Let me get toward the conclusion here and just say to you that we may fail or we may succeed, but we have a better chance. We have a better chance in Iraq than we had when we formed our own country.

Dave McCullough in ''1776'' said we needed lots of miracles. We needed the miracle to make sure the wind was blowing in the right way so George Washington could leave and escape the British in New York.

We needed a miracle to get Massachusetts and Virginia to agree. We did not have three parties. We did not have the Kurds, the Shiias and the Sunnis. We had 13 very independent States. We had large States; we had small States. How are you going to get them all to agree? Are Rhode Island and Delaware going to agree to let Virginia and New York or Pennsylvania govern? No. But we did it. They do not need a miracle. What they do need is a little more time.

What they do need is the possibility that they can have their elections, that

they can refine their Constitution, and that they can make sure their military has the capability to provide the security.

So when people say, what is our exit strategy? I say it a hundred times, it is very simple. And when they say we do not have an exit strategy, that is simply not true. We have had an exit strategy from day one. It has been revised a few times, but we have had an exit strategy. It has been revised because we underestimated the strength of the insurgency. We underestimated the consequence of disbanding their army, their police and their border patrol; but our strategy is so basic, so simple, and it does not need to be doubted.

Our strategy is to train their police, to train their border patrol, to train their military so they have the capability to keep order. To train their government so that they not only know about majority rule, but minority rights. To give them more time to experience the government, to give them more time to have their military be engaged in a fight with help from the United States. Will we leave? We will leave probably sooner than we should.

□ 2215

In my judgment, Senator MCCAIN and others have been right. We have been understaffed in Iraq. We will leave probably sooner than we should but we will not leave completely because Iraqis will still need logistical support. Their military will not have the cooks, the people who can do the transportation, and all the other things that they need besides that fighting force. They will not have the air power that they will need. And frankly, I do not think they are going to want us to leave from Iraq completely when they have neighbors like Syria, the Turks who fear the Kurds, the Iranians that fear the Kurds and are trying to wrap their arms around the Shias, and the Saudis who do not want democracy to succeed.

When my colleague, the previous speaker, talked about how people predicted bad things, I know darn well that the President of Egypt predicted the election in January would not succeed. He was wrong. He predicted the constitution would not pass and I think he is wrong. And I think it relates more to not the United States but more to the idea that Sunnis are having to give up power in Iraq to Shias, and that is of concern to many.

Have there been other benefits from our being there? I do not think that you would have seen Qadhafi and Libya do a 180 degree turn. It was around the time we captured Saddam Hussein that Qadhafi I think probably thought, you know, I have billions of dollars. Why would I want to end up like Saddam Hussein? Why in the world would I want that to happen? And in Syria even the Israelis were saying the Syrians will not leave Lebanon but they left Lebanon. I do not think they would have left Lebanon if we were not in Iraq. Fortunately, the Syrians fear we might do something in Syria.

Now to some in my district they think that would be the craziest thing in the world to do something in Syria. No, the craziest thing would be for the Syrians to fear that we would not do something. The craziest thing would be for us to say that we will not do something in Syria. The smartest thing is to keep the Syrians wondering so we can have a change of behavior without using military.

When I met with the Syrian ambassador he said, We want to be your friends. Just tell us what we are doing wrong and we will stop. And I said to the ambassador, Mr. Ambassador, we will not want to tell you the things we know you are doing wrong and then just have you stop the things we know you are doing wrong. We want to you stop even the things we do not know you are doing.

We want you to stop allowing insurgents to come into Damascus who are terrorist bombers who then come into Iraq to blow themselves up. When my colleague said only 10 percent of the insurgency are foreigners. I thought, yes, there are only 10 percent of them but 98 percent of them are bombers, people who blow themselves up. If we could get rid of that 10 percent, we would get rid of 98 percent of the suicide bombers. Most Iraqis do not have any interest in blowing themselves up.

So there is more I could say about Iraq. I am in awe of what our troops have done. I am in awe of the Iraqi men and women that I have met. I believe that most Iraqis who are involved in this government believe they are the Madisons, the Benjamin Franklins, the George Washingtons. They believe they are helping to create a new nation that not unlike its fledgling democracy in the United States, where you could have said, you know, tell me a country that has been a democracy, a country where there have been some States. Tell me a country. You could have used the same argument against the United States. Nobody has it. It is not a natural thing. We in this world have kings and queens and dictators.

Well, what I found at least with the Iraqis is they take to democracy. They love the debate, the dialogue. They love to barter. They love it. And there are a lot of things we could criticize what they have done, but I think in two and a half years they do not need a miracle, but they make me feel like they are doing something that will have unbelievable significance in the long run for peace and prosperity.

PROGRESS IN IRAQ

The SPEAKER pro tempore (Mr. SHAYS). Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes.

Mr. GOHMERT. Mr. Speaker, I have to indicate what an inspiring talk that was that the gentleman from Connecticut (Mr. SHAYS) has provided this body and those who all may be tuned in. It was very touching, extremely informative, and most helpful; and it was a pleasure to hear.

As I think about some of the comments that have been said in recent days regarding the Iraqis and the Iraqi government and those people who are trying to become a self-governing people, I am struck and I am brought back, as the gentleman from Connecticut (Mr. SHAYS) was, back to the days of this country's battle for independence, and all the naysayers that were around. It is estimated that perhaps less than a third were actually those who were actively involved in seeking independence and truly believed in the cause.

Having been in Iraq earlier this year, after the January elections, having seen what the Iraqis were getting a glimpse of, it is like being a teacher and seeing the light come on with a student. They get it. They understand. Make no mistake, there are corrupt people in Iraq just as there are in America. There have been elections stolen in America. There have been, I am sure, improper voters everywhere there has ever been a vote. But this is truly an awesome historic time.

Could it fail in Iraq? It sure could. Could it fail for sure if we abandon what has been done in the cause for which so many have already given their lives? It sure could. It could fail. And it is heartbreaking when people say, let us just get out before the job is done and let us just get out, meaning that those people who laid down their lives in service to this country, in helping to spread freedom and fighting insurgency and terrorists in other streets so we do not have those fights here in this country, we will, we have, but the major battles have been overseas because the terrorists get it.

They understand once the seed of democracy begins to bloom in the Middle East, then it grows and it spreads seeds that then grow up and democracy spreads because once people get that glimpse of self-government it is an incredible thing. Just like John Adams wrote his wife, Abigail, and explained, the thing that philosophers through the ages have talked about, this idea that people could govern themselves is just within our grasp. Oh, to be living in this time when it is so close within our grasp.

Well, we have been the beneficiaries of that. As I spoke to people in Iraq one gentleman, tears began to come as he talked about how brutal and barbaric it had been in Iraq under Saddam and how because of Saddam's spies that were everywhere, neighbors could no longer trust neighbors. They could not speak what they thought without worrying about somebody turning them in. They could not make anybody mad in the neighborhood because then somebody might enter a false report to get them arrested just out of spite. Even the spies had to be careful because they

were spied on by others. And so it was a paranoid area.

He said neighbors for years had quit speaking to neighbors out of this kind of fear and paranoia, but it was not just paranoia. There were really people out to get them in order to move up. I know having spent a summer in the Soviet Union, it was the Soviet Union when I was there back in 1973. I had asked one of the Soviet students when somebody rushed out of a room, I said, Where is that person going? He said, She is going to tell on me because in your country maybe money helps advance you, but in my country the only way you get anywhere is to step on other people on the way up.

That is the way it was in Iraq. You stepped on other people to move forward, and it was a terrible time to live in. And this man, as tears welled up, he said on the day of the election neighbors that had not spoken for years, they came out, they held hands and they walked to the polls together to vote.

Now, anybody that would seek to demean the great things that have already been accomplished that has put the self-government within these people's grasp so that the seed of democracy might grow and flourish and develop and spread to the surrounding countries, is just intolerable. There are great things that have occurred. There are people who have laid down their lives so this could happen. There are people who have laid down their lives in service to this country. There are people that have been wounded and hurt. And as the speaker said, we have visited those people, we have been with families at funerals and it is heartbreaking. But there is a seed of freedom and democracy and the potential for self-government that has been granted.

Now, comparisons continue even tonight to be made by a colleague across the aisle who wants to compare this to Saigon. This is not Vietnam. Iraq is not Vietnam. It is completely different. That advisory action where we had advisors in Vietnam that was escalated by President Kennedy and then escalated further into a full war even though it was called police action by President Johnson, and then was ultimately, even though he is no hero of mine, President Nixon did get us out of Vietnam. I am not pleased with the way it was done, but people were made to die for nothing. But they did not die for nothing. They died for the ideal that man was created by their creator with God-given rights. They did not die for some wishy-washy government in Washington.

Now, this election in Iraq and what is going on over there is historic. It is awesome. It is being done by valiant people to demean what has been done and the lives that have been sacrificed, even by Iraqis, is simply inappropriate, excessive political exuberance at the cost of truth, honesty and dignity.

Now, the naysaying brutality that is being heard verbalizing this idea that we should have our head in the sand is simply inappropriate. I was grilled by some Al-Jazeera reporters. They said, You must have been upset by the January elections. Your candidate was not elected. I said, We were not here about a president. We were here about a process, that you would govern yourself, and you would select your own president.

□ 2230

It is not about a president. It is about a process. And they began to see.

And some of the Sunnis had said, you know, we were told by our leaders not to vote; that, for one thing, the vote would not come off because of all the violence, and we saw that did not happen. People did vote anyway. We were also told it would be a fraud, that the Americans would use this as a way to install their puppet government. But that did not happen. The guy that was most friendly to the United States got third place. We saw, wow, this was a real election and we missed it. We are not going to let that happen again.

And even though it may not have been a majority of the Sunnis, the Sunnis bravely came out and voted. And they voted knowing even still their religious leaders were speaking against it.

I was able to relate to the Al-Jazeera and some of the Iraqis present with a story that can be depicted in the beautiful huge portrait outside this very floor of the Constitutional Convention with Chairman Washington standing there. The story that was told was of Benjamin Franklin sitting there, as depicted in his chair at the Constitutional Convention after they had come up with a document, finally. And he said, you know, I have been looking at that half of a sun engraved on the back of your chair trying to decide through the process of this convention if that was a rising sun or that was a setting sun, and now I believe it is a rising sun. And I related to the Iraqi reporters, I believe what I am seeing in this country is a rising sun.

It is an incredible day in the history of mankind that in the area where many believe the cradle of mankind existed, where mankind started, for the first time in thousands of years that area is about to govern themselves. We have done a great thing.

There are things that I have heard right here on this floor that I might disagree with our President over, but I thank God that he has stayed the course. Because if the seed of freedom and self-government is allowed to grow and flourish in Iraq, it will spread with other seeds. We are already seeing that, as the gentleman from Connecticut pointed out, in surrounding areas, if we stay the course long enough to let them take over, let them govern. We have trained their policemen. We are training their soldiers, and they are nearly ready to take over. What a glorious day that will be for them. They are not going to agree with us on many things, but they will be a free people and they will understand that freedom.

I thank God that in the late 1700s, 1776 to 1789, that the naysayers that said how stupid this was, that those in France who were the naysayers to this gentleman, Lafayette, who really saw something in the potential for these colonies in America, I thank God, the very God we see inscribed above the Speaker's chair, where it says ''In God we trust,'' I thank that God that the naysayers did not prevail; that the naysayers, those with their heads in the sand, the negative people, that they did not prevail. Thank goodness that freedom won out.

And I am praying to that same God that it prevails in the Middle East, despite the naysaying of those who would be heard even in this body itself. And, Mr. Speaker, I am grateful to have had the opportunity to have addressed this issue this evening.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BECERRA (at the request of Ms. PELOSI) for today.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. KAPTUR, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

(The following Members (at the request of Mr. PAUL) to revise and extend their remarks and include extraneous material:)

Mr. SHUSTER, for 5 minutes, October 19.

Mr. GARRETT of New Jersey, for 5 minutes, October 19.

Mr. MARCHANT, for 5 minutes, October 19.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. DENT, for 5 minutes, today.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 3765. An act to extend through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 35 minutes p.m.), the House adjourned until tomorrow, Wednesday, October 19, 2005, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4526. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of General Kevin P. Byrnes, United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4527. A letter from the Director, International Cooperation, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, a copy of Transmittal No. 07–05 which informs of an intent to sign a Research, Development, Test and Evaluation Annex to the Memorandum of Understanding between the United States and Australia, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

4528. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 05–30 , concerning the Department of the Navy's proposed Letter(s) of Offer and Acceptance to Chile for defense articles and services; to the Committee on International Relations.

4529. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of the State, transmitting a copy of the Memorandum of Justification under Section 610 of the Foreign Assistance Act of 1961 regarding the determination to transfer FY 2004 and FY 2005 funds to the FY 2005 International Narcotics Control and Law Enforcement Account for the Women's Justice and Empowerment Initiative; to the Committee on International Relations.

4530. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergency Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), section 505(c) of the International Security and Development Cooperation Act of 1985, 22 U.S.C. 2349aa–9(c),and pursuant to Executive Order 13313 of July 31, 2003, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on International Relations.

4531. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting in accordance with Section 645(a) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108–199, a report of the amount of acquisitions made by the Department from entities that manufacture articles, materials, or supplies outside the United States; to the Committee on International Relations.

4532. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2005–34, Waiving Prohibition on United States Military Assistance with Respect to Benin, pursuant to Public Law 107–206, section 2007; to the Committee on International Relations.

4533. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report entitled ''Report of U.S. Citizen Expropriation Claims and Certain Other Commercial and Investment Disputes,'' pursuant to Public Law 103–236, section 527(f); to the Committee on International Relations.

4534. A letter from the Secretary, Department of Agriculture, transmitting the semiannual report of the Inspector General for the period ending March 31, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

4535. A letter from the Under Secretary for Acquisition, Technology, and Logistics, Department of Defense, transmitting the Department's FY 2004 report entitled, ''Performance of Commercial Activities,'' pursuant to 10 U.S.C. 2461; to the Committee on Government Reform.

4536. A letter from the Auditor, District of Columbia, transmitting a report entitled, ''Audit of Advisory Neighborhood Commission 2D for Fiscal Years 2003 and 2004,'' pursuant to D.C. Code section 47–117(d); to the Committee on Government Reform.

4537. A letter from the Director of Finance and Administration, Delta Regional Authority, transmitting in compliance with the Accountability for Tax Dollars Act of 2002 (ATDA), a copy of the Authority's Audited Financial Statements for FY 2004, pursuant to Public Law 106–554, section 382L. (114 Stat. 2763A–280); to the Committee on Government Reform.

4538. A letter from the Assistant Secretary for Policy, Management, and Budget, Department of the Interior, transmitting the Department's Annual Report on grants streamlining and standardization, covering the period from May 2004 to May 2005, pursuant to Public Law 106–107, section 5 (113 Stat. 1488); to the Committee on Government Reform.

4539. A letter from the Assistant Secretary for Civil Rights, Department of Agriculture, transmitting in accordance with the requirements of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002, the Department's annual report for Fiscal Year 2004; to the Committee on Government Reform.

4540. A letter from the Acting Chairman, National Transportation Safety Board, transmitting the Board's 2005 FAIR Act inventory; to the Committee on Government Reform.

4541. A letter from the Chief Justice, Supreme Court of the United States, transmitting a copy of the Report of the Proceedings of the Judicial Conference of the United States for the March 15, 2005 session, pursuant to 28 U.S.C. 331; to the Committee on the Judiciary.

4542. A letter from the Secretary, Department of Health and Human Services, transmitting a copy of the Annual Report to Congress on the Refugee Resettlement Program as required by section 413(a) of the Immigration and Nationality Act; to the Committee on the Judiciary.

4543. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report on the effects of Parental Kidnapping Laws in domestic violence cases, pursuant to Public Law 106–386, section 1303; to the Committee on the Judiciary.

4544. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report on stalking and domestic violence for 2002 through 2004, pursuant to Public Law 106–386, section 40610; to the Committee on the Judiciary.

4545. A letter from the Assistant Attorney General, Department of Justice, transmitting the Department's report to Congress for 2004 on Safe Havens: Supervised Visitation and Safe Exchange Services and Programs, pursuant to 42 U.S.C. 10420(d); to the Committee on the Judiciary.

4546. A letter from the Chairman, Federal Trade Commission, transmitting the Commission's Twenty-Seventh Annual Report to Congress on the activities during Fiscal Year 2004 as pursuant to subsection (j) of section 7A of the Clayton Act, pursuant to 15 U.S.C. 18a(j); to the Committee on the Judiciary.

4547. A letter from the Chief Executive Officer, United States Olympic Committee, transmitting the 2004 Annual Report of the United States Olympic Committee; to the Committee on the Judiciary.

4548. A letter from the Interim Staff Director, United States Sentancing Commission, transmitting a copy of the 2003 Annual Report and Sourcebook of Federal Sentancing Statistics, pursuant to 28 U.S.C. 994(w)(3); to the Committee on the Judiciary.

4549. A letter from the Secretary, Department of Labor, transmitting the Department's report entitled, ''2004 Findings on the Worst Forms of Child Labor,'' pursuant to 19 U.S.C. 2464; to the Committee on Ways and Means.

4550. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Stock Held by Foreign Insurance Companies [TD 9226] (RIN: 1545–BD27) received October 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4551. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Research Credit, Section 41 (b), Qualified Research Expenses. [U.I.L. 41.51–01] received October 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4552. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability. (Rev. Proc. 2005–67) received October 4, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4553. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Reduction in Certain Deductions of Mutual Life Insurance Companies (Rev. Rul. 2005–58) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4554. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2005–57) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4555. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Sherwin-Williams Co. Employee Health Plan Trust v. Commisssioner, 330 F.3rd 449 (6th Cir. 2003), rev'g 115 T.C. 440 (2000) — received September 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4556. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Treatment of Certain Amounts Paid to Section 170(c) Organizations under Certain Employer Leave-Based Donation Programs [Notice 2005–68] received September 12, 2005, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Ways and Means.

4557. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Transfers of Excess Pension Assets to Retiree Health Accounts (Rev. Rul. 2005–60) received September 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4558. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Last-in, first-out inventories. (Rev. Rul. 2005–63) received September 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4559. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Administrative, Procedural, and Miscellaneous (Rev. Proc. 2005–61) received September 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4560. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Collected Excise Taxes; Duties of Collector [TD 9221] (RIN: 1545–BB75) received September 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4561. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance under Section 951 for Determining Pro Rata Share [TD 9222] (RIN: 1545–BD49) received September 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4562. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability. (Rev. Proc. 2005–62) received September 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4563. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Adjusted Gross Income Defined (Rev. Rul. 2005–52) received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4564. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Weighted Average Interest Rates Update [Notice 2005–63] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4565. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Exclusions from Gross Income of Foreign Corporations [TD 9218] (RIN: 1545–BE16) received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4566. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Capitalization and Inclusion in Inventory Costs of Certain Expenses (Rev. Rul. 2005–53) received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4567. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Property Transferred in Connection with the Performance of Servcies (Rev. Rul. 2005–48) received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4568. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2005 Section 43 Inflation Adjustment [Notice 2004–56] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4569. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Guidance Regarding the Simplified Service Cost Method and the Simplified Production Method [TD 9217] (RIN: 1545–BE61) received August 10, 2005, pursuant to U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4570. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Modification of Notice 2005–4; biodiesel and aviation-grade kerosene [Notice 2005–62] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4571. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — 2005 Marginal Production Rates [Notice 2005–55] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4572. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Automatic Consent for an Eligible Educational Institution to Change Reporting Methods (Rev. Proc. 2005–50) received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4573. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Information about additional criteria that will be applied in selecting proposals for the Internal Revenue Service's Industry Issue Resolution (IIR) program. [Notice 2005–59] received August 10, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4574. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Foreign tax credit and other guidance under section 965 [Notice 2005–64] received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

4575. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a joint report on the counter-drug efforts in Afghanistan as required by the Intelligence Reform and Terrorism Prevention Act of 2004; jointly to the Committees on International Relations and Armed Services.

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. SENSENBRENNER: Committee on the Judiciary. H.R. 1400. A bill to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, and for other purposes; with an amendment (Rept. 109–250). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3647. A bill to render nationals of Denmark eligible to enter the United States as nonimmigrant traders and investors; with an amendment (Rept. 109–251). 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. FALEOMAVAEGA (for himself, Mrs. CHRISTENSEN, Ms. BORDALLO, and Mr. FORTUÑO):

H.R. 4070. A bill to permit each of the territories of the United States to provide and furnish a statue honoring a citizen of the territory to be placed in Statuary Hall in the same manner as statues honoring citizens of the States are placed in Statuary Hall; to the Committee on House Administration.

By Mr. FLAKE:

H.R. 4071. A bill to amend Public Law 109-59 to provide additional transportation flexibility and to rescind certain amounts of Federal funding; to the Committee on Transportation and Infrastructure.

By Mr. GERLACH:

H.R. 4072. A bill to direct the Federal Trade Commission to revise the do-not-call telemarketing rules to prohibit calls from certain political organizations to persons on the national do-not-call registry; to the Committee on Energy and Commerce.

By Mr. AL GREEN of Texas (for himself, Mr. POE, Mr. CROWLEY, Mr. GRIJALVA, Ms. KILPATRICK of Michigan, Mr. MEEKS of New York, Ms. SCHAKOWSKY, and Ms. JACKSON-LEE of Texas):

H.R. 4073. A bill to designate Pakistan under section 244 of the Immigration and Nationality Act to permit nationals of Pakistan to be eligible for temporary protected status under such section; to the Committee on the Judiciary.

By Mrs. MCCARTHY:

H.R. 4074. A bill to provide student loan forgiveness to the surviving spouses and parents of victims who were Hurricane Katrina or Hurricane Rita first responders; to the Committee on Education and the Workforce.

By Mr. POMBO:

H.R. 4075. A bill to amend the Marine Mammal Protection Act of 1972 to provide for better understanding and protection of marine mammals, and for other purposes; to the Committee on Resources.

By Mr. YOUNG of Alaska:

H.R. 4076. A bill to authorize the Secretary of the Treasury to issue Disaster Recovery Bonds for disaster relief and recovery efforts; to the Committee on Ways and Means, and in addition to the Committee on 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. DOOLITTLE (for himself, Mr. BOUCHER, and Mr. GOODLATTE):

H. Con. Res. 268. Concurrent resolution expressing the sense of the Congress regarding oversight of the Internet Corporation for Assigned Names and Numbers; to the Committee on Energy and Commerce.

By Mr. DUNCAN:

H. Res. 498. A resolution supporting the goals and ideals of School Bus Safety Week; to the Committee on Government Reform.

By Mr. MCCOTTER:

H. Res. 499. A resolution condemning the murder of American journalist Paul Klebnikov on July 9, 2004, in Moscow and the murders of other members of the media in the Russian Federation; to the Committee on International Relations.

By Mr. SHAW:

H. Res. 500. A resolution recognizing the 60th anniversary of the disappearance of the

5 naval Avenger torpedo bombers of Flight 19 and the naval Mariner rescue aircraft sent to search for Flight 19; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 19: Mr. MILLER of Florida and Mr. BACHUS.
H.R. 23: Ms. PELOSI.
H.R. 25: Mr. DUNCAN and Mr. CARTER.
H.R. 97: Mr. ENGLISH of Pennsylvania and Mr. REYES.
H.R. 115: Mr. SHERMAN.
H.R. 147: Mr. SESSIONS, Mr. BROWN of South Carolina, and Mr. SCHWARZ of Michigan.
H.R. 224: Mr. MENENDEZ and Mr. HONDA.
H.R. 269: Mr. ENGLISH of Pennsylvania.
H.R. 282: Mrs. DAVIS of California.
H.R. 312: Ms. MILLENDER-MCDONALD.
H.R. 352: Mr. MCINTYRE.
H.R. 356: Mr. PEARCE and Mr. HULSHOF.
H.R. 363: Mr. HONDA, Mr. CUMMINGS, and Mr. ROSS.
H.R. 371: Mr. PRICE of Georgia.
H.R. 414: Ms. CORRINE BROWN of Florida, Mr. HOEKSTRA, Mr. NEAL of Massachusetts, and Mr. LEWIS of Georgia.
H.R. 415: Mr. ANDREWS.
H.R. 503: Mr. BROWN of South Carolina.
H.R. 515: Mr. MCCOTTER.
H.R. 552: Mr. BURTON of Indiana.
H.R. 558: Mr. ENGLISH of Pennsylvania.
H.R. 586: Mr. NUNES.
H.R. 602: Mr. TURNER and Mr. BISHOP of Utah.
H.R. 691: Mr. CAMP.
H.R. 697: Mr. MICHAUD.
H.R. 752: Mr. FATTAH.
H.R. 769: Mr. FOLEY.
H.R. 783: Mr. UDALL of New Mexico.
H.R. 791: Mr. UDALL of Colorado, Mr. BLUMENAUER, and Mr. NEAL of Massachusetts.
H.R. 827: Mr. SWEENEY and Mr. REYNOLDS.
H.R. 838: Ms. SCHWARTZ of Pennsylvania.
H.R. 839: Ms. MCCOLLUM of Minnesota and Mr. ABERCROMBIE.
H.R. 859: Mr. WELDON of Pennsylvania.
H.R. 891: Mr. NORWOOD.
H.R. 892: Mr. NORWOOD.
H.R. 896: Mr. UDALL of New Mexico.
H.R. 916: Mr. RYAN of Wisconsin, Mr. HINOJOSA, Mr. PETERSON of Pennsylvania, and Mr. REYNOLDS.
H.R. 923: Mr. SHUSTER.
H.R. 934: Mr. ALEXANDER, Mr. ANDREWS, and Mr. SIMMONS.
H.R. 960: Mrs. JO ANN DAVIS of Virginia, Mr. HOYER, Mr. FORD, and Ms. KILPATRICK of Michigan.
H.R. 968: Ms. CORRINE BROWN of Florida and Mr. HOLT.
H.R. 995: Mr. EMANUEL.
H.R. 1070: Mr. JINDAL.
H.R. 1106: Mr. DAVIS of Illinois.
H.R. 1120: Mr. WAXMAN, Mr. FORD, and Mr. MCGOVERN.
H.R. 1186: Mr. GARRETT of New Jersey, Mr. CONAWAY, Mr. FITZPATRICK of Pennsylvania, and Mr. MARCHANT.
H.R. 1188: Mr. AL GREEN of Texas, Mr. SOUDER, and Mr. HOLT.
H.R. 1190: Mr. ISSA.
H.R. 1222: Ms. WASSERMAN SCHULTZ.
H.R. 1239: Mr. ANDREWS.
H.R. 1241: Mr. WALSH.
H.R. 1246: Mr. CRAMER, Mr. SMITH of Texas, Ms. HARMAN, and Mrs. CAPPS.
H.R. 1306: Mr. KINGSTON, Ms. CORRINE BROWN of Florida, Mr. BILIRAKIS, Ms. MILLENDER-MCDONALD, Mr. HYDE, and Mr. TAYLOR of North Carolina.
H.R. 1353: Mr. SMITH of New Jersey.
H.R. 1376: Mrs. EMERSON.
H.R. 1380: Mr. PASTOR, Mr. TIBERI, Mr. KLINE, and Mr. HULSHOF.
H.R. 1388: Mr. DOOLITTLE.
H.R. 1402: Mr. DINGELL, Mr. SCOTT of Georgia, and Mr. KIND.
H.R. 1413: Mr. BERMAN, Mr. MEEKS of New York, Mr. HINCHEY, Ms. LEE, and Mr. GORDON.
H.R. 1426: Mr. JENKINS.
H.R. 1510: Mr. BONNER and Mr. MARCHANT.
H.R. 1549: Mr. HIGGINS, Mr. MEEKS of New York, Mr. SWEENEY, Mr. DAVIS of Illinois, and Mr. BURTON of Indiana.
H.R. 1558: Mr. BROWN of South Carolina.
H.R. 1588: Mr. MARKEY.
H.R. 1632: Mr. HALL.
H.R. 1671: Mr. OWENS and Ms. HERSETH.
H.R. 1704: Mr. DANIEL E. LUNGREN of California and Mr. KLINE.
H.R. 1744: Mr. EVANS.
H.R. 1749: Mr. MORAN of Kansas and Mr. LATHAM.
H.R. 1796: Mr. EVANS.
H.R. 1898: Mr. SIMPSON, Mrs. SCHMIDT, and Mr. CLAY.
H.R. 1956: Mr. ROGERS of Kentucky.
H.R. 2045: Ms. CARSON.
H.R. 2048: Mr. PRICE of North Carolina, Ms. ZOE LOFGREN of California, and Mr. RENZI.
H.R. 2061: Mr. LEWIS of Kentucky, Mr. AKIN, and Mr. SOUDER.
H.R. 2106: Mr. MCCOTTER.
H.R. 2112: Mr. LAHOOD.
H.R. 2134: Ms. WATSON, Mr. FORTUÑO, Mr. KIRK, Ms. CARSON, Mr. RENZI, and Mr. LANTOS.
H.R. 2176: Mr. MCHUGH.
H.R. 2231: Ms. VELÁZQUEZ, Ms. MILLENDER-MCDONALD, Mr. RANGEL, Mr. SERRANO, Mr. MATHESON, and Mr. TIERNEY.
H.R. 2238: Mr. DICKS.
H.R. 2294: Mr. SHAYS.
H.R. 2331: Mrs. MCCARTHY.
H.R. 2533: Mr. HONDA, Mr. HIGGINS, Mr. VAN HOLLEN, Mr. RAHALL, Mrs. NAPOLITANO, Mr. CUMMINGS, Mrs. EMERSON, and Mr. UDALL of Colorado.
H.R. 2666: Mr. POMEROY and Mr. LEWIS of Kentucky.
H.R. 2683: Mr. CONYERS and Mr. PRICE of North Carolina.
H.R. 2719: Mr. EVANS.
H.R. 2794: Mr. EVANS.
H.R. 2963: Mr. FRANK of Massachusetts, Ms. KAPTUR, Mr. OWENS, and Mr. KILDEE.
H.R. 3127: Ms. WASSERMAN SCHULTZ, Mr. ANDREWS, Mr. DOYLE, and Ms. ROS-LEHTINEN.
H.R. 3137: Mr. CAMP and Mr. MCCOTTER.
H.R. 3146: Mr. POMBO.
H.R. 3159: Mr. KILDEE and Ms. HART.
H.R. 3183: Mr. MCCAUL of Texas and Mr. UDALL of New Mexico.
H.R. 3187: Mr. MCINTYRE.
H.R. 3189: Mr. BURTON of Indiana, Mr. MCCOTTER, and Mr. MCINTYRE.
H.R. 3196: Mr. ACKERMAN.
H.R. 3256: Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. HOLDEN, Mr. KANJORSKI, Mr. PETERSON of Pennsylvania, and Mr. WELDON of Pennsylvania.
H.R. 3334: Ms. KAPTUR, Mr. ADERHOLT, Ms. JACKSON-LEE of Texas, Mr. TOWNS, and Mr. CLAY.
H.R. 3336: Mr. ROTHMAN.
H.R. 3358: Mrs. MALONEY.
H.R. 3369: Mr. HOLT and Mr. NADLER.
H.R. 3385: Mr. CALVERT and Mr. EMANUEL.
H.R. 3420: Mr. ENGEL.
H.R. 3559: Mr. BROWN of Ohio, Mr. GOODE, Mr. PORTER, Mr. NEUGEBAUER, Mr. HALL, Mr. TIERNEY, Ms. HERSETH, Mr. ANDREWS, Ms. DELAURO, Mr. BONNER, Mr. GIBBONS, and Mr. MCCOTTER.
H.R. 3561: Ms. BERKLEY and Mr. DOGGETT.
H.R. 3563: Ms. WASSERMAN SCHULTZ.
H.R. 3617: Mrs. CAPITO.
H.R. 3630: Mr. REGULA.
H.R. 3639: Mr. LANTOS, Ms. MATSUI, and Mr. JACKSON of Illinois.
H.R. 3698: Ms. WOOLSEY, Mr. MCDERMOTT, Mr. MCNULTY, Mr. SHERMAN, Ms. DEGETTE, Mr. OWENS, Ms. MATSUI, Mr. BACA, and Mr. WEXLER.
H.R. 3704: Mr. FORBES.
H.R. 3737: Mr. ROTHMAN, Ms. DEGETTE, Mr. INGLIS of South Carolina, and Mr. MCHUGH.
H.R. 3748: Mr. MCNULTY and Ms. BERKLEY.
H.R. 3764: Mr. MICHAUD.
H.R. 3800: Mr. CUMMINGS.
H.R. 3825: Mr. DOYLE, Mr. ENGLISH of Pennsylvania, Mr. FITZPATRICK of Pennsylvania, Mr. GERLACH, Ms. HART, Mr. MURTHA, Mr. PITTS, Ms. SCHWARTZ of Pennsylvania, Mr. SHERWOOD, Mr. SHUSTER, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. PETERSON of Pennsylvania, Mr. WELDON of Pennsylvania, Mr. KANJORSKI, and Mr. HOLDEN.
H.R. 3838: Mr. KIND, Ms. DEGETTE, Mr. DOYLE, and Mr. LARSEN of Washington.
H.R. 3860: Mr. CONAWAY.
H.R. 3861: Ms. ROYBAL-ALLARD and Mr. MILLER of North Carolina.
H.R. 3867: Mr. PAYNE.
H.R. 3905: Mr. GONZALEZ.
H.R. 3916: Mr. EVANS.
H.R. 3925: Mr. MCNULTY and Mr. BROWN of Ohio.
H.R. 3933: Mr. CASE, Mr. GRIJALVA, and Mr. ISRAEL.
H.R. 3938: Mr. CULBERSON, Mr. WILSON of South Carolina, Mr. WELDON of Florida, Mr. SULLIVAN, and Mr. BURTON of Indiana.
H.R. 3940: Mr. GOODE, Mr. KINGSTON, and Mr. COSTA.
H.R. 3944: Mr. MICHAUD.
H.R. 3947: Mr. FORBES.
H.R. 3949: Mr. ROGERS of Alabama and Mr. OWENS.
H.R. 3954: Mr. BISHOP of Georgia.
H.R. 3960: Mr. BARTLETT of Maryland, Mr. PAUL, Mr. MCKEON, and Mr. SAM JOHNSON of Texas.
H.R. 3966: Mr. COOPER.
H.R. 3968: Mr. UDALL of Colorado and Mr. EVANS.
H.R. 3970: Mr. FORBES.
H.R. 4011: Mr. CUELLAR, Mr. CUMMINGS, Mr. OWENS, Mr. TOWNS, Mr. BUTTERFIELD, Ms. LORETTA SANCHEZ of California, and Mrs. NAPOLITANO.
H.R. 4025: Mr. LYNCH, Mr. ROSS, Mr. BISHOP of Georgia, Mr. SCOTT of Georgia, Mr. MCINTYRE, Mr. BISHOP of New York, and Mr. MOORE of Kansas.
H.R. 4030: Mr. WAXMAN and Ms. HOOLEY.
H.R. 4032: Mr. TANCREDO.
H.R. 4033: Mr. BOEHLERT and Mr. UDALL of Colorado.
H.R. 4045: Mr. MCNULTY, Mr. SAXTON, and Mr. GONZALEZ.
H.R. 4047: Mrs. MUSGRAVE, Mr. PENCE, Mr. GOODE, and Mr. REHBERG.
H.R. 4048: Mr. CONYERS and Mr. KENNEDY of Rhode Island.
H.R. 4050: Ms. DEGETTE.
H.R. 4061: Ms. HERSETH.
H.J. Res. 38: Mr. MENENDEZ and Mr. WALSH.
H.J. Res. 60: Mr. MILLER of Florida.
H. Con. Res. 172: Mr. EVANS.
H. Con. Res. 173: Mr. KIRK, Mr. HIGGINS, Mr. WELDON of Pennsylvania, Mr. PRICE of North Carolina, and Mr. WU.
H. Con. Res. 179: Mr. CHOCOLA, Mr. BISHOP of New York, Mrs. JOHNSON of Connecticut, Mr. MURTHA, Mr. MCGOVERN, Mr. GILLMOR, and Mr. SHAW.
H. Con. Res. 231: Mr. WU, Mr. HONDA, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. BORDALLO.
H. Con. Res. 260: Mr. KING of New York, Ms. HARRIS, Mr. FORTENBERRY, Mr. CONYERS, Mrs. CAPPS, Mr. HIGGINS, Mr. BURTON of Indiana, Mr. NADLER, Ms. WASSERMAN SCHULTZ, and Mr. HOLDEN.

H. Res. 215: Mrs. BLACKBURN and Mr. BEAUPREZ.

H. Res. 222: Mr. SMITH of Washington.

H. Res. 335: Mr. MCNULTY, Mr. BEAUPREZ, Mrs. MALONEY, Mr. WYNN, Mr. KUHL of New York, and Mr. BERMAN.

H. Res. 390: Mrs. NORTHUP and Mr. PETRI.

H. Res. 438: Mr. HOYER, Mr. AL GREEN of Texas, Mr. DAVIS of Alabama, and Mr. SAXTON.

H. Res. 447: Mr. MORAN of Virginia and Mr. CLAY.

H. Res. 453: Mr. SOUDER.

H. Res. 471: Mr. DINGELL.

H. Res. 477: Mr. STARK, Mrs. MCCARTHY, Mr. SANDERS, Ms. NORTON, Mr. INSLEE, Ms. MOORE of Wisconsin, and Mr. LANTOS.

H. Res. 487: Mr. MCDERMOTT, Mr. CASE, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. ROYBAL-ALLARD, Ms. WATSON, Mr. POMEROY, Mr. VAN HOLLEN, Mr. MORAN of Virginia, Ms. BORDALLO, Mr. WELDON of Pennsylvania, and Mr. GONZALEZ.

H. Res. 489: Mr. CARDOZA, Mr. CASE, Mr. MCDERMOTT, Mr. MORAN of Virginia, Ms. LEE, Mr. HINOJOSA, Mr. VAN HOLLEN, Ms. MCCOLLUM of Minnesota, Mr. PAYNE, Mr. PETERSON of Minnesota, and Mr. WALSH.

H. Res. 492: Ms. JACKSON-LEE of Texas.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 2290: Mr. SMITH of Texas.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 554

OFFERED BY: MR. FILNER

AMENDMENT NO. 1. At the end of the bill, add the following new section:

SEC. ____. LIMITATION.

Notwithstanding any other provision of this Act, this Act does not apply to an action brought by, or on behalf of, a person injured at or before the age of 8, against a seller that, as part of a chain of outlets at least 20 of which do business under the same trade name (regardless of form of ownership of any outlet), markets qualified products to minors at or under the age of 8.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, FIRSTSESSION

Vol. 151 WASHINGTON, TUESDAY, OCTOBER 18, 2005 No. 132

Senate

The Senate met at 9:46 a.m. and was called to order by the Honorable PATRICK J. LEAHY, a Senator from the State of Vermont.

The PRESIDING OFFICER. The visiting Chaplain today, Father Claude Pomerleau, will lead the Senate in prayer.

PRAYER

The guest Chaplain offered the following prayer:

Let us pray.

Father in heaven, beloved Creator of the mountains and the wooded valleys from Whose fullness we have all received, direct our steps in our everyday efforts. Your presence in the resounding rivers and quiet breezes, in the fertile plains and dry deserts powerfully yet gently guides all the moments of our day and brings those necessary moments of beauty and peace into our lives.

Go before us in our pilgrimage of life, anticipate our needs, and prevent our falling. We are all hungry for the fullness of joy that only You can give. Send Your Spirit to unite us in our search for a better world, and especially to enlighten and guide all legislators who serve You by working for the common good. Amen.

PLEDGE OF ALLEGIANCE

The Honorable PATRICK J. LEAHY 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.

The PRESIDENT pro tempore. The Chair is honored to be able to ask the Senator from Vermont to introduce his distinguished relative.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The Chair recognizes the majority leader.

SCHEDULE

Mr. FRIST. Mr. President, very briefly, this morning we have set aside a period of morning business for the first 60 minutes. Following that time, we will return to the consideration of the Transportation-Treasury-HUD appropriations bill. Last night, we entered into an agreement which will allow Senators BROWNBACK and LANDRIEU to offer the DC appropriations bill at 11 o'clock this morning. Following their statements, we expect a vote on that amendment. That will be a voice vote.

Also under our order from last night, at 12:10 today, we will vote on the Kyl amendment relating to a freeze of the Members' COLA or cost-of-living adjustment. After that vote, we will recess for our scheduled policy luncheons.

We will return to the bill this afternoon, and we will have additional votes on amendments to the appropriations measure. It would also be helpful to have a filing deadline so that the two managers will be better able to manage the amendments as they come forward. Today, I will be talking to the Democratic leader about a unanimous consent for that deadline.

We need to finish this appropriations bill this week. We will finish this appropriations bill this week. It does mean we may need to be voting on Friday in order to accomplish that, and we will be here on Friday to accomplish that if necessary.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The PRESIDENT pro tempore. Under the previous order, there will be a period for the transaction of morning business for up to 60 minutes, with the first half of the time under the control of the majority leader or his designee and the second half of the time under the control of the Democratic leader or his designee.

The Chair recognizes the distinguished Senator from Vermont.

ORDER OF PROCEDURE

Mr. LEAHY. Mr. President, with the distinguished majority leader on the floor, I ask unanimous consent that I be allowed to go forward for 3 or 4 minutes on Senator REID's time and go out of order at this point.

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

WELCOMING THE GUEST CHAPLAIN

Mr. LEAHY. Mr. President, first, I note my dear friend of over 30 years, the distinguished senior Senator from Alaska, is in the chair, the President pro tempore of the Senate. I note that the President pro tempore showed his usual courtesy, instead of taking the chair initially to open the session, as he would, to allow me to do so to introduce my brother-in-law, Father Claude Pomerleau.

I also note that our distinguished Chaplain, Dr. Barry Black, is here. I thank the Chaplain for his cooperation in making sure that Father Pomerleau could open the session.

Of course, I thank the distinguished majority leader, Senator FRIST, and the distinguished Democratic leader, Senator REID.

Mr. President, I note that Father Pomerleau is a very close member of our family. He is probably not used to hearing me call him Father Pomerleau; it has always been Claude. He was on the altar—not yet a priest but in the seminary—when my wife Marcelle and I were married slightly over 43 years ago. And 40 years ago this December, the two of us were able to be with his

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

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wonderful parents, Phil and Cecile Pomerleau, at his ordination in Rome—a very proud time for his parents, certainly a proud time for Claude, but also a very proud time for Marcelle and me.

He has been, in many ways, our spiritual light and friend all these years. He is very much a brother to me, as he is to Marcelle. I have had the privilege one other time to have him as visiting Chaplain. And in my 31 years in the Senate, those two times stand out as highlights in my career.

So again I thank the distinguished Senator from Alaska for showing his usual courtesy, and, of course, I cherish our friendship of over three decades.

With that, Mr. President, I yield the floor.

The PRESIDENT pro tempore. The Senator from Georgia is recognized.

IRAQ

Mr. ISAKSON. Mr. President, I rise this morning to reflect for a moment on the apparent successful events in Iraq this weekend and also to look forward to more successful events in the months ahead. It appears the people of Iraq—10 million of them—turned out on Saturday to ratify a constitution under which elections will take place on December 15 of this year. I believe now is an appropriate time for us to recognize, in the process of liberating the people of Iraq, the great accomplishments our brave young men and women have made to allow that process to take place.

About 2½ years ago, America went into Iraq with three stated goals. One was to depose Saddam Hussein. That was done. He goes on trial tomorrow, to be tried by his own people, in his own court, by his own judges. Second, we went in to rid the nation of weapons that could hurt others and stabilize the country so we could accomplish the third goal, which is to allow the people of Iraq to self-determine their future, as we in America did some 229 years ago.

The first goal, deposing Hussein, was accomplished, and he goes on trial. The second goal of stabilizing the country has, in fact, been accomplished. It has been accomplished in a unique way and was ratified by the very election that took place on Saturday, because on Saturday the Iraqi military protected the Iraqi polling places to allow the Iraqis to have an election that had very little disruption or violence by the insurgents. Now we move toward December 15 and the election of a permanent assembly for the people of Iraq to govern themselves.

On the first day of February of this year, I visited Baghdad, shortly after the elections that were held on January 31. I saw on that day the pride of Iraqis holding up their index finger, stained with blue ink, with smiles on their faces and self-satisfaction from having voted, which they did. We saw at that election where a number of the Sunnis stayed home, where most of the Shiites and the Kurds voted, and there were about 8 million votes.

Just 8 months later, I watched this morning on TV and saw index fingers raised with ink stains to evidence the vote that had taken place, but those ink stains were not just on the fingers of Shiites and Kurds, they were on the fingers of Sunnis as well because, as was said after the first election in Iraq in January, the Sunnis learned that in a democracy, if you do not vote, you do not count. Although their votes may have been different yesterday, it laid the groundwork for this country to self-determine its future in peace, for its three groups within their country to join together, to form a government, to iron out their differences peacefully, and to grow in the Middle East what many thought was never possible, and that is an Arab nation self-determining its future, with its people electing its representatives, living and growing in peace and harmony with its neighbors.

There have been a lot of critics of our efforts in Iraq. There have been some who have said the war was wrong and others who have said we ought to come home, when, in fact, they have misjudged and mischaracterized the entire event. For us to come home is to lose the war. For us to stay is for liberty and peace and freedom to take root, to grow, and to prosper, and for an area of the world that for all time has been in turmoil to have the chance in future time to be in peace. That is not just good for the Middle East. That is not just good for the Iraqis. That is good for America. That is good for the nations of the world. That is good for the future peace of this great Nation we call the United States of America, for it was terrorism that drug us into the Middle East. It is terrorism, through insurgents, that we fight today in Iraq. And it is terrorism that will lose, not in the end to bullets but to votes, with a people free to self-determine their future.

The people in Iraq began that process on January 31 and reaffirmed that process this past Saturday. I am confident and looking forward to the future, that on December 15 they will reaffirm that process again by holding free elections, guarded—and peacefully guarded—by their own trained troops, who will be the security force that in the future replaces our men and women, and that they will secure the country of Iraq not just for one election, not just for one day, but for the future.

It has been said that victory in Iraq is a process and not an event. I believe that is an appropriate statement. We have gone through a process that deposed an evil dictator, stabilized a violent nation, allowed free elections to take place, for a constitution to be drawn, for elections for its ratification to take place, and now we are on the doorstep of the election of those permanent representatives who will self-determine the future of the nation of Iraq. In this process, known as freedom, America has contributed much.

Our sons and daughters have been there steadfastly fighting the insurgents, securing the Iraqi people, and giving the flame of liberty and freedom a chance to grow and glow. On Saturday that process apparently took place again. I look forward to it taking place on December 15. I thank God for the brave men and women of the U.S. Armed Forces and the resilience of our people as, once again, we are the leading light for freedom, peace, hope, and liberty not just in our own country but around the world.

I yield the floor and 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.

Mr. REID. 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. REID. Mr. President, I ask unanimous consent to use my leader time and not interfere with morning business.

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

LEADERSHIP PAC RIDER

Mr. REID. Mr. President, this morning I would like to speak for a short time about a provision of the bill before the Senate, the Transportation bill, that was removed by Republican leaders when the bill was taken up yesterday. I commend my colleagues, Senators FEINGOLD and MCCAIN, for their leadership in advocating to the Republican leaders to take this step. The provision should not pass quietly in the night. It was in this bill. It should not have been. More importantly, it should not emerge in any way in the future in some type of a must-pass conference report.

The leadership PAC rider would have created a giant loophole in our campaign finance laws and would have permitted unseemly money transfers among incumbents and national parties.

Today, leadership PACs are bound by the same campaign finance rules as are regular campaign PACs, known as political action committees; that is, leadership PACs can't give more than $15,000 annually to the national parties. The rider inserted in this bill during markup by the Republican leadership removed this limit on leadership PACs so they could transfer unlimited funds to national parties.

My colleagues, Senators FEINGOLD and MCCAIN, rightly decried this move as a major circumvention of our campaign finance laws. The provision would have directly undermined the point of those laws: preventing corruption in fact and in appearance. I joined with them to oppose this provision and

assured them that the Democrats would stand united with them on a motion to strike this rider or to prevent the bill from moving forward.

Through the efforts of Senators FEINGOLD and MCCAIN, we had the votes to strip this provision from the bill, and everyone knew that. Recognizing that, my colleagues on the other side of the aisle agreed to remove it from the bill. I made it clear to my colleague and friend, the majority leader, that we would not accept a conference report with reemergence of this provision.

COMPENSATION FOR MEMBERS OF CONGRESS

I also want to say another word about my friend, RUSS FEINGOLD. RUSS FEINGOLD is a person who is very talented. He is a unique advocate for many issues that affect this country. I have just talked about campaign finance reform. He is and has been a leader on campaign finance reform. There are times that I disagree with RUSS FEINGOLD but not often. He is a person who brings unique attributes to the Senate. Academically, he is without peer. He graduated from Harvard Law School and is a Rhodes scholar.

Today, he will speak on behalf of this side of the aisle on a provision dealing with compensation for Members of Congress. There are times when a COLA is certainly in keeping with the needs of this body and the country, but there are times when it is not. As I have indicated, RUSS FEINGOLD has never shied away from offering contentious, difficult amendments. Today, I am happy to see the other side of the aisle recognize that this amendment would pass, the Feingold amendment that has been offered by him alone in years past. The majority decided they would step in the shoes of Senator FEINGOLD because they knew this was a time—with Katrina, with the many other problems facing our country—when a pay raise was not appropriate.

I want the record to be spread with the fact that RUSS FEINGOLD is a person whose good work I so appreciate. I admire him and the work that he does and want everyone within the sound of my voice to understand that this amendment we will dispose of prior to 12:30 today has been the Feingold amendment year after year after year. Now I am happy to see that others have joined with him.

While I have disagreed with him on this issue in the past, no one can take away from the fact that this has always been RUSS FEINGOLD's mantra: that he would offer the amendment to make sure that the congressional pay raise did not go forward.

He certainly was not successful in years past, but everyone recognized that he would be this year. Therefore, the majority, in an effort to take away a little recognition from him, decided they would do it. But recognition will always be there because RUSS FEINGOLD has always been out front on this issue.

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. OBAMA. 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. OBAMA. I ask that I be able to proceed out of order. It is my understanding the Republicans actually control the time at the moment. I ask unanimous consent that I be able to proceed and the time to be taken out of the Democratic time.

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

AVIAN INFLUENZA

Mr. OBAMA. Mr. President, we are continuing to witness, as I think you are aware, the relentless spread of avian flu carried slowly, but predictably, by wild migratory birds from countries in Southeast Asia to western China to Mongolia and then over the Ural Mountains into Russia and Ukraine. From there, avian flu this week has spread over to Romania and Turkey, and we have just learned possibly into Greece.

Dr. Joseph Domenech, chief of the Animal Health Service at the United Nations Food and Agricultural Organization, has been quoted as saying that ". . . we are not surprised."

At this point, no one should be surprised. The experts have told us repeatedly that a flu pandemic is inevitable, although the timing is unpredictable. In other words, the question is not if but when. The spread of avian flu is our warning signal, and we need to heed this call to action.

If we are lucky, we will have at least a year or perhaps several years to prepare for a flu pandemic, but we might not be so lucky. Regardless of whether it is this particular strain of avian flu, H5N1, or another deadly strain, the time to act is long overdue if we want to prevent human suffering, death, and economic devastation.

International health experts say that two of the three conditions for an avian flu pandemic in Southeast Asia already exist. First, a new strain of the virus has emerged to which humans have little or no immunity. Second, this strain has shown that it can jump between species.

The last condition, the ability for the virus to travel efficiently from human to human, has not been met, and it is the only thing preventing a full-blown pandemic. Once this virus mutates and can be transmitted from human to human, we will not be able to contain this disease. Because of the wonders of modern travel, a person could board a plane in Bangkok, Athens or Bucharest and land in Chicago less than a day later, unknowingly carrying the virus. In fact, we learned this lesson from SARS, which moved quickly from Asia to Canada, where it led to many deaths.

As my colleagues know, one of my top priorities since arriving in the Senate has been to increase awareness about the avian flu. In April of this year, I introduced the Avian Act, which is a comprehensive bill to increase our preparedness for an avian flu pandemic. This bill was incorporated into a larger bill, the Pandemic Preparedness and Response Act that Senator REID and I introduced 2 weeks ago. We need to move this bill as quickly as possible.

We also need to provide more funding to purchase vaccines and antivirals and improve our ability to spot and isolate a pandemic as soon as it begins. In the spring and summer, I worked to secure $25 million in funding to fight the avian flu. Today, some of this money is already helping the World Health Organization to step up its international surveillance and response efforts.

But obviously more money is needed—much more. Last month, I joined Senator HARKIN and others in offering an amendment to the DOD appropriations bill to provide almost $4 billion to fight the avian flu. I am pleased that Senator STEVENS cosponsored the amendment and it was accepted into the appropriations bill. At this point, I am hoping that the House will agree to this funding in conference.

Although we have begun to step up to the plate in the Senate, it is unfortunate that none of the avian flu bills that have been introduced have yet been passed into law. There has been too much talk, not enough action. And this is not just true in the Congress.

One year after publishing the draft pandemic flu plan, the administration still has not released the final HHS pandemic flu preparedness plan. Half the States have not published plans either, and we know that many of these States will need substantial help.

This lack of planning is compounded by the fact that we still don't have an FDA-approved vaccine against avian flu, and the one drug that many countries are relying on, Tamiflu, may be less effective than experts had thought. The manufacturer is also struggling to meet the demand, and it could take up to 2 years for it to make enough for the U.S. stockpile, presuming this administration finally puts in an order for the drug.

I ask my colleagues how many hearings and briefings have they sat through where witnesses and experts have urged the Government to be better prepared for these types of crises?

The failure to prepare for emergencies can have devastating consequences. We learned that lesson the hard way after Katrina. This Nation must not be caught off guard when faced with the prospects of a pandemic because the consequences are simply too high.

The flyways for migratory birds are well established. We know that avian flu will likely hit the United States in a matter of time. With the regular flu season coming up shortly, conditions will be favorable for the reassortment of the avian flu virus with the annual flu virus.

Such reassortment could lead to a mutated virus that could be transmitted efficiently between humans, which is the last condition needed for pandemic flu.

The question is, Will we be ready when that happens? Let's make sure the answer is yes. I urge my colleagues in the Senate and the House to push this administration to take the immediate action needed to prevent catastrophe, the likes of which we have not seen during our lifetimes.

I thank the Chair, and I yield the floor.

Mr. WYDEN. Mr. President, I ask unanimous consent to be recognized at this time.

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

ENERGY

Mr. WYDEN. Mr. President, a few months ago, the President signed into law an Energy bill that did virtually nothing to prepare America for any kind of crisis for a disruption in the oil supply. Now, a few months after that new law was signed, a scavenger hunt is underway to come up with yet another bill to address the issues that Congress ignored in the 2005 Energy bill.

The problem is that much of the new legislation tracks the troublesome trends of the bill that was signed. What I want to do this morning is spend a few minutes talking about why I think that is the case, why I think this legislation is misguided, and then to suggest some alternatives.

The central problem, in my view, is that this new legislation essentially says to these well-stuffed, well-oiled energy lobbies: We will give you more than you got. This is on top of the fact that oil refiners have seen their profits skyrocket by 255 percent over the last year, an extraordinary fact—a 255-percent increase in profits for the oil-refining sector. And now we are talking about another piece of legislation to subsidize these folks and others who are literally swimming in cash today.

I do not believe that one of Congress's top priorities, after the tragedy of Hurricane Katrina, should be to help these special interest lobbies that already are swimming in cash.

There are too many Americans who are far from swimming in those kinds of funds. They are still trying to clean up the flood waters. They are mucking out their homes in the State of the Presiding Officer, Louisiana. They are trying to rebuild from the rubble of south Mississippi. Many of them do not have a dime to their name. I believe it would be shameful if Congress returns to business as usual writing blank checks for these powerful energy lobbies, using the storms in the wake of these hurricanes as an excuse, as a Trojan horse, for handouts to the powerful energy lobbies in this country.

Let me outline the exact status of the subsidies that are on the books now and what was added in the bill in 2005. Under the laws already on the books before the Energy bill was enacted, oil and gas industries were on tap to get about $1.4 billion in tax breaks and other subsidies for a total of $6 billion in taxpayer subsidies over the next 5 years.

With the Energy bill signed into law, the oil and gas interests will get another $2.6 billion of additional tax breaks and subsidies on top of what they were already slated to receive. That includes an ability to write off up to 50 percent of their costs in the first year, to name just one of the special interest breaks that was in the legislation. But now we are talking about letting those who have received these huge subsidies get another opportunity at the all-you-can-eat buffet.

So the taxpayers and consumers who are footing the bill for hurricane cleanup, paying for tax cuts for some who are extremely affluent, are now going to be faced with the prospect of paying for additional subsidies for these energy interests.

Two weeks ago, the House passed legislation to provide additional financial subsidies to benefit the oil refining industry. Under the House legislation, refineries would get a regulatory risk insurance program to cover all the refineries' costs if their production is reduced because of a delay in the permitting process.

There is no limit on the amount of these subsidies for refineries, while the refineries get essentially guaranteed cost protection. What the Federal Government is essentially doing is privatizing the gains of these refineries and socializing the risks. There is absolutely nothing in the legislation to require refineries to protect consumers from the soaring costs they face today.

In my view, there is no need for these refiners, whose profits increased more than 250 percent in the last year, to get even greater financial rewards on top of the subsidies they are already getting in the brandnew energy law. In effect, what we are talking about is the prospect that these energy lobbies will become triple-dippers. They already received big subsidies in the old law. Then they received additional subsidies in the just-signed legislation.

We are talking about a third dip, a third round of subsidies, and I happen to think that is too much. Even the President said when oil is trading at upwards of $55 a barrel the oil companies do not need incentives to produce more. When the President, who certainly is not hostile to oil interests, says the oil companies do not need a deal from the Government, that ought to tell us something.

With oil selling for what is getting to be close to $70 a barrel, Congress should not be giving more taxpayer money away to these energy interests.

What I suggest is two practical steps that Congress ought to look at as we consider energy legislation in the days ahead.

First, I think the Congress should freeze the new subsidies that Congress lavished on the oil interests that are now earning record profits from record high prices. Nobody is talking about taking away what was there before the 2005 law was passed. What was there before the 2005 law was passed would remain in place. What I am talking about this morning is freezing the new subsidies, the new dollars that Congress just passed, despite the fact that the President of the United States said it was not even needed. What I would propose by freezing those new subsidies is that the Congress redirect those dollars to help low-income Americans who are at risk, literally, of freezing in their homes this winter.

For example, the $2.6 billion in new subsidies for oil interests could be used to pay for weatherization assistance to more than 1 million low-income homes, taking basic steps to improve energy conservation. Adding insulation and sealing energy-leaking windows and doors can help these families reduce their heating bills substantially.

Congress could help consumers further by using the Federal Government's purchasing power to make taxpayer energy dollars go further. The Federal Government is the largest consumer of energy in the country. The Federal Government could use its substantial purchasing power to get some real discounts in the marketplace for the Government's energy purchases. These cost savings could be achieved not only for direct energy purchases for Federal agencies' power needs but especially for the Low-Income Home Energy Assistance Program. Instead of reimbursing consumers for their sky high energy bills when they come due, the billions of dollars spent each year under the Low-Income Home Energy Assistance Program could be used up front to acquire lower cost energy to help low-income Americans.

So the question is, Is the Federal Government going to be a smart shopper? Is the Federal Government going to use its marketplace clout for programs such as the one that serves low-income people to make sure that the Government gets more for its money?

Everybody in the private sector shops that way. They are in a position to make volume purchases. They go to the people with whom they contract, and they say: We are going to buy a lot of your product, give us a deal.

This is essentially what I am proposing be done for the Low-Income Home Energy Assistance Program: the Federal Government use its clout in the marketplace, the Federal Government use its purchasing power to get discounts for this program and to acquire lower cost energy to help low-income Americans.

The bottom line is our country can do better. I believe we could have done better in the Energy bill that was just passed. It seems incredible that just a few months after that law was passed and there were great celebrations

about what a difference it would make, now the Congress is back on a scavenger hunt to try to come up with legislation that does what should have been done in the first bill.

The reality is we now have a second chance to do better. I am of the view that lives depend on the Congress doing better not just in homes where heat is going to be scarce this winter but for generations to come.

When I came to the Senate floor to speak in opposition to the Energy bill a few months ago, I was sorry because that legislation failed to reduce our Nation's dependence on foreign oil by one drop. It failed to reduce the prospects that America would again go to war in the Persian Gulf. After 9/11, it became clear that the energy policy was a national security issue and reducing our dependence on foreign oil had to be a national security priority.

I am of the view that the great tragedy in the 2005 Energy bill is that it essentially ratified pre-9/11 energy priorities. For the longer term, Congress should look at smart, probusiness, and proconsumer initiatives. I am willing, for example, to look at a limited antitrust exemption to let oil companies coordinate the refinery shutdowns expressly to keep supplies up and prices down. So there can be plenty of opportunities to put together a business and consumer coalition to meet the needs of our public.

I just suggested something that I suspect in the southern part of the United States, in the State of Louisiana, would be something that would be well received by oil refiners, but I am also saying that at a time when refiner profits are up more than 250 percent that we ought to be looking at other ideas that really help the consumer.

When gas prices are topping $3 a gallon and we are seeing these increases in home heating prices, we know the public is prepared for change. I have laid out a number of areas this morning where change would be in the interest of the consuming public and be smart probusiness policy, but I think there ought to be more to an energy policy than just ladling out tax subsidies. We have done that again and again. The Congress just poured on more subsidies in the 2005 bill and did absolutely nothing to deal with the crisis that we have seen in the last few months.

So at this crucial time, with the eyes of the country upon us, let us look at a fresh energy policy, one that will meet this country's national security needs, one that will meet the needs of our consumers this winter at a time when they are so vulnerable. And let us learn that just handing out subsidies willy-nilly is not going to make the real energy problems of this country go away.

It is no time to further sate the appetites of the entrenched energy interests. It is time, and there is a chance now, for a fresh start on energy policy. This time, with the next Energy bill, let us do right by the people of this country.

I yield the floor and 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. BOND. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

CONCLUSION OF MORNING BUSINESS

Mr. BOND. Mr. President, I yield back the remaining time on this side in morning business.

The PRESIDING OFFICER. Morning business is closed.

TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of H.R. 3058, which the clerk will now report.

The assistant legislative clerk read as follows:

A bill (H.R. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, the District of Columbia and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

Pending:

Kyl amendment No. 2062, to provide that Members of Congress shall not receive a cost-of-living adjustment in pay during fiscal year 2006.

Kennedy amendment No. 2063, to provide for an increase in the Federal minimum wage.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

Mr. BOND. Mr. President, the Transportation, Treasury, HUD, and related agencies bill is now back on the floor. At 11 o'clock it is my understanding that by previous order we will go to consideration of the DC appropriations bill, which will be included as a separate part of this legislation because the House has the two functions of DC and Treasury, Transportation, HUD as one bill. Those, it is my understanding, will be conferenced separately but at the same time so that the final conference report will bring back Treasury, Transportation, Housing and Urban Development, and the District of Columbia appropriations.

The important thing to note is my partner and colleague in this effort, the ranking member, the Senator from Washington, Senator MURRAY and I, have asked our colleagues to bring to the floor the amendments they wish to offer for this T-T-H-U-D or TTHUD bill. We will be having a vote on the pending amendment, the Kyl amendment, at 10 minutes after 12. The amendment relates to the cost-of-living increase for Members of Congress.

It is important to note that both sides agree we want to move quickly. We want to know what amendments there are. We are seeking a time deadline for filing those amendments so our staff can go to work on them.

We believe there will be time this evening for staff to consider them. It is possible we will be able to take some of these amendments and conclude this bill sometime this week. It is very important we get this moving because we are now in the new fiscal year. We are operating on a continuing resolution and we have many important items in this bill and the DC bill that need to be put into law so we are operating on fiscal year 2006 appropriations for the year.

As my colleague was kind enough to mention yesterday, there was an athletic contest in Houston last night in which Albert Pujols managed to keep the St. Louis Cardinals alive. I am currently in a good mood and ready to accept as many amendments as possible. While I have great hopes for continued success, this is the best time to catch me in a good mood. And the Senator from Washington is in a good mood. This is the time to bring the amendments forward. We will be happy to work with our colleagues to try to find ways to accept as many amendments as possible.

In any event, I know there will be some amendments that will require votes. We would like to have them brought to our attention as soon as possible in order for us to set a schedule enabling us to finish this bill, we hope well before the end of this week. We have many other important measures to work on and we will have to have a number of votes. We look forward to having those amendments before us. This is an urgent request to my colleagues who have amendments to the TTHUD bill to bring them to the floor and to share them with the managers on both sides of the aisle.

With that, I thank my colleagues and ask that they bring those amendments down.

Seeing no other speakers wishing to take the floor, 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. BROWNBACK. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

The PRESIDING OFFICER. Under the previous order, the Senator from Kansas is recognized to offer an amendment.

AMENDMENT NO. 2071

Mr. BROWNBACK. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Kansas [Mr. BROWNBACK] proposes an amendment numbered 2071.

Mr. BROWNBACK. 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 printed in today's RECORD under ''Text of amendments.'')

The PRESIDING OFFICER. Under the previous order, there will be 40 minutes for debate equally divided.

The Senator from Kansas is recognized.

Mr. BROWNBACK. Thank you, Mr. President.

Mr. President, my colleague, Senator LANDRIEU of Louisiana, the ranking member of the Appropriations Subcommittee on the District of Columbia, will be here shortly to use the other 20 minutes of this presentation. This is the District of Columbia appropriations bill. It has been passed and reported by the full Appropriations Committee unanimously and contains some modifications within it. But we have strong agreement within the Appropriations Committee. We have gone through a number of hearings. I want to highlight several particular issues within it, what we are trying to do to encourage family formation, encourage marriage in the District of Columbia.

I want to talk about the school issues. We have had a voucher program for a short period of time. I want to report on how that is going and the problems and needs within that area.

I also want to talk a little bit about the problems we are having with the schools overall in the District of Columbia, which remains an ongoing, desperate problem. Kids that get into the District of Columbia Public School System get into a system that moves them more, unfortunately, in too many cases, toward failure rather than success. A system that does that is a system that needs changing.

I also want to talk about some needs in the future.

We are putting this forward as a part of the Transportation and HUD bill to mirror what is taking place in the House so that this will be amended into the Transportation-HUD bill and then conferenced together with the House of Representatives.

I thank the members of the Appropriations Committee, particularly my colleague, Senator LANDRIEU, the ranking member, for her work on this area. She has been the ranking member under both myself and Senator DEWINE. She does an outstanding job.

This bill provides $593 million in Federal funds for the District of Columbia and includes the city's own local budget of $6.2 billion.

The funds in the bill focus on three key Federal priorities for the District of Columbia.

First, improving educational opportunities for inner-city children; second, reducing and preventing crime; and, third, promoting and sustaining healthy marriages.

To address the first priority, the bill provides funds to improve traditional public schools, increase capacity at public charter schools, improve bilingual education for Latino students, and allow low-income students in failing public schools to attend private schools.

This is the second year of the District of Columbia Opportunity Scholarship Program.

I want to recognize my colleague, Senator DEWINE, for getting this started last year when he chaired this committee, and also my colleague, Senator JUDD GREGG from New Hampshire, for his strong input and push into this program. It was difficult to get started, but it has been quite a success thus far.

This is the first ever Federal program to provide scholarships to low-income, inner-city children so they can attend private schools.

I might note for my colleagues that several years ago, when I was the authorizing chairman of the District of Columbia authorization committee, we polled Members of Congress and then the President and the Vice President to see how many Members of Congress send their kids to DC public schools—either in the House or the Senate or the President or Vice President. I was actually shocked to find out that there were no Members—zero Members of Congress—who sent their children to the District of Columbia public schools—not one in all of the House, all of the Senate, the President and Vice President.

I thought that said a lot by the action that people were taking. They were not sending their kids to DC public schools, even though if you were a poor parent, you had no other choice. Now there is a bit of a different choice.

The demand for scholarships in this program, as far as allowing low-income, inner-city children to go to private school, has been overwhelming, with nearly two applications from eligible public school students for each scholarship available. The federally mandated evaluation of the program is up and running, with a robust number of scholarships and nonscholarship students participating. We are doing evaluations. Most importantly, the program is succeeding and serving the low-income children who truly need this educational opportunity the most. Most of these scholarship students came from failing DC schools, and now they are flourishing in the District's private schools that are participating in the program.

We have heard the story of a first grader who couldn't read at all when he received his scholarship. Yet within 2 months at his new school, he was already reading close to his grade level.

One scholarship mother tells us that her child used to complain about going to school every morning. Yet he is so excited about going to school now that he grumbles about having to stay home from school on a snow day.

Then there is the private school principal who marveled when she called a new scholarship student by his name, and the child said he didn't believe she was the principal because there is no way the principal would actually know a student's name.

These kind of stories are commonplace and indicate that the program is successful. However, I am concerned about the current and growing mismatch between the number of private high school spaces available in the District and the number of scholarship students seeking a space in a District of Columbia private high school. Because of this mismatch, many students who already have a scholarship will be forced to leave the program. Specifically, for the current school year, there are about 50 high school students with scholarships who could not attend the private school in the District because of a lack of capacity. Unfortunately, the problem will only worsen in each subsequent year as current middle school students graduate to high school. If the trend continues—and even if no new scholarships are offered beyond the fifth grade—nearly 75 percent of the students holding scholarships to attend high school will be unable to use them because of a lack of slots in private high schools in the District. This is a shame.

A number of Senators expressed objections to correcting this program at this early stage, so we have left the program unchanged. But I want to note for my colleagues the problems that we have.

The second priority funded by this bill is reducing and preventing crime in the District. The Federal Government entirely funds the District of Columbia courts and the DC Court Services and Supervision Agency. The committee is providing a total of $420 million for these agencies, which is $52 million more than the fiscal year enacted level. Most of these additional resources are for renovation and repairs to the city's fourth oldest building, the historic old courthouse. We need to continue this effort.

The third priority in this bill is promoting and sustaining healthy marriages. This is a new initiative, and I want to spend a little bit of time talking about this. I am hopeful this can be a model, particularly across the country in inner cities where we are having particular difficulty in forming, in many cases, healthy family units.

Every year, almost 57 percent of the babies born to residents of the District of Columbia—that is right, 57 percent—are born to single mothers. This is 40 percent higher than the national average. It is not to say you can't raise healthy children in a single-parent household. I want to go through some of the numbers to indicate the difficulty of raising a child in a single-parent household.

Statistics show that children born to single mothers are seven times more likely to be poor than those born to

married parents and that over 80 percent of long-term child poverty occurs in broken or never-married families. Marriage has an enormous potential to reduce poverty amongst couples who are unmarried at the time of their child's birth.

I want to point out this chart which shows that child poverty dramatically increases outside of intact marriages: Marriage impact within wedlock, 7 percent child poverty; never-married mother, 51 percent child poverty rate.

Children born and raised in households where their mother and father married tend to be more financially stable and more emotionally stable. Statistics tell a compelling story of the many positive benefits that accrue to children if they are raised by their married parents.

For example, children raised in married families are 3 times less likely to repeat a grade in school, 5 times less likely to have behavioral problems, half as likely to be depressed, 3 times less likely to use illicit drugs, half as likely to become sexually active as teenagers, and 14 times less likely to suffer abuse from their parents.

We had a hearing on this 2 weeks ago, where a couple talked about their interest in getting married after living together for 20 years and having four children. We have a proposal, which I will be putting forward in a minute. I want to note, before we get to that, that this couple said almost all of their friends came up to them and said: Are you crazy, getting married? The couple said: No. We want to get married. We want to provide a model for our children. Aren't you crazy doing this with all of the payments that you are going to lose under the public assistance system if you get married?

I said at that point in time that we need to look at the disincentives we put in Federal programs for people getting married, particularly low-income households because we shouldn't be sending this kind of signal, given the benefit overall to children of having intact, married families.

Currently, there are many single mothers who are heroically and successfully raising children on their own. They deserve our respect and support. But it is an indisputable fact that the best environment in which to raise a child is in a healthy, two-parent family.

In addition, the growth of single-parent families has had an enormous financial impact on our society at large. The welfare system for children is overwhelmingly a subsidy system for single-parent families. Some three-quarters of the aid to children—given through programs such as food stamps, Medicaid, public housing, Temporary Assistance to Needy Families, and the Earned Income Tax Credit—goes to single-parent households.

The Federal Government annually spends over $150 billion in means-tested welfare aid for single parents. I believe that improving a couple's financial stability can help sustain a healthy marriage.

As a way to assist low-income, married couples to gain appreciable assets, the subcommittee has introduced legislation which has broad bipartisan support. It is supported by Eleanor Holmes Norton. It will establish Marriage Development Accounts in the District of Columbia. The MDAs will be available to low-income, married couples who are citizens or legal residents of the District and who have very low net worth. Couples may save money to buy a home, pay for job training or education or start their own businesses. Couples will have a high incentive to save because their contributions will be matched at a ratio of 3 to 1 by the Federal Government and partnering private institutions. In other words, the Federal Government will put in $1, there will be $2 of private money raised, and low-income couples who receive marriage counseling, or as they get married, will be matched 3 to 1 for every dollar of savings they put in—$3 from the Federal Government and private sector. It is to encourage marriage and also to encourage savings for this couple. As a requirement of participation, couples will receive training that helps them repair their credit, set a budget, set savings schedules, and manage their money. Couples will also receive bonuses in the MDA accounts for receiving marriage counseling.

Recognizing the importance of grassroots support to ensure the success of these efforts, this subcommittee is directing grantees to expand their network of service providers by partnering with local churches, faith-based organizations, and nonprofit organizations, providing mentoring, couple's counseling, and community outreach.

It has been an interesting coming together of people from all parts of the political spectrum, left and right, to support this creation—we believe the first ever in the country—of marriage development accounts to encourage savings and marriage of low-income couples.

A senior fellow with the Brookings Institute testified at a recent hearing I held on MDAs that many researchers and practitioners who work with poor couples believe that a major barrier to healthy marriages is economic uncertainty. For example, Kathy Edin of the University of Pennsylvania has concluded from her interviews with young, unmarried mothers that there are plenty of issues such as empathy and trust that interfere with continuing the couple's relationships, but Edin and other researchers have come to regard poverty, unemployment, and income as serious barriers to healthy marriage.

Young, low-income couples often tell interviewers they are thinking about marriage, but they want to save enough money to make a downpayment on a house before they actually get married. Thus, MDAs are responsive to what the couples say they need before they become serious about marriage.

Beyond what the researchers are saying, we hear from real couples in the District who have been living together, who have children, now plan to marry and open an MDA.

We must act quickly to stop the erosion of marriage in our Nation and particularly in our Nation's Capital. We cannot just watch and wring our hands. We must act aggressively in employing as many innovative approaches as possible, test the results, and do a heavy monitoring. That is what we have in the bill itself—a monitoring to see if this is working. Our future and our children's future truly are at stake. I believe MDAs can be an important tool in helping to stabilize, strengthen, and foster healthy marriages.

I again thank my colleague, Senator LANDRIEU, as the ranking member. She and I share the same concerns for the children and residents who live in the District of Columbia. She is a strong supporter, particularly of the school system needs in this district. We both have concerns regarding the public and the charter school system that are not reflected in this bill. If changes are not made in DC public and charter schools, we will be back next year with a bill that has more aggressive statements and a more aggressive position from this Senate on the public and charter school system. It is not serving the children's needs. We did not take that on this year. We met multiple times with the superintendent of the DC Public Schools and others and noted the problems, but they said: Give us a little more time. The problem is, time dooms our children if no successful changes are made. So next year, we could be back with substantial changes.

I thank the staff for working with us. I know her staff, including Kate Eltrich, has worked hard. Mary Dietrich went so far as to break her arm to get this bill to the Senate in a timely fashion—she actually was bike riding—but that did not stop her. She is here to get this done. I hope we can pass this bill.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I am pleased to join my colleague from Kansas, Senator BROWNBACK, to present to our colleagues of the Senate this DC appropriations bill. It has been a joy and a privilege to work with the Senator from Kansas. Prior to the Senator's service, as chair I had the great opportunity to work with the Senator from Ohio, MIKE DEWINE, who is, indeed, a pleasure to work with and a great partner.

This is a very important bill for our Nation. Not only does it matter, of course, directly to the 500,000-plus residents of the District, but the life and the quality of life in the District has a tremendous impact on this whole region, which is made up of millions of people, as the District was actually

carved out of Virginia and Maryland and serves as a hub of this region.

As the Presiding Officer knows, in his home State as well as my home State of Louisiana, people all over the Nation feel very warmly attached to their Nation's Capital, what happens in neighborhoods, in schools, downtown, on the riverfronts, our monuments as a tourist mecca. For people to seek inspiration, this is very important. This bill, while it is one of the smallest in terms of dollar amounts, has a great deal of interest from people all over the Nation.

I have been pleased to be the appropriator, and I am particularly happy all of our colleagues have worked in such a cooperative manner that we can bring this bill to the Senate and handle it with great dispatch, with very little controversy, if any at all. From my perspective, since I have had my time taken helping Louisiana and the gulf coast recover from two major storms, Rita and Katrina, and then the subsequent massive levee breaks that have left the gulf coast region in a great challenging state, I thank our colleagues for letting us take this bill up and move it forward so I personally can get back to the issues in front of the State of Louisiana at this moment.

I will be relatively brief, but I follow up Senator BROWNBACK's statements with just a few comments. I thank Senator COCHRAN and Senator BYRD, the chairman and ranking member of the Committee on Appropriations, who made it possible in their decision as to how to organize and to reorganize the Committee on Appropriations, saw fit to keep some independence for the District of Columbia. That is extremely important. The outcome is something I supported, as well as others, but without Senator COCHRAN and Senator BYRD's support, it would not have been possible.

Our House colleagues have merged DC into a bigger committee. I think some of the focus gets lost. The Nation's Capital deserves appropriate focus and support from all, and our focus has not been lost. We in the Senate continue to help strengthen and develop our Nation's Capital appropriately as reliable partners for their progress.

I thank Senator COCHRAN and Senator BYRD.

In addition, I note that the large majority of the money in this bill is not national taxpayer money. It is local money, levied, raised, and appropriated to the tune of $7.3 billion of local money. The Federal money in this bill for which we have responsibility to be accountable is $593 million. It is a lot of money but a small percentage of the $7 billion total levied and raised by the residents and citizens of the District of Columbia. Our focus is on that $600 million portion we allocate in trying to be partners with city officials.

Because of Mayor Williams' outstanding leadership, in my view—and I think it is shared by Senator BROWNBACK and many Senators—his outstanding leadership as a good steward of taxpayer money, as a good manager for reform, as a great salesperson, an advocate for this great city, nationally and internationally, our confidence in his leadership, and the confidence in the management of the city, has increased substantially. So we are pleased to invest in its continued growth.

One major investment this Congress has made is in the establishment of a family court structure. I wish we could have family courts all over the United States. It is not an inexpensive operation. In many States, the last courts to be funded are those that need the most help. The courts that regulate or try to work out situations of marriage and personal lives so important to people, that settle disputes about marriages, wills, and estates, and most importantly, settle the issues of divorces or reconciliations, child custody, child abuse, and spousal abuse, unfortunately those courts throughout our land are the last funded, the least resourced, and the most overly taxed in terms of responsibility.

Over the course of the last few years, we have stood up, Democrats and Republicans, and said it is time to help our Nation's Capital create a model in the Nation, a family court that puts families first, that understands that these decisions of child custody, of separation, of protecting women from abuse and children from abuse, are truly life-and-death matters and are truly important decisions to keep the fabric of society together. So we have invested in this family court, one family, one judge, so children are no longer lost in the bureaucracy, lost in the file rooms, their lives are meaningful, and they are treated with dignity and respect. It has been an expensive project but one well worth investing in the families of the District of Columbia and particularly the children.

We march on to improve child welfare in the District, to work with the city to strengthen and improve the quality of our foster families and, most importantly from my perspective, promote adoption, believing that every child in the District, in America, and, in fact, in the world, deserves a family to call their own.

Governments, as I have said, do a lot of things well. Raising children is not one of them. Parents—a parent, a responsible adult—raise children. And we as a Nation need to do a much better job of connecting these needy children of all ages—infants, toddlers, young children, teenagers, young adults—with parents wanting to give them the benefit of a stable home and family. I am very proud of the District's performance and improvement in that area.

Finally, one more point before I speak about education which is going to be the focus today. I encourage the continuing development of good land use in the District of Columbia. We have planned the revitalization and cleaning up of the Anacostia River to be a balance with the beautiful Potomac on one side, to bring the Anacostia back to be a place where people can recreate—citizens and tourists alike—where there could potentially be exciting new developments of multiuse housing, wonderful commercial waterfront developments that contribute to recreational opportunities and sporting opportunities for children.

The city has a tremendous vision. The Nation should be excited. Although we are able to offer a just small amount, our committee wants to be supportive of that effort in any way we can. That is reflected in this bill.

Let me speak for a moment on the main subject of this, which is education reform. Every city in the country and every county in the country is struggling with the challenge of providing quality education for our Nation's children. We decided as a Nation many years ago to do that through a public system. It has worked in large measure extraordinarily well over the long term.

There are clearly signs in America—whether urban areas, rural areas, or poor areas; sometimes we even find crises in wealthy areas that are growing too fast or there is too much strain in an area—that school systems are really struggling. Either they do not have enough space and too many students, too many students and not enough teachers, not enough quality classroom space, or there is no tax base to pay for quality teachers, so students are failing. There are all sorts of challenges to our public school system. This Congress has been spending a lot of time—from No Child Left Behind to accountability to strategic investments—to try to fix this. Although there have been some setbacks and it is not perfect, from my perspective, we are moving in generally the right direction with the exception that our investments have not matched the rhetoric from the Federal level. But should we ever be able to fix that, I believe we will see increased student performance, increased parental satisfaction, more choice in the public school system, and excellence across the board.

Why do I say this is so important? Because in this Senator's view, the only way to have great cities is to have great schools. The only way to have great communities is to have great schools. If you do not have great cities and great communities, you cannot long have a great nation.

Our forefathers said to us when we created this democracy that one of the fastest ways to end it is to stop educating ourselves to the responsibilities of being citizens of the Nation and the world. That education, yes, begins at home, where children are educated primarily by their parents, their guardians, people who brought them into the world. But we supplement that education of parents by offering, in America, an education to any child wanting

to take the chance to walk through that kindergarten door. We do not limit it only to the wealthy. We do not limit it only to those who can afford it. We provide universal public education. It has been the cornerstone of this democracy, and it should remain that way.

But we have some problems because some of our schools are failing our children. Some of our systems are failing our children and the employees who work in the system. So we have to change. I am very proud that in this DC bill, the Members of the Senate and the House—Republicans and Democrats—have come together to negotiate, to reason together, to try to see what could we do in this city to show a model for some things that can work.

We had a very fierce negotiation and debate 2 years ago about this and have settled, if you will, on three approaches. One is what Senator BROWNBACK spoke about, a scholarship-voucher approach that some people believe will work. A large number of us settled on negotiating for investments in charter schools, keeping the money in the public system, not taking it out but providing more independence, more choice, more exciting options to create new models of ''coopertition,'' if you will, in the public system. I happen to be a very strong advocate of that approach to changing and reforming public education in America.

Then there was another group of us who negotiated for more help to traditional public schools, more investments, more help, and reforming in a more traditional way.

This great experiment is underway. It is going to be a 5-year experiment. We are committing $40 million a year, which is a lot of money. There will be $200 million going to this effort. That $200 million, while it sounds like a lot, is a small percentage of what the District residents pay to support their system. But it is an important investment.

I want to say how proud I am of the efforts being made to expand opportunities for public charters, for two reasons. One, it provides choice to parents. There is not one cookie-cutter approach. Some parents want their children in schools that have strong academics and athletics. Other parents like choices that stress the arts. Some parents like to see that their children may be in a school that may give them a pre-med education and direct them more to medicine or science or research.

I believe all parents should have more choices, that one size does not fit all, that we need to get away from this industrial model. We moved away from it in our economy. Why can't we move away from it in our school system and move to a more decentralized, more independent, more entrepreneurial, more choice-driven, more consumer-directed approach to schools? Just because we have not done that for 200 years in this country does not mean we can't.

So that is what we are undertaking: creating opportunities for quality, independent public charters so the money stays in the public system. But it basically acts almost as if it were private in the sense that it is independent but meeting all high standards.

Twenty-five percent of the public school population in the District is in public charter schools. That is one of the highest percentages of school populations in the Nation. So this is really a laboratory to see what is working, what is not. I am proud to say we are making progress not only in the increased number of charter schools but, most importantly, in the quality of charter schools. It is not just quantity but quality.

There are actions being taken now by the certification boards that if a charter school is failing, those schools can be closed and reorganized and supported so that quality education is being provided. That is one of the focuses of this bill. We want to not stress just the increase in quantity but quality. We want to ensure accountability, and we want to make sure, just as in traditional public schools, that any child who walks through the door of a public charter—whether it be a bilingual opportunity, which has been so successful; whether it is a residential Monday-through-Friday school, which has been tremendously successful in giving people hope and raising grade levels—whatever the model, when they walk through that door, they can get a quality education. That is one of our goals.

So we have continued to press for that $13 million piece. The charter school community has come together in unison to lay out how that $13 million should be directed to this movement, a great movement for quality, for opportunity.

I will submit a summary of that for the RECORD.

One of the exciting components, from my perspective—and I will close with a comment about this—is part of our charter school movement has been a new initiative called the Citybuild initiative. It is part of the charter school idea that says that in many cities, including the District of Columbia, there are certain neighborhoods that are revitalizing, I would say on their own, but nothing happens on your own.

It is a combination of some public investments that are occurring, a change in housing patterns, young couples, Black and White and Hispanic, moving into a neighborhood with young children. They like the housing. They like the location to their work. The only problem is, they move into a neighborhood that has affordable housing, restaurants, theaters, but there are no ''good'' schools or ''quality'' schools.

So what happens is, in 3 years or 4 years these children move, the families put their houses up for sale and move to either another part of the city where they can find the quality education they are looking for, or, worse, they move out of the city. That is what has happened in the District of Columbia. It is what happened in New Orleans. It is what happens in Cleveland. It is what happens in Detroit. It is what happens in Atlanta. It is what happens even in Houston.

So we have to think about a new way to encourage the development of quality, independent, entrepreneurial public schools, placing them in neighborhoods that can easily be identified as up and coming, with near-term improvements, where parents, if they had a good public school choice, would not leave.

That is what the Citybuild charter program is. So I am excited that this is part of our charter school effort. We are now in the second year. There have been five Citybuild charters designated by the city through a process that is open and competitive. There will be, hopefully, two or three more new schools placed in these neighborhoods that will anchor families with small children so we can grow the population of this city and cities all over America.

Mayor Williams, when he came in as mayor, stated his goal that he wants 100,000 new residents. So we have joined him in that challenge to provide more safety in the city, better transportation, better economic opportunity. But what most families need to stay are good schools for their children to attend. That is why we spend so much time working on education reform and promoting, from my perspective, this exciting new opportunity for charter schools, public charters, and particularly Citybuild charters.

I thank, in closing, Deputy Mayor Robert Bobb, Council Chairperson Linda Cropp, DC Delegate to Congress ELEANOR HOLMES NORTON, and Shadow Senator Paul Strauss, who is in the Gallery today. Specifically, I also thank Council Member Kathy Patterson, Superintendent of Schools Clifford Janey, and School Board President Peggy Cooper Cafritz, and our staffs who are here, both Kate Eltrich and Mary Dietrich, who were mentioned. Without their support we could not do this bill and present it in a way with such limited controversy and such maximum benefit to the people of the District and the people of our Nation.

So, again, I thank the mayor for his leadership. He makes it easy to work with him. I wish him the best of luck in his future, as he, Mr. President, as you know, said he will not be running for reelection. I suggested he come down South and help us. We need some help in New Orleans, and in Louisiana, Mississippi, and Alabama, and a good manager like that could be a great help to us. We appreciate his support, and we wish him the best in the future.

Mr. President, I would like to submit for the RECORD a summary of the $13 million investment in public charter schools in the District of Columbia appropriations bill.

The bill directs funding to specific initiatives which will strengthen

schools, enhance capacity, improve academic quality, and create a network of integrated services. The committee recommended the following initiatives within the amount provided for charter schools: $4 million for the Direct Loan Fund for Charter Schools; $2,000,000 for Credit Enhancement; $2 million for continuation of the Citybuild Charter School Program; $1,500,000 for flexible grants; $2 million for grants for public charter schools for improvement of public school facilities which are leased or owned by public charter schools; $400,000 for college access programming; $300,000 to create a truancy center; $250,000 for administration of Federal entitlement funding; $300,000 for data collection and analysis; and $250,000 for administration within the State Education Office.

The committee report also included language to pursue access to facilities for charter schools and support ongoing efforts to make space available. A significant initiative of this committee, continuing on the work started by the Congressional Control Board, was to make surplus school property accessible to other educational opportunities. We have required an accounting of surplus school property, encouraging schools to be leased or sold to charter schools, and recommend a dedicated account for any proceeds. I look forward to working with the Mayor and Council to finally open these sometimes vacant, but assuredly underutilized in their capacity as a schoolhouse, these surplus public school buildings.

In addition, I would like to submit for the RECORD several highlights from a recent report on the impact of public charter schools on providing quality public education for children across the country, as well as providing healthy competition to the entire public education system.

The following are excerpts from the ''State of the Charter Movement 2005, Trends, Issues, and Indicators,'' by the Charter School Leadership Council.

The Charter School Leadership Council found that:

> demand for charter schools is clearly outstripping the supply. The charter sector would be much bigger in the absence of charter caps and if it could accommodate the throngs of students on waiting lists. Charter schools are concentrated in certain States and cities, though less so than five years ago. Public charter schools are serving a disproportionate share of minority and low-income school children, and this has been the case since the beginning of the charter movement. Charter schools are significantly smaller than district public schools. The charter movement is producing a wide array of instructional and organizational models, providing lots of choices for families.

In relation to public opinion on charter schools, the Council found that:

> charter schools remain a mystery to much of the general public. Misinformation abounds, but attitudes become more favorable as knowledge grows. Twice as many registered voters favor charter schools as oppose them.

By the numbers, there are 3,400 public charter schools operating nationwide educating one million students. That represents 2 percent of all students nationwide. Forty States have public charter school laws on the books and 42 percent of charter schools are concentrated in three of those States, Arizona, California, and Florida. The Council report states:

> The average number of charter schools per State has been increasing steadily each year, from 25 in 1995, to 59 in 2000, to nearly 90 today. On average, over 250 charter schools have been added each year for the past 12 years.

Of all the public charter schools in the country, 16 percent converted from a traditional public school, 7 percent were created by a private entity, and 77 percent are newly created.

Dr. Brian Hassel conducted a meta-analysis of major studies and concluded the following:

> The existence of high quality charter schools and high growth rates for charter schools, at least in many States and studies, suggests that chartering holds promise as an approach to getting better schools. What we have is an experiment worth continuing and refining.
>
> One missing element in nearly all charter studies is the question of productivity: how much learning gain is produced per dollar spent? A Rand study in California found that ''Charter schools, particularly start-up schools, reported using fewer resources per student than do conventional schools . . . Most noteworthy, charter schools are achieving comparable test scores despite a lower reported level of revenue.'' (Ron Zimmer et al., Charter School Operations and Performance: Evidence from California, Rand, 2003). According to a 2004 study of ten Dayton charter schools, average per-pupil funding was $7,510 vs. $10,802 for district public schools, yet on average Dayton charter students outperformed Dayton public school students on all portions of the 2004 fourth and sixth grade State proficiency tests—in some subjects by a significant margin—indicating higher productivity from charters. (Alexander Russo, A Tough Nut to Crack in Ohio: Charter Schooling in the Buckeye State, Progressive Policy Institute, February 2005, 24).

The Council report suggests that we should be asking the right questions:

> Is it working? How do we know? At the moment the country is not thinking clearly about these questions . . . Chartering is an institutional innovation . . . With chartering we want to know which pedagogical, governance, and management practices succeed—and what provisions of law are responsible—so policy can do more of what works better. (Bryan Hassel, Studying Achievement in Charter Schools, Charter School Leadership Council, January 31, 2005, 8.)

Caroline Hoxby, a professor of economics at Harvard University stated in her studies that:

> The goal of charter reforms is not creating good charter schools in the midst of mediocre public schools. The goal is boosting the performance of all schools by fostering competition and innovation.

In conclusion, I found this observation to be fitting to the current status of charter schools in the country. The Council report examined the potential for impact and noted that Nelson Smith stated in a 2003 Progressive Policy Institute report, ''Catching the Wave: Lessons from California,'' ''Charter leaders are often asked to document the ripple effects of their work. But it is hard to have ripples when the lake is frozen.''

I yield back my time.

The PRESIDING OFFICER. Time for debate having expired, under the previous order, the Brownback amendment is agreed to.

The amendment (No. 2071) was agreed to.

The PRESIDING OFFICER. Under the previous order, the time until 12:10 p.m. shall be equally divided between the majority leader or his designee and the Democratic leader or his designee.

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

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

Mr. INHOFE. Mr. President, I ask unanimous consent that all time under the quorum calls be counted equally on both sides.

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

Mr. INHOFE. 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. FEINGOLD. 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. 2062

Mr. FEINGOLD. Mr. President, I am pleased to cosponsor the amendment the Senator from Arizona, Mr. KYL, has offered. It is straightforward. It would eliminate the roughly $3,100 pay raise for Members of Congress that is currently scheduled to go into effect next January. That increase would follow on a $4,000 pay raise this year, a $3,400 pay raise in 2004, a $4,700 pay raise in 2003, a $4,900 pay raise in 2002, a $3,800 pay raise in 2001, and a $4,600 pay raise in 2000.

There are a number of arguments against this scheduled pay raise. The war in Iraq continues to drain our Treasury at a rate of over $1 billion every week. In the wake of Hurricanes Katrina and Rita, we face a massively expensive relief effort. And on top of those enormous fiscal challenges, we are up to our necks in deficit spending. We are piling up billions more in debt that our children and grandchildren will have to pay. At such a time, it would seem hard to justify a scheduled pay raise for Members of Congress. Nonetheless, I recognize that some do justify it. In the end, though, the most important reason I joined Senator KYL in offering this amendment is that doing so is the only way to put this

body on record with respect to our pay raise. And we should go on record on this issue.

Under current law, many Americans do not realize that under current law Members of Congress can get an automatic pay raise every year without lifting a finger, unless we act to stop it. It is automatic. There is no requirement for a vote. All that is required is that we show up to cash the check. As I have noted before in discussing this matter, it is a pretty unusual thing to have the power to raise your own pay. Few people have that ability. Most of our constituents do not have that power. That this power is so unusual is a good reason for the Congress to exercise that power openly and to exercise it subject to regular procedures that include a vote on the record. That is why this process of automatic, stealth pay raises without accountability is so questionable. It is offensive. It is wrong. I believe it also may be unconstitutional.

The 27th amendment to the Constitution states:

No law, varying the compensation for the services of the senators and representatives, shall take effect, until an election of representatives shall have intervened.

That is what it says in the 27th amendment to the Constitution. I have actually introduced legislation to end this automatic pay raise system, and I hope this body will pass it at some point.

But as the Senator from Arizona has made very clear, this amendment does not go that far. It simply stops the $3,100 pay raise that is scheduled for next January. I fully accept that many—even a majority—of my colleagues may want a pay raise. But those who want a pay raise should support an open and public vote on the increase. Certainly having a vote on the record for a pay hike is better than a stealth pay raise that takes place with no action. Standing up and making the case before the voters is far better than quietly letting the pay raise take effect.

I urge my colleagues to stop this backdoor pay raise and then take the next step by enacting legislation to end this practice once and for all.

I thank my colleague from Arizona for joining us in this cause that I have sought to proceed with almost every year in the hopes that Congress and the Senate in particular will vote on the automatic pay raise.

I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I appreciate the comments of the Senator from Wisconsin. Senator INHOFE from Oklahoma wishes to speak in a moment. When he arrives, I will call upon him to speak.

Let me make a couple of comments about the reasons for this amendment at this time. There have been times in the past when Members have allowed the cost-of-living adjustment to proceed. It is not technically a pay raise but rather a cost-of-living adjustment. That cost-of-living adjustment is provided for all Federal employees, including Members of Congress, although it is lower for Members of Congress than it is for other Federal employees by about half a percent. In the past, when we have been in good economic times and we have had either lowered deficits or even surplus conditions, Congress has allowed, most of the time, though not every year, that cost-of-living adjustment to go into effect.

This year is a special circumstance. Especially since we are going to be asking our colleagues and people who are recipients of Federal program benefits potentially to make a sacrifice in order to help offset the spending that the Federal Government is going to commit to the rebuilding of the gulf coast area following Hurricane Katrina, it seemed to me and those of us who have cosponsored the amendment that if we are going to ask others to make a sacrifice so that not all of the spending for Katrina recovery is added to the Federal deficit and therefore the Federal debt but, rather, some of it is offset from programs that we have already decided to fund, that we could start by demonstrating a willingness to sacrifice a small measure ourselves.

It is true the $2 million that this saves is hardly noticeable in the overall tens of billions of dollars that are going to be spent on the Katrina recovery. It is symbolic. I recognize that. But sometimes symbolism is important. For Members of Congress to be able to justify reductions in spending in other programs, where some of our constituents will push back and say, Wait a minute, why should I make a sacrifice to rebuild after Katrina, at least we have the ability to say: We all have to make a little sacrifice. Members of Congress are willing to make a sacrifice as well. While it is not much money to the overall Federal budget, some of our families certainly recognize it as being substantially helpful to offset the cost of inflation for families.

It is important for us to do this. It won't always be appropriate, but it is clearly appropriate this year to make the point that we are ready to sacrifice, and clearly it is not something that we cannot afford. In areas that we are going to ask for reductions in spending, we will make the point that these are not areas that simply can't stand any kind of reduction. We are going to try to put forth maybe $50 billion in spending reductions from programs that can afford to be cut or spending deferred for a short period of time. That is a way to at least offset some of the spending that we are going to be doing for Katrina and yet not add further to the deficit or ultimately to our Federal debt. That is the reason for the amendment. I hope my colleagues will support it.

If the Senator from Oklahoma is prepared, I certainly yield to him at this time.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, I thank my dear friend from Arizona.

Because of the unique circumstances that exist today, I am going to be doing something that is totally different than I normally do on this the annual hypocrisy day in the Senate. I am actually going to vote for this. Normally, I vote the other way. The reason I am is because—the Senator from Arizona and I both came here in the same year; we have been here 19 years—I have never seen a situation like there is today. We have a President who inherited a military that needed to be built up again. At the same time, we go into a war, and then Katrina happens. I think everywhere we can we need to tighten belts. For that reason, I will go ahead and support it this time, which normally I don't.

I say this in almost a humorous way. It is the annual hypocrisy day. Everyone is always down here so they can go home and say: Look what I have done. I have stopped us from having a pay raise. Aren't I wonderful? I need to be reelected.

There are several dynasties in the Senate. They have been here for many years. We have the ROCKEFELLER dynasty, the KENNEDY dynasty. I love the people. I disagree politically with them most of the time, but we have these. It is a fact. But the question I would ask is, Should you have to be a KENNEDY or a ROCKEFELLER to join the Senate? I don't have this problem. I have other sources of income. I am very thankful for that. I have other things I put this money into, other than salary.

But I would say this: We have had a lot of colleagues, top-notch people. I remember Dan Coats. He was a Senator from Indiana. Democrats and Republicans alike would say that he made some of the greatest contributions to this body that anyone has ever made. Senator Dan Coats was limited in his income. He found that each year that went by, they would stop a cost-of-living increase. With his kids going to college, he resigned. He had to retire from the Senate because of that. Do we want the Dan Coatses here, or do we want just people who are wealthy in their own right?

I say this in a friendly way. I love everybody who is going to vote for or against this thing. But in the future, we are going to change it. I came down last night. I was looking at my monitor in my office. I saw that this amendment was coming up. I ran down to put in a second-degree amendment. That second-degree amendment would have read, because this is the last free ride a lot of these people are going to get around here, we are going to make it out in the open so everybody knows what is really going on. This idea of saying ''no but take the dough'' is going to be a thing of the past.

My amendment read:

To provide that any Member of Congress who votes for any amendment (or against

the tabling of any amendment) that prevents a cost of living adjustment for Members of Congress shall not receive the amount of that adjustment.

That is a very logical and responsible thing to do. I am looking for something else to put this on so that next year, when the annual hypocrisy day comes, we will be able to be a little bit more responsible.

I yield the floor.

• Mr. CHAMBLISS. Mr. President, I want to voice my support for amendment No. 2062 offered by my good friend JON KYL, to revoke the scheduled 1.9 percent salary increase for Members of Congress. As a cosponsor of this amendment, I believe that at this point in time it is not fiscally responsible or appropriate for Members of Congress to increase our pay. The Federal Government is currently running a $7.9 trillion budget deficit. I do not believe that it is in the best interest of the United States or the American taxpayers for Members of Congress to vote in favor of a congressional pay raise.

The annual cost of living adjustment for Members of Congress is determined by a formula which automatically takes effect unless Congress prohibits or revises it, which is what I hope my colleagues and I will accomplish today. Under the annual Member pay adjustment procedure, Members are scheduled to receive a 1.9-percent increase in January 2006. With the growing national debt, skyrocketing budget deficit, and increased Federal expenditures expected as a result of the hurricanes this year, it is essential that we exercise fiscal restraint and avoid unnecessary and wasteful spending. We should first start with ourselves and set an example for others to follow. I have been and remain a strong a proponent of smaller government, a balanced Federal budget, and lower taxes.

Today, I am in my home State of Georgia with the Secretary of Agriculture, Mike Johanns, working to develop and promote new technologies which will increase agricultural production and expand job growth. For this reason, I am unable to be present for the vote. I encourage my colleagues to seize this opportunity and demonstrate personal leadership in bringing the Federal budget deficit and spending back under control by supporting this amendment. I have consistently opposed a pay raise for Members of Congress throughout my tenure in Congress and urge my colleagues to vote in favor of this amendment.•

Mr. SANTORUM. Mr. President, I am pleased to join my colleague Senator KYL in sponsoring the pending amendment. This week the Senate begins the difficult but necessary process of budget reconciliation. When we passed the budget resolution on April 28, 2005, we all knew that tough votes were ahead as we set the Federal priorities for spending. However, none of us anticipated the devastation that would be caused by Hurricanes Katrina and Rita hitting the gulf coast. The tremendous toll caused by those natural disasters has forced us again to reevaluate our priorities.

This amendment is something we all should support. At a time when we are asking the American people to tighten their belts, it is not the time for members of Congress to increase our salary. We should be mindful of our actions and take this opportunity to do our part by removing this pay increase. The Congressional Budget Office estimates that this amendment will achieve a savings of $2 million in both budget authority and outlays for fiscal year 2006.

I intend to do my part and vote for the Kyl amendment and urge my colleagues to do the same.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent to add Senator CHAMBLISS as an original cosponsor of the amendment.

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

Mr. KYL. Mr. President, if there is no one else who desires to speak at this 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. GRASSLEY. 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. GRASSLEY. I would ask to be recognized for 12 minutes as if in morning business.

The PRESIDING OFFICER. Is there objection?

The Senator will note that under the previous order, a vote is scheduled to occur at 12:10 p.m.

Mr. GRASSLEY. OK. I will quit then. Is that OK?

The PRESIDING OFFICER. Is there objection to the modification?

Mr. LEAHY. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. What was the request?

The PRESIDING OFFICER. The Senator from Iowa wishes to be recognized as if in morning business until 12:10 p.m.

Mr. LEAHY. I have no objection. Some of us have a luncheon to go to. I don't want to go beyond 12:30. Of course, I will not object to the request of my friend from Iowa.

The PRESIDING OFFICER. Without objection, the Senator from Iowa is recognized until 12:10.

(The remarks of Mr. GRASSLEY are printed in today's RECORD under "Morning Business.")

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

The PRESIDING OFFICER (Mr. BURR). Will the Senator withhold his request?

Mr. GRASSLEY. I will.

The PRESIDING OFFICER. Under the previous order, the hour of 12:10 p.m. having arrived, the Senate will proceed to a vote in relation to amendment No. 2062 offered by Senator KYL.

Mr. GRASSLEY. I 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 Senator was necessarily absent: the Senator from Georgia (Mr. CHAMBLISS).

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

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

The result was announced—yeas 92, nays 6, as follows:

[Rollcall Vote No. 256 Leg.]

YEAS—92

Akaka	Domenici	McConnell
Alexander	Dorgan	Mikulski
Allard	Durbin	Murkowski
Allen	Ensign	Murray
Baucus	Enzi	Nelson (FL)
Bayh	Feingold	Nelson (NE)
Bennett	Feinstein	Obama
Biden	Frist	Pryor
Boxer	Graham	Reed
Brownback	Grassley	Reid
Bunning	Gregg	Roberts
Burns	Hagel	Rockefeller
Burr	Harkin	Salazar
Byrd	Hatch	Santorum
Cantwell	Hutchison	Schumer
Carper	Inhofe	Sessions
Chafee	Isakson	Shelby
Clinton	Johnson	Smith
Coburn	Kennedy	Snowe
Cochran	Kerry	Specter
Coleman	Kohl	Stabenow
Collins	Kyl	Stevens
Conrad	Landrieu	Sununu
Cornyn	Lautenberg	Talent
Craig	Leahy	Thomas
Crapo	Levin	Thune
Dayton	Lieberman	Vitter
DeMint	Lincoln	Voinovich
DeWine	Lott	Warner
Dodd	Martinez	Wyden
Dole	McCain	

NAYS—6

Bingaman	Inouye	Lugar
Bond	Jeffords	Sarbanes

NOT VOTING—2

Chambliss	Corzine

The amendment (No. 2062) was agreed to.

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

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

RECESS

The PRESIDING OFFICER. Under the previous order, upon the disposition of amendment No. 2062, the Senate will stand in recess until 2:15 p.m.

Thereupon, the Senate, at 12:38 p.m., recessed until 2:18 p.m. and reassembled when called to order by the Presiding Officer (Mr. SUNUNU).

TRANSPORTATION, TREASURY, THE JUDICIARY, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006—Continued

Mr. BOND. Mr. President, we are back on the Treasury-Transportation-Housing and Urban Development bill. The minority Member, my partner, Senator MURRAY, and I are ready to do business. I understand we are waiting for final negotiations from both sides on the potential two votes that we hope will be ready to be put forward early this afternoon. As soon as we know something about that and can reach an agreement, we will advise all Senators.

In the meantime, the Kennedy amendment on minimum wage is pending. We expect there will be an alternative amendment which will be proposed, and that will be voted on right after or right before the Kennedy amendment.

We ask all Members who have an amendment they want to file to please bring it in, and we hope we can work it out with them. If it is something that can be accepted, we would like to do so because we need to finish this bill—the sooner the better.

The leaders have advised us that we will be in this week and weekend until we finish the bill. My personal preference would be to finish it this week and not on Friday afternoon or Saturday.

It would be very helpful if they would bring in those amendments. Very shortly, we will be conferring with leadership on both sides to establish an agreed-upon deadline for filing all first-degree amendments.

I thank the Chair.

Mrs. MURRAY. Mr. President, I thank the chairman of the subcommittee and urge all of our colleagues to bring their amendments to the floor. As I stated last night, the chairman of the subcommittee was in a good mood. We had a great baseball game last night, from his viewpoint, for all of us who stayed up to watch the final home run. I think he is amenable to talking to anyone who would like to bring their amendments today. I would suggest our colleagues get that done. I think we all want to finish this bill, most importantly because we need to go to conference on this bill. We are again operating under a continuing resolution. There are many serious issues affecting our investment in housing, our investment in the FAA, in transportation, highways, as well as many other issues that are within this bill. We have a lot of work ahead of us in terms of getting this to conference and working out our differences with the House.

I urge my colleagues to bring their amendments to the floor. We are going to be talking about a time agreement fairly soon. If Members want their issues addressed, they need to bring them to the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BOND. 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. BOND. Mr. President, I ask that the pending amendment, the Kennedy amendment, be temporarily set aside.

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

AMENDMENT NO. 2079

Mr. BOND. Mr. President, I have another technical amendment to offer at this time.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment numbered 2079.

Mr. BOND. I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: Ensures that PHAs will receive adequate funding for section 8 project-based vouchers)

On page 295, line 6, strike ''or HOPE VI vouchers'' and insert in lieu thereof: '', HOPE VI vouchers or vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act''.

Mr. BOND. Mr. President, this is rather technical, but it has to do with public housing authorities and their ability to use future Section 8 vouchers on project-based assistance needs. As many know, in the past public housing was constructed when the assistance was tied to the project rather than to an individual. That enabled the public housing authority or other entity to get financing to build the units and then receive the income from the Federal housing assistance.

Right now, there is a process for refining the allocation of Section 8 vouchers to public housing authorities so they do not have unused Section 8 vouchers. That has been a good thing because that means the money for housing assistance goes to those who most need it. However, the problem arises when public housing authorities need to put aside or shelve some of the needed Section 8 certificates or vouchers allocated to them in order to provide a basis of funding for construction of additional housing.

In some areas—I know in my State and across the country—we can hand out all of the Section 8 vouchers we want for people needing housing assistance, and they do not do much good because there is not housing available. So we have to have the flexibility for the public housing authorities to take some of the vouchers allocated to them and say: We will commit them to this project in order to build the housing we need.

This amendment includes funding for the projected use of Section 8 project assistance needs of public housing agencies. Normally, for developing housing within the project-based assistance, PHA would shelve the needed vouchers for the 1- to 3-year development timeline for an assisted project. Under the current approach for funding vouchers designed to assure that there were no Section 8 certificates wasted, the projected funding needs related to project-based vouchers would not be funded, thus removing the incentive or the ability to develop Section 8 housing, regardless of need.

We believe this amendment will ensure that the planned use of project-based vouchers is funded without prejudice, thus allowing the local public housing authorities in communities across the country to develop project-based assisted housing where there is not otherwise housing needed for the people who are homeless, who need better shelter in the area.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Mr. President, we are in agreement on this amendment. It simply will clarify for the purposes of distributing funding from Section 8 housing assistance. Public housing authorities would not be penalized for shelving vouchers temporarily to develop a longer term project. This is a fairness issue, and we are all in agreement. I urge its passage.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment (No. 2079) was agreed to.

Mr. BOND. I move to reconsider the vote.

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOND. I thank all of my colleagues. If any colleagues have compelling statements related to this issue which may be important in their States, we are happy to have those added to the RECORD with this vote. Again, we await the arrival of others with amendments on which we can work.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

A NEW ENERGY FUTURE

Mr. DURBIN. Mr. President, I recently returned to Illinois and traveled across the State. It is interesting to me that there is one pervasive issue that you run into in every corner of my State and that is the cost of energy,

because while I was home people were still reeling from high gasoline prices, and announcements were being made about dramatic increases in natural gas costs over the winter, which means record breaking home heating fuel costs. That is going to cause as great a hardship as the high gasoline prices on many individuals and families and businesses large and small. People are changing their spending habits and driving patterns to try to offset the high cost of gasoline. Consumers are now paying about $2.75 per gallon of gasoline. That is up over 80 cents from a year ago. Americans are now bracing for the record-high energy prices they will face when cooler weather arrives and the cold sets in.

The Energy Information Administration recently predicted nearly a 50-percent increase in home heating costs this winter. That is going to cause an extraordinary hardship on many people—those on fixed incomes, those on very limited incomes, and those who happen to live in old dwellings that do not have a lot of insulation.

I met with families all across Illinois who are struggling with these high energy costs and their family budgets. They want to know what Congress is going to do. They know we spend a lot of time on the floor of the Senate talking about a lot of things. They would like to think that 1 hour of 1 day would be spent on one issue that really makes a difference in their lives, and I think if they had their choice at this moment in Illinois, it would be the energy issue. They want to know how much profit is enough for ExxonMobil and BP before the former oil executives now in the Bush administration are shamed into action.

In the last 6 months, it is estimated that the top five oil companies in America collectively had $52 billion in profits—recordbreaking profits. So when you start to fill up the tank and you watch that gas pump go out of control in terms of the cost, the money is going directly to the profit margins of these oil companies. Where is the voice in Washington for the consumers who are paying these gasoline prices? Do we just shrug our shoulders and say that is what happens in a free market? The high profiteers step in.

Sadly, that is the only response we have heard from this administration. These high prices are hurting everyone—families, farmers, already having a tough year in my home State, small businesses, municipalities, school districts. In the meantime, these oil and gas companies are reaping record profits. In my State of Illinois, consumers have already spent nearly $2.5 billion more this year for gasoline than last year—$2.5 billion. By the end of the year, that figure could more than double to over $5 billion—spending more than $5 billion more for gasoline this year than last year, coming right out of family budgets and the budgets of a lot of businesses, large and small.

At the same time, in the first half of this year, the big oil companies—ExxonMobil, Chevron-Texaco, ConocoPhillips, BP, and Royal Dutch/Shell—recorded a combined $52 billion in profits compared to a record $39.5 billion in the first half of 2004. They were doing pretty well last year with the lower prices we were paying. Look at this year—$52 billion in profit taking. That is not sales. That is $52 billion in profits at a time when Americans are worrying about how they are going to get to work and how they are going to heat their homes this winter.

Soon third-quarter earnings will be coming out. I suspect it is going to show the oil companies are doing quite well, thank you.

Who is paying the price? For one, airlines. Today, three airlines in the United States are in bankruptcy largely because of high fuel costs. Second, American consumers. Consumers are paying an additional $600 to $1,000 a year so they can drive to work or school. Take an average American, someone who drives 15,000 miles a year, averages 20 miles a gallon. An 80-cent increase in the price of a gallon of gas this past year equates to an additional $600 out of pocket for that one driver this year, that's at today's gasoline price. Consider for a minute what this means to people of modest means.

We have a pending amendment in the Chamber about raising the minimum wage in America. I think it has been about 8 years since we touched that one. What is it, $5.15 an hour. So people get up every morning, go to work, doing the right thing, trying to care for their families at $5.15 an hour, and for 8 years we have run into resistance from people in the Senate who say: That is plenty. That is enough. We don't need to guarantee any higher minimum wage.

Think about it. I ran into a fellow in Illinois who said: I don't understand how a person on minimum wage filling up the tank of an old car trying to get back and forth to work comes ahead at all. And that is the reality of life for so many people who are literally going to work and falling behind every single day. And the high gasoline prices, sadly, are now part of the major problem these people face. At today's gas prices, total fuel costs for one vehicle is $2,000-plus each year. Double that for a family who needs two cars to commute to work. Fuel costs for that family are over $4,000.

Think of a low-income family. At $5.15 an hour, gross take-home pay for the year is about $10,000. Now take out $2,000 for buying gasoline before you pay any income taxes or other charges against your payroll. Imagine, if you will, these are people in our country, vulnerable people who are asking if there is anybody in Washington listening. They are knocking on the door of the Senate, and nobody is opening the door. Historically, the end of the summer driving season meant there would be some relief from summer gas price hikes. While we witnessed a slight drop, consumers will see no relief from energy costs.

Unfortunately, as I said, gasoline prices are just part of the problem. Heating costs are expected to be significantly higher this year. Nationwide, 55 percent of all households depend on natural gas as their primary heating fuel. In the Midwest, according to the Energy Information Administration's most recent outlook, about 75 percent of households rely on natural gas to heat their homes. This winter, those households can expect to pay nearly 50 percent more than last year for natural gas. Weather forecasts suggest this coming winter may be colder than last year, which means even higher home heating bills. High gasoline, natural gas, and heating oil prices are forcing a slowdown in consumer spending, an increase in consumer prices, more inflation, and the greatest increase in the number of people who are delinquent in paying credit card bills since the 1970s energy crisis. These high energy costs are rippling through the American economy, and they are hurting a lot of hard-working families.

We passed the so-called Energy bill this last August. It was signed by the President with great ceremony. What did that bill do? Primarily it funneled billions in subsidies to oil companies—to the same oil companies that are experiencing record profits? Why in the world aren't we focusing on things that can literally and really make a difference when it comes to America's energy future?

Let me tell you the impact some of these energy prices are having. In the second quarter of 2005, this year, the American Bankers Association reported that the percentage of credit card bills 30 days or more past due reached the highest level since they began recording information 32 years ago. People are falling further and further behind, and the ABA's chief economist cited high gasoline prices as a major factor.

I can't forget the fellow I ran into back in my hometown of Springfield, IL, just a few days ago who said: Senator, I understand my credit card company is going to require me to pay 4 percent, 4 percent of my balance each month. Now it only requires 2 percent. I don't know if I can pay 4 percent.

How in the world can that poor fellow and his family ever get ahead? Their debt keeps increasing as they run up the cost for gasoline for this fellow to get back and forth to work. There is no end in sight.

Earlier this year, the Democrats in the Senate offered an amendment to the Energy bill that would have finally put America on a path to reducing consumption of foreign oil imports by 40 percent in the next 20 years. Is that a good thing for America, for us to reduce our dependence on foreign oil? You would certainly think so. Should it be a partisan issue? Should Democrats and Republicans disagree on that? Why would they ever disagree? But they did, all but two.

We are going to continue to support this measure on this side of the aisle. I

hope that since that vote a few months ago, my friends on the other side of the aisle will take another look at it. This should be the underpinning of our energy policy in America, to lessen our dependence on foreign oil. We know America can do better than be held hostage to high energy bills dictated by Saudi sheiks and big oil CEOs. President Bush even rejected a modest 1-million-barrel-per-day oil saving provision that was written in the Senate Energy bill. We tried to at least move just ever so slightly toward conservation, energy efficiency. It was rejected.

We understand the President and Vice President have close ties personally and in their background with the oil industry. But shouldn't our national priority of more energy independence have been more important than that? Just before the Senate recessed to work back in our States, I joined my colleagues in sending a letter to President Bush requesting him to call on his friends and allies in the oil and gas industry to sit down with them and make it clear that their profiteering at the expense of the average person in America is killing the American economy and causing extreme hardship to honest people going to work every single day. We still haven't seen the first indication of action from the White House.

In August, before Hurricanes Katrina and Rita, when gas prices were about $2.55 a gallon, I joined my colleagues, Senator REID of Nevada and Senator CANTWELL of Washington, in a letter to President Bush asking him to show Presidential leadership in reducing fuel prices, including profiteering and price gouging. Still no response from the White House.

We proposed a set of principles on the Democratic side of the aisle. We believe these put America first. We believe that American consumers, businesses, and farmers should be better protected from multinational corporations reaping record profits at the expense of the average consumer and the average business in America.

In the next day or so, I am going to introduce legislation to help address some of these issues, including a desperately needed funding bill for the LIHEAP program. LIHEAP is the Low Income Home Energy Assistance Program. We should tax the windfall profits of these huge oil and gas companies that are recording billions upon billions of dollars of profit at the expense of families and consumers across America. We should transfer part of this money to a LIHEAP trust fund so that the poorest folks across America, the most vulnerable, have a chance to heat their homes this winter. That is pretty basic. This fund would ensure that there are resources available on top of what has already been appropriated by Congress for families hurt by high energy costs. We are proposing other measures on the Democratic side to protect consumers as well. Senator CANTWELL and 26 cosponsors have introduced a bill to ban gasoline price gouging and improve market transparency. This all fits under the basic idea of protecting America's consumers.

Senators MIKULSKI, PRYOR, SALAZAR, BILL NELSON, HARKIN, CORZINE, STABENOW, and OBAMA have introduced an amendment to the appropriations bill calling for the Federal Trade Commission to investigate nationwide gas prices that we witnessed immediately after Hurricane Katrina to see if there is clear evidence of profiteering.

Senators KERRY and REED of Rhode Island offered an amendment to add funds for the LIHEAP program so low-income families most affected by record energy prices can heat their homes this winter.

Senator BINGAMAN and 14 other cosponsors proposed an amendment to the Energy bill that would require 10 percent of electricity generated be produced from renewable sources by the year 2020. This measure would ease the stress on natural gas and help to alleviate the high prices we have currently witnessed.

Senators SCHUMER, CANTWELL, and LAUTENBERG introduced a bill to increase national fuel efficiency which would also save energy.

I have introduced a bill as well, the Strategic Gasoline and Fuel Reserve Act of 2005. We already have a Strategic Petroleum Reserve—that can hold 700 million barrels of crude oil the President can turn to in times of national emergency. But when we have refining capacity compromised by a hurricane, crude oil is not going to be released and make it to the market very quickly. So I am proposing that the United States, like some European countries, create a strategic gasoline and jet fuel reserve. Let's set aside refined product, gasoline and jet fuel, around the United States so the President has another tool to use when we see these price spikes to help businesses like America's airlines and other businesses overcome these skyrocketing prices.

America needs a long-term plan to diversify our energy resources. We have to do this to improve energy efficiency, conservation, and to prevent the energy giants from market manipulation and price gouging. It does not appear there is any cop on the beat in Washington. There is no one who is either threatening or punishing the profiteers who are raising the price of energy unconscionably. For a long time, the finger of blame was pointed at the OPEC cartel and the Saudi sheiks, but we know now that their profit increase is modest, about 46 percent over last year, compared to the dramatic and obscene record profit increases by the big oil companies of 255 percent over last year. That is where the money is going. It is going to the boardrooms of the largest oil companies in America.

This administration and this Congress are mute. They definitely do not want to rock the boat when it comes to their friends in these big oil companies. Instead, the only response from the administration is a plea by the Secretary of Energy for a campaign to conserve energy. Well, that is a good thing. But should not the administration also be there to protect consumers and to punish profiteers in addition to preaching conservation?

This is what the President said:

> We can all pitch in . . . by being better conservers of energy.

Here are some suggestions: Drive less, replace traditional light bulbs with more efficient light bulbs, keep your car well maintained, and your tires properly inflated, and seal leaky windows and doors; all very nice and practical suggestions. But would it not be nice if these practical ideas of conservation were accompanied by some effort by this administration to hold the oil companies responsible for profiteering at the expense of American consumers? Not a word.

I strongly support conservation efforts. Changes in that way can make a significant difference and save Americans millions of dollars. But President Bush's plea for conservation is like putting a gallon of gas in a Hummer and expecting to drive 50 miles.

While small conservation steps will help manage the current energy crisis, we need a broader policy change that includes a long-term commitment to expanding and diversifying energy sources. We have to expand the use and access to alternative fuels, create a more efficient transportation sector, increase the efficiency of our homes, and promote conservation. We need energy policies that place national interests before corporate interests, that put the well-being of the American family before energy CEOs, and make investments to strengthen America's energy security, instead of providing tax cuts to make America's wealthiest individuals and corporations even wealthier.

This administration will not consider such measures, and in many cases they blatantly rejected them. Before the recent call for conservation, the Bush administration had done virtually nothing to develop long-term energy solutions and promote efficiency and conservation. While President Bush now calls for conservation, his own Department of Energy quietly helped prevent advancements on new building efficiency standards for insulation, standards that would have increased efficiency in new homes, saving billions of dollars in energy costs for Americans over the next few decades.

The other thing we have to do, as a fundamental policy when it comes to energy in policy, is to focus on the fuel efficiency of the cars and trucks we drive. When we faced the oil crisis in the 1970s, we understood we were driving cars and trucks that were not adequately fuel efficient. The fleet average of fuel economy for cars and trucks across America was about 14 miles a gallon. So Congress knew there were

two ways to push the automobile manufacturers toward more fuel-efficient cars. One was if the price of gasoline went up dramatically, people would make the decision on their own they needed a more fuel-efficient car, but of course that involved a lot of economic pain in the process. The other was to establish federally mandated standards for fuel efficiency for cars and trucks in America.

So what was the response of the Big Three in Detroit when we said in 1975 that they should double the fuel economy of cars and trucks in America from 14 miles a gallon to 28 miles a gallon over 10 years? They said as follows: It is technologically impossible; the cars and trucks that we build will be so unsafe you will regret the decision pushing for more fuel efficiency, and this will definitely drive more imports into America because the Japanese and others will focus on making those more fuel-efficient cars.

Thank goodness Congress rejected those three arguments by the automobile manufacturers and in 1975 imposed the CAFE standards. As a result, 10 years later, the average fuel efficiency had doubled in the United States. All of the ominous warnings from Detroit notwithstanding, we as a nation did the right thing. The one wrong thing we did was to carve out an exemption for trucks. It turned out that exemption was so broadly worded that they drove the big old Hummers and SUVs right into it as they were exempt from the highest standards.

And what happened next? America got this voracious appetite for these huge hunks of metal on the highway which burn up the gasoline as fast as the tank can be filled, and we watched the average fuel efficiency in 1985 go down from 28 miles a gallon to about 21 miles a gallon today. We have gone in the wrong direction. We are burning more gasoline for the same miles that we drove in 1985.

What have we done in Congress since then to establish new CAFE standards for America's cars and trucks? Absolutely nothing. When I called for an amendment in the Energy bill debate to establish national CAFE fuel efficiency standards over the next 10 years, improving fuel efficiency by 1 mile a gallon each year for 10 years, the amendment was defeated, with only 28 Senators supporting it. Americans I have run into, and certainly people in my home State of Illinois, shake their head when they are told that story. They ask, what are these Senators thinking? Why would we not move as a national policy toward more fuel-efficient vehicles?

Well, the automobile dealers have realized that. They have car lots full of SUVs and heavy trucks that consumers are walking right by, saying, well, what is the fuel efficiency of that car? How many miles per gallon on that truck? They are asking the hard questions now because gasoline prices are going up. I think it is time to return to this debate on CAFE and to put honest fuel efficiency standards on the books in America, to demand that those in Detroit and others take into consideration the fact that we need to lessen our dependence on foreign oil and we need to give consumers an opportunity.

Earlier this year my wife and I were considering buying a car. We wanted an American car. My wife drives it more than I do. She takes it on the highway so we wanted a larger car, but we did not want an SUV. Try to find that highway-type car made in America that is fuel efficient. We finally found one, the Ford Escape hybrid. We bought one. How many were made in the United States this year? Only 20,000. There is a long waiting list for people to buy these cars. Ford says they hope in years to come they will start producing more of them.

Meanwhile, Japanese automobile manufacturers are making these hybrid cars and selling them as fast as they make them. It is a shame again that Detroit was asleep at the switch and they did not see this coming. They tend to react a little too late and, sadly, that is one of the reasons they face the financial difficulties they do.

While increasing efficiency of our vehicles is no longer an option, it is a necessity. Consumers are demanding better fuel efficiency, and unfortunately American auto companies are realizing a little too late that they did not think ahead.

In the past month, General Motors witnessed a 24-percent decline in sales over the same month last year. Ford sales were down 20 percent, while U.S. sales of Japanese automobiles increased 10 to 12 percent. Sales of hybrid vehicles soared. In the past month, Honda Civic hybrid sales increased 37 percent. So while the Senate does not get it when it comes to fuel efficiency and fuel economy of cars, consumers get it and they are saying with their checkbooks and credit cards they are going to buy the vehicles that make more sense.

I believe American ingenuity can meet this test, can produce the cars and trucks we need to keep our economy moving forward with safe cars that are much more fuel efficient.

We also need to invest in the production of alternative fuels and provide incentives for their use. We need to break the stranglehold of big oil, open the market to real competition, and give American consumers real energy choices. Ford recently announced more production of its dual fuel vehicles. That is good news, but we know there is only a small number of vehicles on the road that actually use these alternative fuels. The gas-saving potential of these vehicles is largely wasted. We should be promoting the actual use of alternative fuels that can reap the benefits of new gas-saving technologies.

The fact that we included language in the Energy bill to increase ethanol production and biodiesel is all good, but it is only a small part of the battle. We need to make sure that ethanol reaches the market and that there are cars equipped for E–85 and ethanol compliance so consumers can take advantage of the benefits of their homegrown fuel.

America has 3 percent of the world's known oil reserves. We use 25 percent of the world's oil. We can never, ever drill our way out of this challenge. There is no way we can find energy independence by drilling away in the pristine areas that have been protected around America, including the Arctic National Wildlife Refuge. It is a sad indictment on this administration and this Congress that instead of accepting the challenge of conservation and fuel efficiency, instead of asking for sacrifice and a dedicated commitment from the automobile companies as well as American consumers, we are going to run willy-nilly into a national wildlife reserve that was created by President Eisenhower over 50 years ago and say the only way we can meet our needs is to start drilling away for oil, the environment be damned.

The big oil companies and many of my colleagues want to open this Arctic National Wildlife Refuge. I have been there. It would be a tragic mistake. Sadly, if we do it, over 20 years it will produce less than 1 year's worth of oil supply for the United States. This is not the answer to our prayers. In fact, we should be condemned for turning our back on this great piece of America that we are willing to exploit because of our own bad energy policies. Instead of destroying this national habitat, we should think strategically and creatively to find new ways to meet our future energy needs.

America can do better, and when it comes to our energy policy it is clear we are missing the responsibility that Members of Congress should share. We need to protect America's consumers. We need to punish the profiteers and we need to promote, on a national scale, efficiency, conservation and alternative fuels. America can only do better with leadership and a clear energy policy and a plan. We have to look beyond the quarterly profits of the big oil companies and the clout they have on Capitol Hill and remember that we are serving the public, voters across America, who have to face every single day these skyrocketing gasoline prices and the prospects of a very cold and expensive winter.

I believe in American creativity and innovation, and I know that together we can create a better future for our country.

I yield the floor.

The PRESIDING OFFICER. Who seeks recognition?

The Senator from Missouri is recognized.

Mr. BOND. Mr. President, it is very interesting to hear this speech on energy. There were a couple of things my colleague from Illinois said that I agree with. No. 1, energy prices are a real problem. No. 2, LIHEAP needs to

be reviewed by the appropriate Labor-HHS appropriations subcommittee. No. 3, the good things we are doing in ethanol and biodiesel need to continue. No. 4, maybe he did not say it on the floor, but he and I both agree on the St. Louis Cardinals. That is about the extent of the things I could find on which we agree.

Let me go through a few of them. First, all of us are paying more at the gasoline pump. This is having a conservation impact. People are driving less. Everybody is thinking about how they can take fewer trips. Certainly we are in our family. I believe the statistics show that people are conserving more. Talk about turning back your heat during the winter, we are one of those families—I think it is 57 percent of the families in the United States—who heat with natural gas. That thermostat is not going to go down a couple of degrees; it is going to go down more than that. We are going to be pulling out the sweaters.

There are some people who cannot do anything about it. There are workers who have to travel on jobs. There are small businesses that are trying to keep their businesses going. There are famers who have to keep up with those prices. This is a real concern for our economy. For small businesses that will be hit by increased costs of energy for operating their business, my colleague seems to want to add a minimum wage increase. When your margins are being squeezed by energy costs, what happens if the minimum wage goes up? Those young people, the people just starting out in the business, the people who might be getting minimum wage—and it is down around 6 percent of workers these days—are probably going to be the ones let go. The people who need to get a start in the process, who need to get a job, are the ones who are going to lose their jobs because the minimum wage is going to put a further squeeze on the profits of small businesses. To see a requirement that they pay a higher cost for entry-level workers is either going to eliminate existing jobs or certainly stifle the creation of new jobs.

For those people on minimum wage, for those families, we have the earned-income tax credit; we have all forms of assistance and this is proper. We need to help those people get started because a significant number, an overwhelming number of those starting with the minimum wage get a 10-percent increase at the end of the first year. They have to learn to work, and that is how they get started.

Let's go back to the problems we have with energy. We have real problems in energy that came about even before Katrina and Rita hit our refineries and hit the gulf coast. We concentrated our petroleum production mainly in the gulf coast region around Texas and Louisiana. Why? Because too many people said, No, you can't drill here. In other places where we have oil and gas, they are being prohibited from drilling. People say we can't drill for natural gas off the coast, and I say, Why not? We have to do so in an environmentally sound manner. We have to protect the environment. But siting a natural gas rig 15 miles out in the sea, if it is done in an environmentally sound way, is not threatening the way of life of people along our coast.

The occupant of the chair and I happen to come from a State where we mine a lot of lead. Lead mining is environmentally difficult. Everybody knows the problems lead can cause, but lead is absolutely critical in many of the goods we produce, computers, and other things. So we produce much of the lead in the United States because we have 90 percent of the lead that exists in the United States. I have told some of my friends who do not want to drill for natural gas in their States or off their shores, we in Missouri would be happy to trade you our lead for your natural gas. You can mine for the lead and we will be happy to pump the natural gas. Natural resources have to be developed where they are found.

Ten years ago, we passed a bill authorizing the opening up of that small portion, and only a fraction of that small portion, set aside in the Arctic National Wildlife Refuge for the development of natural resources. When ANWR was set up, there was a portion set aside specifically for the development of natural resources. To the west of there in Prudhoe Bay, they are producing oil in substantial amounts. The best estimates we have heard is that if we had gone ahead, if the President 10 years ago had not vetoed the opening up of ANWR, we would be getting over 900,000 barrels of oil a day from the ANWR. That is not going to solve all of our problems, but it is certainly a start. Regrettably, it is a lot more than even our farmers can produce in terms of ethanol and biodiesel.

We need to pursue every area. That includes conservation. That includes new sources. That includes developing additional resources that we have in the United States. Right now, because we are busily engaged in a bill that primarily doesn't have anything to do with energy—and I remind my colleagues this is the TTHUD appropriations bill. We are talking about appropriations for Treasury, Transportation, Housing, and Urban Development. My colleague and I are looking forward to having amendments on that bill and also the Judiciary and related agencies.

There is a hearing going on in the Environment and Public Works Committee, and I would love to be there because the chairman has proposed a bill to fast-track permitting for refineries. It can take up to 20 years to get a refinery built. It is too costly. Our refinery capacity for petroleum products has been stretched to the limit. When Katrina and Rita knocked out those facilities, we found ourselves in a terrible shortage. We need to streamline the process, go through all the steps but do so in an orderly manner so we can bring more refineries online in an efficient and environmentally friendly way.

Incidentally, what we need to do in that fast-track permit is to fast-track permitting of coal liquefaction and coal gasification. We are sitting on a 250-year supply of energy in the form of coal. We are the Saudi Arabia of coal. Coal has been a problem because, when you burn it as we have in the past, it produces sulfur, nitrous oxides, carbon, and mercury. But the coal we have in the Midwest, while it is high in sulfur, is high in Btu, and it can be turned into gas or turned into diesel fuel or aviation fuel in a way that removes almost all, if not all, of the pollutants.

We need to get coal refineries putting online plants to replace the natural gas that is being burned in utility boilers. Wasting natural gas in utility boilers has come home to roost. Twenty-five years ago, I heard Glenn Seaborg, a Nobel Prize winner, talking about energy. He said there are some people who want to burn natural gas in combustion boilers to produce energy. He said using natural gas for that purpose is similar to taking your most prized piece of antique furniture and throwing it in the fireplace to keep you warm. That is a bad use.

But environmental policies without considering energy impacts forced most of the new electric generating plants in the last decade to come online on natural gas. All those who are heating with natural gas are paying the price now. We can get a replacement for that natural gas by using gasified coal, but we need to do so pretty darned quick.

We need to open up areas for the production of natural gas. One of the things we should remember is that the natural gas problem, the crisis we face, is not only brought about by constriction and restriction on the ability to produce the natural gas that exists off our coasts, in our Federal land, in the resource-producing areas set aside when ANWR was developed, but we are also facing a natural gas crisis because we have forced utility companies to burn natural gas to produce electricity. We need to be smarter and replace that natural gas with coal gas.

We also have had hysteria over nuclear power. Nuclear power is the most environmentally friendly, cheapest way to produce electricity. Thanks to the Energy bill we passed, we are moving ahead to develop new nuclear power. Our nuclear power facilities are getting old. There has never been a death; they are the safest means of energy production we have. Look at France, not an area we normally cite as an example, but 80 percent of their electricity is generated by nuclear. We need to go back to development of the new style, safe nuclear powerplants, and bring them online as quickly as we can.

My colleague had some interesting ideas. I am not surprised the leadership

of the other party would come forth with taxes and windfall profits and ideas such as that, that might sound good, unless you study economics. Then you wonder, when was it that we passed a law making profits illegal? We do have laws. We have laws against restraint of trade. We have laws against price fixing, that say you cannot gain a profit by agreeing with your competitor to fix prices. We have unfair competition laws on the books at the FTC, and many States do, about price gouging. But profits, No. 1, are taxed and, No. 2, are supposed to be providing the investment we make in the new facilities, for example to produce more oil and gas and coal, to refine it and to deliver it to market.

Profiteering—I am not exactly sure at what level making a profit is improper or illegal. I have spent a lot of time as a lawyer on legal cases coming out many years ago on the windfall profits tax, and I found for law firms, litigating windfall profits is a multiyear endeavor with more funds expended on lawyers than recovered. It is not an easy process and not one for which I would argue.

Also, the suggestion has been made that we ought to establish higher CAFE standards. We have had that debate. We have had that debate a number of times. If I remember correctly, a bipartisan majority got behind something called the Bond-Levin or the Levin-Bond amendment, which said we need to increase our fuel efficiency standards, but we should not make the same mistakes we made originally. Yes, when we passed CAFE standards, one of the ways the CAFE standards were met were car companies building lighter weight cars, 1,000 or 2,000 pounds lighter. The National Highway Traffic Safety Administration has said between 1,600 and 2,000 people a year are killed on the highways solely because of the lighter cars.

Yes, more cars are being imported, consumers are seeing more cars coming in from abroad, and they are demanding more fuel-efficient cars, such as hybrid cars, and that is good. But we passed a law mandating the NHTSA to increase the fuel standards as rapidly as technology will permit them to increase those standards without endangering the lives of the passengers by making lighter weight vehicles. So we do have an agency looking out for safety, looking out for the technical advances. Technology has already warranted their increasing the fuel mileage on light trucks and other autos.

If you want to, I guess my colleagues on the other side could come out and pass a law banning hybrids, saying you cannot buy an SUV, you can't buy a small truck. Maybe you would have to get a permit if you were a farmer. That is the way they did it in the Soviet Union. You only got a truck if the government decided you needed a truck. I am not sure we want to go down that path, saying we are going to tell you what kind of truck you can have, and if you have a large family and want to be able to transport them to school, to church, to health care, to see other family members, the Government is going to decide how big a car or how big an SUV you can have. If they want to debate that I would be happy to do that. But as long as we are selling cars and trucks that consumers want, I think pushing the technology as fast as we can is a responsible way to get there.

Yes, I also agree we ought to consider LIHEAP increases to help low-income seniors. That is good. We need to push ethanol and biodiesel. The occupant of the chair was successful in getting the amendment adopted that mandated 7.5 billion gallons of renewable fuels be used by 2012. All of these things are important. I believe we must get a good refinery bill fast-tracking refineries.

In the meantime, as we think about all these energy problems, I hope my colleagues will come forward with their amendments to this bill, as I mentioned a long time ago, the Treasury, Transportation, Housing and Urban Development and Judiciary.

Let us see if we can't get some amendments on this bill and move forward with that.

I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. MARTINEZ). The Senator from Illinois.

Mr. DURBIN. Mr. President, let me first commend my colleague from Missouri.

For those who are witnessing this, it is becoming dangerously close to real debate on the floor of the Senate. This is history in the making. It almost never happens that two Senators who disagree on an issue will stand and argue their point of view back and forth. One of the reasons I wanted to run for this body was because I could come over here and engage in debate. I certainly respect the Senator from Missouri. We have much different views on energy, and I think he has articulated his point of view as clearly as one could hope for with a moment's notice. He didn't know I was coming to the floor to talk about energy. He did an excellent job.

I would like to clarify a few things. The first point is this: It was the wisdom of our Founding Fathers which said that every State in the Union would have two Senators, which means the State of Missouri has two Senators and the State of Illinois has two Senators. I wish the very best for the St. Louis Cardinals, and I am certain that the two Missouri Senators are rooting every moment of every day for their victory. But this Senator from Illinois is backing an Illinois baseball team known as the Chicago White Sox. They were successful in winning the American League pennant. I hope they go all the way in the World Series. Despite my boyhood roots, I am rooting for the Illinois baseball team. I had better say that clearly on the record or I can't go home.

The second thing I say is when it comes to energy, I listened carefully to what the Senator from Missouri had to say. In virtually every instance, he suggested there were ways to find new and better and larger sources of energy to take care of our problem. I listened closely for any suggestion from him that we should have conservation and efficiency as part of a national energy policy. If he said it, I missed it.

I think it is a critical part, because we have to understand that the conservation of energy means not only that we reduce the costs for families and businesses to provide the same level of goods and services, we also reduce the pollution that is a product of burning energy across America. It is a ''two-fer.'' If you believe we can keep finding new energy sources, whether it is oil in a national wildlife refuge up in Alaska or drilling off some of the coasts where Governors—both Democrats and Republicans—have said we do not accept that as something we want as part of our State's economy, if you keep looking for these new energy sources, you are ignoring the obvious. And the obvious is that fuel efficiency and fuel conservation should be part of what we do in America. We have learned that over the years. We haven't compromised our lifestyle while we found more fuel efficiency in so many different areas of our life every part of every day.

I will concede that the Senator from Missouri did join the Senator from Michigan in putting together an amendment that at least mentioned the words ''fuel efficiency'' and ''conservation'' in the last Energy bill. But I have to say in all fairness that is all it did. It didn't put any requirement on the automobile manufacturers to make more efficient cars and trucks across America.

Every time you talk about CAFE standards and fuel efficiency, we get a history lesson about what the Soviet Government was all about—top-down government, mandating these policies, forcing rugged individuals who would like to go their own way to march in close rank and march in line.

I have to say I view this a lot differently. Left to their own devices, the major automobile manufacturers in America made hundreds of thousands of cars and trucks which Americans don't want to buy. They are now crowding our lots with heavy trucks and SUVs, and Americans are walking right past them. Instead, we should have thought long ago about establishing standards that would give consumers a choice in America.

Why is America coming in second when it comes to automotive technology? When it came to hybrids, the Japanese automobile manufacturers, Honda and Toyota, got the jump on the United States. Are they smarter than we are? I don't think so. Many of their engineers and research scientists went to school in the United States and went back to their countries to build the cars and trucks Americans wanted to buy. For some reason, Detroit is always a little behind the curve, and in

this situation, it is dangerous because they are so far from profitability and they have such dramatic costs that they made a terrible calculation by sticking with these heavy vehicles as the price of fuel and energy went up across America. I don't think it is the heavy hand of Government. I think it is good public policy for us to move forward on a policy for CAFE standards that increases fuel efficiency. The argument that that means unsafe cars I don't accept. I happen to believe that in an era of new technologies for safety and otherwise, there are ways to improve the cars and trucks we drive in terms of safety without compromising fuel efficiency.

There are things we can do—creative approaches already recognized by the scientific agencies in Washington—that could be part of cars and trucks in the future. They are not, and they should be. For us to move forward on that as a national policy is to reduce our dependence on foreign oil. If you believe, as I do, that is a worthy national goal, then conservation and fuel efficiency have to be part of it.

The second issue which I raise, and which the Senator from Missouri mentioned, was a bill that could come before us soon, already having passed the House, that would suggest that in order to have the oil we need in America, in order to expand oil refinery capacity, we have to waive the pollution rules when it comes to air pollution and water pollution, and we have to waive the environmental standards refineries have been held to in America. The argument is, if you do not waive these environmental standards, we will not have enough gasoline, and you will have to pay more. It is a classic ''your money or your life'' argument, because these environmental and pollution standards are there for a purpose.

I invite my colleague from Missouri and all of my friends to visit any classroom of any school in America and ask the following question: How many students in this classroom know someone who has asthma? Watch the hands go up. Do you know why? Because across America these lung problems that air pollution has some relation to are becoming epidemic. Visit a major hospital in St. Louis or Chicago—a children's hospital in particular—and ask in the emergency room what the No. 1 diagnosis is of children brought into their emergency room. I can virtually guarantee it is going to be asthma. What are we going to do? We are being asked to waive the air pollution standards for certain industries and for refineries so we can get cheaper gasoline while we breathe dirtier air. What a terrific bargain for America. Is that as good as it gets with this administration? They cannot meet the energy needs of America without asking us to compromise our public health, to compromise the safety and quality of water that we drink, to compromise environmental standards that have been established for years.

This morning, a major company from Illinois—I spoke to one of their representatives—said several years ago under the Clinton administration they agreed to a reformulation of diesel fuel in America, a long-term project that would make diesel fuel cleaner in America. Do you know what diesel fuel looks like, or used to look like as it came with billowing smoke out of the tailpipes of cars and trucks? They want to move to the point where it is much cleaner. Years ago, we made a commitment as a nation to move to reformulating diesel so it is cleaner for America.

One of the bills before the Congress today waives that reformulation requirement after 6 years of investment in cleaner diesel fuel and cleaner diesel engines. This administration says we have to abandon that, go back to more air pollution from diesel use in order to have cheaper gasoline we can buy across America. What a tradeoff, what an abdication of leadership. America can certainly do better than that.

To have this administration tell us that the only answer to affordable energy is to compromise the public health and to put up with more air and water pollution is a completely unacceptable alternative. I wouldn't want to go to the Senator from the State of Florida, who is in the chair, and tell him that the Federal Government is going to mandate drilling off the coast of Florida. I can tell you that the Governor of Florida, who happens to share the same last name as the President, doesn't think that is a very good idea.

For the suggestion that may have been made here that we need to start moving and burning and drilling off the States that don't want oil drilling and gas drilling off their coasts is a major move by this administration.

Again, you have to ask the basic question: Why would we do anything that radical from Washington to deal with energy before we even discuss the possibility of conservation and fuel efficiency of the cars and trucks we drive? I think we have to accept responsibility. It isn't just a question of answering every challenge in America by saying, party on, you know we are going to find some more energy for you, just keep using it up, don't pay any attention until tomorrow. I think America understands, and our younger people understand better, that we need a serious energy policy that challenges every single one of us as consumers not only to turn down the thermostat, but be smarter in the cars and trucks we buy, challenge the manufacturers in Detroit to produce cars and trucks that are mindful of energy needs across America and the increasing costs of that energy to families and our economy. We need a government with the leadership that is responsive to this national challenge.

The last Energy bill didn't do it. The ink was hardly dry in August until the Members of the Senate said we had better get back and write a new energy bill.

For goodness sakes, that is the greatest single condemnation of the substance of that bill I can think of. We all know it is true. That last energy bill didn't do it. In a few isolated areas, as I mentioned earlier, it is a good bill. But, by and large, it didn't address the fundamental problem facing us today and for years to come.

The last point I will make is this: America's most serious competition in the world today comes from one country, China. China right now is mushrooming in growth. They are building new industries right and left. If you walk into a Wal-Mart to buy a product, you are walking into the largest importer of Chinese goods in America, Wal-Mart selling all across the United States. The obvious question is this: What is China doing about its energy needs? First, it is doing something we are not doing. It is imposing higher fuel efficiency standards on its cars and trucks than we do in America. The Chinese are thinking ahead. They understand that inefficient cars and trucks are not part of a bright energy future.

The second thing they are doing is fighting us tooth and nail in every site around the world where energy can be purchased. They are now our competition for the purchase of energy. Twenty years ago, we didn't even think about it. They did not have an economy that used that much energy. They weren't producing goods and services. That world has changed.

Now, as we continue to be dependent on foreign oil, we are going to have to continue to fight the Chinese and others for affordable fuel. That is the reality of global competition.

Does it make sense for us now to take a step back and say as a national energy policy we ought to figure out ways to keep the American economy moving, businesses thriving, and jobs being created, but also build into that energy conservation and efficiency?

That to me is so obvious. Every time I bring it up in a town meeting in Illinois, people shake their heads and say, You are honestly debating that in Washington; it seems so obvious. We are debating it. So far I have lost that debate. But as energy prices go up and people realize that the energy policy of this administration has failed, I hope we revisit this important issue.

I yield the floor.

Mr. BOND. Mr. President, I had not intended to extend this wonderful discussion because we were trying to get amendments on the Treasury, Transportation, Housing and Urban Development, and Judiciary bill. I invite people to come down and offer amendments. However, since my colleague and neighbor brought it up, I thought I might mention a few things.

No. 1, while he might want to root for the White Sox in the World Series, I was hoping he would not neglect and disregard and disrespect all of our wonderful Illinois neighbors who live in the southern part of the State who are St.

Louis Cardinal fans. It is with a heavy heart that I tell the people of southern Illinois that the Cardinal fans have been ''dissed'' by my colleague from across the river.

I wouldn't normally do that, but since he misquoted what I said, I thought I might as well take the same liberties and misquote what he had to say.

First, right there at the end I thought we were almost opening a new front in this debate. Wal-Mart bashing; oh, that is a great liberal sport these days, bashing Wal-Mart. I saw just the hint of Wal-Mart bashing. But I am sorry, I didn't mean to attribute that to my colleague. He walked away from it. So we are not into Wal-Mart bashing. But he did say I wasn't interested in conservation or energy efficiency. Perhaps the reason he didn't vote for the Bond-Levin or Levin-Bond amendments to conserve energy and assure energy efficiency is he didn't understand that we ordered the scientists at the National Highway Traffic Safety Administration to find the new technologies and require that fuel efficiency improvements be made as technological advances go forward.

That is the whole idea.

How about letting the scientists say what technology actually works? It is a lot more fun on the stump making a political speech saying we are going to double the mileage—and, by the way, forget about it if the lighter cars do kill more people. The National Highway Traffic Safety Administration has produced those figures: the lighter cars have been killing more people.

The third thing he said was we are going to waive all the environmental rules. We have had continually improving air quality in this country. We are making progress, and we are continuing to make progress. That is extremely important.

Are we going to get rid of the standards? No. How about getting the number of processes? One refinery had 800 different permitting processes to go through. How many different permitting processes do you have to go through? We need to hold these refineries or other new facilities to the standards we are setting to make air cleaner. When government bureaucracy and lawsuits tell them how to build and how to operate the facilities, we get tremendous waste. This is why I am talking about economics. Economics is bringing about conservation, as is the National Highway Traffic Safety Administration, as are other conservation measures—new appliances with conservation standards.

Each one of us has the ability, in responding to the marketplace as to the price of energy, to make wise decisions about energy usage. The market does work.

If my colleague wants to have an allocation system to tell the American public what kind of cars and trucks they can buy and dictate what cars, trucks, and SUVs can be made by auto manufacturers, let's have that debate. In the meantime, let us all concede that the auto companies may have missed the mood. They may have made mistakes. They are paying for those mistakes in misjudging the market. But I would rather have the private sector taking the hit because they are in it for the profit motive, and they can afford it, rather than have the government make those decisions which cost jobs, which cost our economy.

I am hoping a Member will have an additional amendment. I will look for that.

I do not intend to answer my colleague from Illinois any further other than to say that if he cites my position, I will probably disagree with his characterization of my position. But we will have this debate perhaps again when we have an honest to goodness Energy bill, maybe one that fast-tracks refineries that would get us the oil, diesel, aviation fuel, and the coal gas we need.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois, from the southern part of Illinois.

Mr. DURBIN. I am from all of Illinois.

The Presiding Officer must face the same thing in the State of Florida with your loyalties for sports teams. You cannot win in the State of Illinois. No matter where you go you will run into opposition—whether a Cardinals, Cubs, or White Sox fan.

I think we have made that issue. At least my position on that issue is clear as we can.

I say in closing, and I certainly invite the Senator from Missouri to respond, we ought to ask ourselves the basic question: If you have a business in America that is unsuccessful, and the business has a loss in one given year, we provide in our Tax Code that business can carry that loss forward from the year that it was experienced, so next year's profits can be reduced accordingly. Your tax liability is reduced accordingly. It is a carry-forward provision for business losses.

It seems to me consistent to say that those corporations which have extraordinary profit taking—as we see with these major oil companies—would be subject to additional taxes.

I am sure the Senator from Missouri disagrees with me. But we have now seen virtually—I am trying to figure the calculation—roughly 30 percent increase in profits for the major oil companies in the United States of America, over the last 6 months, over last year. Last year was a big year for them. Last year, in the same 6-month period, they had about $39 billion in profits. This was with $40-a-barrel oil. This year it is up 30 percent over last year's profits.

Why? We know why. When we go to the gas station, we know why. The price at the pump has gone up dramatically.

The Senator from Missouri thinks this is holy ground, that we should not touch that money: My goodness, these people were brave enough and creative enough and entrepreneurial enough to raise gasoline prices, and we ought to accept that as the reality of capitalism.

But the Tax Code says even if you are profitable you pay taxes. My position is that if you have these windfall profits at the expense of our economy and families and businesses you should face a windfall profits tax. The money should come back to consumers. The money should come back to fund the LIHEAP program. The money should come back to create an incentive for automobile manufacturers to make fuel-efficient cars. I don't think that is an unreasonable position to take.

If the oil companies know that every dollar they make in profits by raising the price of gasoline at the pump is subject to a 50-percent tax, maybe they will slow down a little bit. Maybe they will not raise the prices as high next time. Wouldn't that be nice if there was some disincentive for these prices being skyrocketed and kited on the average family and business? I don't think it is unreasonable. When we consider the alternatives we are facing in this town right now, it makes a lot of sense.

We have arguments being made now that to pay for Hurricane Katrina we have to cut basic programs in this country for the most vulnerable Americans. The idea of cutting food stamps and health care for the poorest people in our country in order to pay for the victims of Hurricane Katrina strikes me as unfair to the nth degree. Why in the world would we help the poor people of Katrina by hurting other poor people in America and look the other way when it comes to the profits of oil companies?

For goodness' sake, a windfall profit tax I have proposed could generate about $40 billion. That is a big chunk of the $60 billion we have heard appropriated for Hurricane Katrina.

Is it unreasonable that these oil companies would help to pay for the greatest natural disaster in modern memory? At least something good would come of it, and we would not be cutting the programs and the basic policies that help the most vulnerable people in America.

I didn't mean to try to get the last word in. I wanted to give the Senator from Missouri that opportunity, but because he is chairman of the subcommittee it means he will ultimately have the last word on this bill and anything else that comes before the Senate.

AVIAN FLU

Mr. DURBIN. Mr. President, there is another issue which is timely, one that is growing in interest and intensity across America; that is, the challenge of avian flu. Public health officials have been worrying about this for the last several years. But an avian flu epidemic is not yesterday's news. Sadly, it

may be tomorrow's news. It is our duty to prepare for it today.

Poultry have been susceptible to various strains of avian flu for a long time. Public health officials started to get worried when avian flu was noted in Indonesia, Romania, and other countries as well. This form of flu may be transferrable to humans. That is what is being monitored very carefully.

Unfortunately, humans do not have a natural resistance to this form of the flu. Remember that in previous flu epidemics they usually warned that the people who needed flu shots would be children, the elderly, and people in a compromised health situation. They are the most vulnerable for most ordinary flu strains.

In this particular case, everyone is vulnerable. None of us have a built-in resistance. It is unlike a typical flu that makes you feel bad for a few days and then you are back up and going strong. This, sadly, attacks fast and hard and kills. Over half of the people who have been diagnosed with avian flu around the world perished because of that exposure.

Last week we learned the virus is not just in Asia, but it has been found in Turkey and Romania. Romanian officials reacted quickly and believe they have done what needs to be done to eradicate the spread of flu in their area.

But Romania's Danube Delta is one of Europe's largest bird reserves. Hundreds of thousands of migratory birds are expected to arrive in the coming days. It is possible, maybe likely, that some of these birds will be carriers of avian flu.

If this H5N1 flu mutates into a form that transmits easily from person to person, we have been told to expect the worldwide pandemic that could kill tens of millions of people.

Dr. Andrew Pavia of the Infectious Disease Society of America said:

> We may sound like we are hyperventilating, but in our heart of hearts we know this is a serious possibility.

That is why we added $3.9 billion to the Defense appropriations bill. If we are going to prepare for a pandemic of avian flu, we cannot wait. We have to start now.

That is why I join my colleague from Illinois, Senator BARACK OBAMA, as well as Senator HARRY REID of Nevada, and many others in introducing the Pandemic Preparedness and Response Act, which lays out the necessary steps to prepare this country for the flu. It would take immediate steps to improve surveillance of this infectious disease so we can track it around the world and begin to contain it immediately.

Second, it expands current research and development at the National Institutes of Health to exhaust the possibilities for developing effective vaccines and antiviral drugs.

Third, it creates a Director of Pandemic Preparedness in the Executive Office of the President. The Director will oversee the response of States and all involved Federal agencies so that we coordinate what we do, that we are organized, and we set out to save as many lives as possible. We do not want the response of Hurricane Katrina to be repeated if we face this avian influenza.

Avian influence is not a new thing, but it is not yesterday's news. An avian flu that develops into a pandemic flu is virtually certain to be tomorrow's news. Let's enact the pandemic preparedness legislation and move immediately, today, before this Senate goes home, to prepare for this possible.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. KENNEDY. 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. KENNEDY. What is the pending business?

The PRESIDING OFFICER. The Kennedy amendment is the pending amendment.

AMENDMENT NO. 2063, AS MODIFIED

Mr. KENNEDY. Mr. President, I send to the desk a modification and ask for its immediate consideration.

The PRESIDING OFFICER. The amendment is so modified.

The amendment (No. 2063), as modified, is as follows:

At the appropriate place, insert the following:

SEC. ____. MINIMUM WAGE.

(a) INCREASE IN THE MINIMUM WAGE.—

(1) IN GENERAL.—Section 6(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(a)(1)) is amended to read as follows:

''(1) except as otherwise provided in this section, not less than—

''(A) $5.70 an hour, beginning 6 months after the date of enactment of the Fair Minimum Wage Act of 2005;

''(B) $6.25 an hour, beginning 12 months after that 60th day; and

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect 60 days after the date of enactment of this Act.

Mr. KENNEDY. Mr. President, I thank the Chair.

This is a modification of our amendment which was to raise the minimum wage to $7.25. It seemed to me that in an attempt to try to find some common ground with our friends on the other side, we would modify this amendment to reflect what had been the position of the Republican side the last time we had the debate on the increase in the minimum wage and that was $1.10.

There were other provisions in the Santorum amendment, but the overall figure that was included in the alternative amendment to my last amendment was $1.10. That is what this amendment effectively does. It says that in 6 months after enactment, we would have an increase in the minimum wage of 55 cents and then a year after another 55 cents. That would be the way it would be phased in over this period of time.

I will not take a great deal of time again on the Senate floor to urge the consideration of the increase in the minimum wage. It has been 9 years. We have increased our own salaries some six times in that 9-year period. We have not increased the minimum wage. We know the total number of children who have fallen into poverty, the total number of families who have fallen into poverty, some 5 million Americans—5 million Americans have fallen into poverty during the Bush Administration. And we saw at the time of the Katrina tragedy the fact that so many of our fellow citizens have been left out and left behind, lost opportunity, and certainly lost income.

As I have mentioned many times, the minimum wage applies to men and women of dignity. These are men and women who work hard, who try to do a job, try to take care of their children. More often than not, the minimum wage worker has two or even three jobs, and rarely has a chance to spend much time with their family. They are men and women of dignity. They are the men and women who clean the great buildings of American commerce. They are helpers to schoolteachers in the school districts around the country. They work in our nursing homes to look after our senior citizens who have in so many instances sacrificed to permit their children to have a better and a happier future. Now minimum wage workers are looking after our seniors who have done so much to make this country the great Nation that it is. So this is about men and women of dignity. That is the most important point. They should not be held back and should not be held down.

We have seen that this has very substantial support, as it should. It has support in blue States and in red States. It is reflected in votes in Florida and also out West in Nevada in these last elections by a very substantial margin.

This is basically a women's issue because 60 percent of those who would benefit from a minimum wage increase are women. More than one-third of those women have children. So it is a children's issue. It is a family issue. An increase in the minimum wage is a family issue. It is a children's issue. It is a women's issue. It is a civil rights issue because so many of the men and women who receive the minimum wage are men and women of color.

Most of all, it is a fairness issue. If there is one thing the American people understand it is fairness. The American people believe that anyone who works 40 hours a week, 52 weeks of the year, should not have to live in poverty. This very small step is to try to address the needs and the well-being of these families. That is what this debate is really all about.

As I have pointed out at other times, this has been bipartisan. I was here when President Ford supported an increase in the minimum wage. I was

here when President Bush 1 supported an increase in the minimum wage. I have been here when we have had bipartisan support for this effort. This is an attempt now to basically move, as our amendment did, from $5.15 to $7.25, increase it 70 cents a year over a 3-year period to effectively cut that in half, to try to reach out to those on the other side. Hopefully we can accept this downpayment and let me give the assurance that it is just a downpayment and move forward.

At the appropriate time, we will have a chance to go through some of the reasons for the increase. I will mention just a few now. I know some of our colleagues desire to speak at 5:15, and when they arrive I will yield the floor.

I will just review what has happened since 2001: the increased cost of gasoline; health insurance; housing up 44 percent; increase in college tuition. Basically, the increases are making it prohibitive for families to be able to own cars or be able to afford health insurance. Housing has become prohibitive, and college tuition is out of sight.

This is what has happened over the period of recent years, that more than 41 million Americans—that is 30 percent of our workforce—work more than 40 hours a week. Nearly 1 in 5 workers work more than 50 hours a week. Is that not extraordinary? When one looks at the fact of the work habits of the American workforce, 30 percent work more than 40 hours and 1 in 5 more than 50 hours. More than 7 million Americans are working 2 or more jobs, and 259,000 of them hold 2 full-time jobs. So Americans are working longer and they are working harder than any other industrial nation in the world.

Productivity has increased dramatically over the period of these last years—from 1965 up to the present time, a 115-percent increase in productivity. So we have workers working longer and harder. We have seen an explosion in productivity, but it is not reflected in any increase in the minimum wage. That is troublesome. It should be.

We have actually seen the purchasing power of the minimum wage decrease by some 31 percent. To give our colleagues some idea of what has happened to the minimum wage, we see the purchasing power of the minimum wage over the period of recent years. These are in real dollars, in 2004 dollars. It would have been close to $9 in 1965. Look how this has gradually declined to $5.15. We had proposed up to $7.25. Now it will just increase $1.10, so it will go to $6.25. This is what the issue is about, and we will have an opportunity to address it.

We have been interested in getting a vote. We understand it is germane to the legislation. We only needed 50 votes to be able to pass this. We have had that in previous votes, but we have been unable to get the consideration for it. In an attempt to move this debate on the minimum wage forward, we have made this very significant—and it is very significant—adjustment and change in this proposal. Hopefully this will result in the willingness to accept it and the beginning of the process to make sure many families will be treated more fairly and equitably in the future.

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

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

(The remarks of Mr. SALAZAR and Mr. BURR are printed in today's RECORD under ''Morning Business.'')

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

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

The legislative clerk proceeded to call the roll.

Mr. BOND. 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.

Mr. BOND. Mr. President, here it is quarter to 6 on the day after this bill has come to the floor. We have had two votes on technical amendments. We have another technical amendment we can offer. But my colleagues have filed about 40 amendments. While there are discussions going on over two different minimum wage amendments, we have set those aside in order for us to go back to work on other amendments relating to this bill. I ask on behalf of leadership on this side and my partner that Members who have amendments which they have filed to please come forward and offer those they wish to offer, or talk with us about ones that might be acceptable.

The leader said we are going to be here this week until we finish this bill. It is my hope, with the tremendous workload we have to accomplish, if we are to get out of here prior to Thanksgiving, that we move forward on this bill. We will be ready for business tomorrow morning. If Members do not come forward, my colleague and I will consider asking the bill go to third reading.

We still have time to deal with another amendment tonight if anyone wishes to come in and bring it before us. Otherwise, I would ask all our colleagues who want to pursue amendments which they have filed to come forward and do so tomorrow.

It is possible, if they will do so in an orderly manner and tell us which ones they do not wish to pursue, we could finish this tomorrow night and be ready to move on to the many other challenging pieces of legislation and appropriations measures we have to deal with.

This is an urgent request to Members on both sides who have amendments filed to come forward—staff met with us on those amendments—and let us know which ones they wish to pursue.

We are operating on a continuing resolution for all of the important agencies covered by this bill. Many of these agencies truly need the new appropriations for fiscal year 2006 in which we are operating. Some of the provisions we have in this bill will significantly improve the operation of the Federal Government.

It is going to be a very difficult bill to conference because of the different parts of it. It is going to take us several weeks to complete the conference on the bill. We cannot go to conference until this bill is passed. With any amendments that are agreed to after this, we still believe this is important for the functioning of the Federal Government and the service it provides.

There is much talk about Amtrak and what we need to do on Amtrak. Let us be clear: There are some Amtrak reforms in this bill. They do not go as far as we would hope to see in Amtrak legislation which is coming out of the Commerce Committee. It should be debated on this floor. But it will provide $1.45 billion for the operation of Amtrak and begin to reform some of the significant problems we see in Amtrak. For those who are interested in improving the operation of the passenger rail service, I hope you will join with us in moving forward to completion of this bill so we can get the Amtrak funding done and those reforms which are included in this bill. The system will work better if this measure is passed.

Similarly, for the Treasury Department, we are funding vitally needed resources to stop illicit financing of the terror trade. The Treasury has an important responsibility to do that. That is in our national interest.

We have additional funds available to make sure that the taxes already on the books and owed are collected.

Obviously, for housing, there are many important things for taking care of the needs of those who need assisted housing.

The Judiciary has important measures in it as do the other related agencies.

It is time we move forward on this bill. We reported it out of committee in July. It is now here on the floor and ready to go. We earnestly ask that our colleagues join us and offer amendments, debate them, if necessary, and we will vote on them so we can move this bill to conference and get on with the business of the Federal Government.

I thank the Chair and yield the floor.

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. BOND. 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.

AMENDMENT NO. 2109

Mr. BOND. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Missouri [Mr. BOND] proposes an amendment numbered 2109.

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

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

The amendment is as follows:

(Purpose: To provide the Judicial Branch with certain procurement authorities)

Insert the following on page 356, after line 4, and renumber accordingly:

''SEC. 408. (a) Section 604 of title 28, United States Code, is amended by adding section (4) at the end of section ''(g)'':

''(4) The Director is hereby authorized:

(A) to enter into contracts for the acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year to the same extent as the head of an executive agency under the authority of section 253l of 41 U.S.C.; and

(B) to enter into contracts for multiple years for the acquisition of property and services to the same extent as executive agencies under the authority of section 254c of 41 U.S.C.; and

(C) to make advance, partial, progress or other payments under contracts for property or services to the same extent as executive agencies under the authority of section 255 of 41 U.S.C.''

(b) Section 612 of title 28, United States Code, is amended by striking the current language in section (e)(2)(B) and inserting ''such contract is in accordance with the Director's authority in section 604(g) of 28 U.S.C.; and,''

(c) The authorities granted in this Section shall expire on September 30, 2010.

Mr. BOND. Mr. President, this is an amendment to reform the judiciary's ability to procure things. It is a procurement authority. The amendment actually establishes greater parity for the judicial branch by giving it the same procurement authorities that were given to the executive branch through acquisition reform legislation in the 1990s. We found this saved money. It gives the taxpayers a better bang for their buck. They can procure over several years.

Currently, the judiciary's procurement authority is limited when compared to the executive branch. This limitation increases the cost of doing business. Specifically, these limitations are on multiyear contracting, severable services contracts, and the timing of contract payments and, thus, prevent the judicial branch from taking advantage of the best prices offered for some goods and services. As an example, a typical information technology contract will extend for several years. It is far more efficient for the executive branch and it is more efficient for the judicial branch to be able to make these contracts over several years.

Simply put, this amendment gives the judicial branch authority it should already possess, and I believe makes good business sense for the American taxpayer.

I urge my colleagues to support this amendment.

Mrs. MURRAY. Mr. President, this amendment would extend to the judicial branch certain procurement authorities that are parallel with the authorities that have already been granted to the executive branch and would allow the judiciary to achieve certain cost efficiencies that I think we all want.

This amendment has been cleared by the Judiciary Committee with the sunset provision that limits the authority to 5 years.

I encourage an aye vote from all of our colleagues.

I thank the Chair.

The PRESIDING OFFICER. Is there further debate? If not, the question is on agreeing to the amendment.

The amendment (No. 2109) was agreed to.

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

Mrs. MURRAY. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. BOND. Mr. President, I thank the Chair and my colleague.

We are still open for business—maybe not for much longer—but I hope all Senators will take the fact that we intend to either vote on amendments tomorrow or have third reading. It doesn't make any difference to us one way or the other. We want to finish this bill.

I thank the Chair 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. 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 appreciate the opportunity to say a few words while we are contemplating the Transportation appropriations bill. A special thanks to our ranking Democrat and chairman of the appropriations subcommittee for the work that their staff and others on the subcommittee have done.

One of my primary issues of interest is energy independence. This is an issue that, in this Nation today, we all have to be interested in. Today, roughly 60 percent of the oil we will use to drive our cars, trucks, and vans will be from foreign sources. A lot of the oil is controlled by people who, frankly, are not that friendly to us and some of whom, I am convinced, would do us ill if they had the opportunity.

Meanwhile, as we pump more and more money out of our economy into the hands of folks in other countries, who may or may not wish us well, we need to pause and reflect on the wisdom of that.

One of the elements in this Transportation appropriations bill is money to continue to fund passenger rail service in this country. I will talk for a moment about whether that is an energy-efficient approach to part of our transportation challenge.

We are gathered in Washington, DC. Believe it or not, we can move one ton of freight by rail from Washington, DC, where we are located, up to Boston, MA, using one gallon of diesel fuel by train. Think of that. We can move one ton of freight by rail from Washington, DC, to Boston, MA, by simply using one gallon of diesel fuel.

In a day and age when almost 60 percent of the oil we use is from foreign sources, to be able to have that efficiency using rail—whether for freight or, in many cases, by passenger—we are wise to more fully utilize that transportation mode.

Today we were having a hearing in the Environment and Public Works Committee, where I serve, as does Senator BOND. We were having a hearing on the question of whether or not we should make it easier for folks to locate a refinery, to build a refinery on military bases that have been made available through the BRAC process.

While we go forward and explore that option, I suggested to my colleagues and to those who were witnesses before the committee today that we might be wise, as we again try to reduce our reliance on foreign oil, to take a look to the south of our country, down to Brazil, to see what they are doing to reduce their reliance on foreign oil. In Brazil, they have learned how to meet, in an increasing way, their need to drive their cars, trucks, and vans not by importing oil, not by pumping oil but by growing sugarcane, soybeans, in some cases corn, grass, different kinds of grass, and being able to transform those crops into fuel for their cars, trucks, and vans. I understand now over a quarter of the fuel needs of Brazilians, as they are driving around their country today and tonight, are met by the crops they grow.

I am proud to say, in Delaware, during the time I was privileged to be their Governor, we decided to try an experiment with our DelDOT vehicles. The experiment was one where we said, Why don't we use a combination of soybean oil—we raise a lot of soybeans in Delaware—use some of our soybean oil and mix it with diesel fuel and see if it works in powering our DelDOT vehicles. It worked fine and it ran well.

Actually, there were environmental consequences: The air pollution consequences were better with the mixture of soybean oil and diesel fuel, and we reduced our reliance on oil to some extent.

That experiment has given way to a broader experiment in our State, where we use a combination of soybean oil and diesel fuel to power an ever broader number of vehicles that are diesel powered, including farm equipment and I believe now some schoolbuses and other larger trucks.

We are building a refinery in Delaware today. It is not a traditional kind of refinery. We have a big oil refinery along the Delaware River in a town called Delaware City. This is a refinery where we are going to bring soybeans to the refinery and create, again, a blend of soybean oil and diesel fuel to help power those DelDOT vehicles and other vehicles normally diesel powered.

In the next year or so, new EPA requirements for cleaner, leaner, low-burning emission diesel engines will be phased in, Tier II requirements. As we face those requirements, we will find that diesel-powered vehicles, which used to belch black smoke pulling away from intersections and traffic lights, leaving a huge black plume of particulate and pollutants—those days are, at least with respect to new vehicles on the road, those days will be gone for the most part next year. We will see more diesel-powered vehicles which, in many cases in the future, will be clean burning, as lean burning, as low emission as our internal gas-powered engines that can take advantage of the refinery we are building north of Dover, DE, and other folks that are building similar biodiesel refineries in their own States.

We did a couple smart things in the Energy bill that we enacted early this year. They also relate to enhancing our ability to reduce our reliance on foreign oil. We have expanded the tax credit for people who buy hybrid-powered vehicles, a combination of internal combustion engine with the electric motor.

Under current law, the tax credit for people buying hybrids is about $1,000, a flat $1,000. I don't believe it is bigger if you have a vehicle that gets 60 miles per gallon as opposed to one that gets 30. The tax credit for hybrid-powered vehicles will change on January 1. Beginning that day, people who buy a hybrid-powered vehicle, ones that are highly energy efficient, get a tax credit worth up to as much as $3,400. For hybrid engine vehicles that are less energy efficient, the tax credit goes down.

Similarly, we are going to begin to offer, on January 1 of next year, a tax credit—again, a variable tax credit—for folks who buy lean-burning, clean-burn, low-emission, highly fuel-efficient diesel-fueled vehicles.

The head of Daimler Chrysler in North America, Juergen Schrempp, will head up Daimler Chrysler around the world and was here hosting a reception off of Capitol Hill and brought with him folks from Daimler Chrysler. Vehicles were, in some cases, internal combustion engines and other cases diesel powered. He brought with him a concept passenger car. They have not built it yet but they are hoping. My hope is that they will. The vehicle gets 60 miles per gallon in the city and 80 miles per gallon on the highway. The combination overall is about 70 miles per gallon. The vehicle will meet Tier II diesel requirements for lower emissions, as well.

We have seen our friends from GM and Daimler Chrysler create a partnership early this year for developing the next generation of hybrid-powered vehicles.

My hope is that one of the concepts they will come up with, one of the engines and power systems they will come up with, is something that marries together this notion of a low-emissions, highly energy efficient diesel-powered engine with an electric engine. It will be a diesel hybrid. GM has already introduced that kind of technology quite successfully with respect to buses. We have thousands of buses that are now roaming the streets of America that are diesel powered but also have a hybrid counterpart, too, to provide better efficiency and lower emissions.

I think it would be terrific for consumers and those of us who are interested in cleaner air and for those of us who are interested in reducing our reliance on foreign oil to take that same concept of a diesel engine with an electric hybrid motor—putting them together—and being able to introduce that kind of propulsion system in our cars, trucks, and vans, as we have—at least by GM—in larger vehicles.

Nobody in this country should be comfortable with the state we find ourselves in today, with this huge and growing reliance on foreign oil. We can do better. On behalf of all of us in this country, and especially our kids, the folks to whom we are leaving our trade deficit and our budget deficit, we have to do better than this.

About a quarter of our trade deficit is attributable to the cost of oil, the importation of oil. We cannot continue on a course, in my view, that has $300 billion or $400 billion budget deficits and $600 billion or $700 billion trade deficits. That is not sustainable. One of the ways we can at least take a big bite out of that trade deficit is to move toward energy independence, maybe by the year 2020—it would be great if we could do it sooner; that may not be realistic—but at least by 2020.

With that, Mr. President, I yield back my time and thank the Chair.

NOTICE OF INTENT

Mr. DORGAN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H.R. 3058 amendment No. 2078.

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. Mr. President, it appears that action for the day on the Treasury, Transportation, Housing and Urban Development, the Judiciary, and Related Agencies appropriations bill has come to a close. I ask once again that our colleagues be prepared to offer amendments tomorrow or we will ask to go to third reading.

MORNING BUSINESS

Mr. BOND. Mr. President, I ask unanimous consent that we now proceed to a period of morning business, with Senators permitted to speak therein for up to 10 minutes.

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

REPEAL OF MICROPURCHASE AUTHORITY

Mr. GRASSLEY. Mr. President, I rise today to speak regarding the repeal of expanded Federal Government micropurchase limits, as well as to speak regarding recent regulatory action taken by the Office of Management and Budget on this matter.

We are all deeply concerned with the recent events surrounding Hurricane Katrina and the massive rebuilding and reconstruction efforts ongoing in the gulf coast.

While we all agree that help is needed, many have argued how best to provide this help. The second supplemental emergency appropriation for Hurricane Katrina included a number of provisions to help provide for rebuilding and reconstruction—including nearly $61 billion.

This money will help rebuild the gulf coast, yet there were some provisions in that second supplemental that leave the rebuilding effort vulnerable to fraud, waste, and abuse of taxpayer dollars.

One such provision was the repeal of the limitations on micropurchase spending authority. Micropurchases represent delegated buying authority for Federal agencies and were designed to save money by providing flexible spending. Micropurchases are usually small—averaging $600—and are most often made through Government credit cards.

By law these Government credit card micropurchases were originally capped at $2,500 per purchase. This limit was raised following 9/11 for emergency purposes only, to $15,000 domestically and $25,000 abroad.

The second Hurricane Katrina supplemental raised this emergency rate from $15,000 to $250,000, per purchase. This change represents a nearly 1600 percent increase. Imagine a Government bureaucrat being able to walk into a store, purchase an item for $250,000 without prior approval, and say, ''Put it on the taxpayer's tab.''

History has proven that these Government credit cards are prone to fraud, waste and abuse of taxpayer funds. I began looking into this issue several years ago. Working with the Government Accountability Office, GAO, and the various inspectors general over the years, I have uncovered hundreds of millions of dollars lost to fraud, waste, and abuse due to inadequate controls on Government credit cards.

This history of abuse prompted my immediate attention and intervention

with OMB regarding the increased threshold. Through negotiations during the critical early hours following the passage of the micropurchase increase, OMB agreed to issue guidance which provided a temporary limit on who could utilize the new limits. This guidance helped to prevent undocumented spending and potential abuse; however, it only served as a temporary stop-gap measure.

On September 15, I introduced legislation on this topic. The bill introduced, S. 1716—the Emergency Health Care Relief Act of 2005—contained a provision that would roll back the increased micropurchase thresholds to a responsible level while maintaining flexibility for those providing relief in the impacted Gulf States. I included this provision in the bill I introduced because of my experience in fighting fraud, waste, and abuse that has occurred as a result of Government credit cards.

Unfortunately, S. 1716 has been held up in this body for too long, preventing legislation from fixing this potential giveaway and delaying health care to those most desperately in need.

I was pleased to hear that Senators DORGAN and WYDEN have voiced their concerns by recently introducing legislation on this matter. I am also pleased that legislation which was introduced by Senators COLLINS and LIEBERMAN on this matter was recently reported out of Committee in a favorable voice vote. Both of these bills represent what I believe is the sense of Congress, that this increased limit must be reduced statutorily.

On October 3, OMB revised its guidance for micropurchases, reducing the increased limits from $250,000 to $2,500, the same correction sought in the different legislation introduced by Senators COLLINS and LIEBERMAN and the subsequent legislation by Senators DORGAN and WYDEN. I applaud OMB for stepping forward and taking corrective action; however, I remain concerned that this limit could be changed by OMB at any time as the increased limit still remains in the law.

Fortunately, OMB has listened to my recommendations and recognized the need to rescind this provision and is now supporting efforts to provide a legislative fix. I have learned from OMB that all agencies within the Government have agreed that the higher limit is unnecessary and also support reducing the increased limit.

The micropurchase threshold increase needs to be repealed permanently by Congress and not merely corrected through regulatory guidance. As this body continues to hold up action on S. 1716, the best option for quick and decisive action to reduce this increased credit limit is to support the legislation introduced by Senators COLLINS and LIEBERMAN which was recently voted out by the Committee on Homeland Security and Government Affairs.

S. 1716 remains an important piece of legislation providing health care for those who have been affected by the tragedy in the Gulf States. By no means should my support of this legislation be seen as reducing the need to pass S. 1716 however; it just makes sense for this body to move quickly in closing this potential loophole for fraud, waste, and abuse.

I urge all my colleagues to join me in supporting quick passage of both S. 1716 and the legislation offered by Senators COLLINS and LIEBERMAN, to help prevent relief dollars from being lost to fraud, waste, and abuse and provide the much needed health care to the region devastated by Hurricane Katrina.

HISPANIC HERITAGE MONTH

Mr. LAUTENBERG. Mr. President, I am pleased to rise today to commemorate Hispanic Heritage Month. I was proud to support, along with my Senate colleagues, a resolution recognizing Hispanic Heritage Month and celebrating the vast contributions that Hispanic Americans have made to the strength and culture of our Nation.

I would like to take a moment now to honor the contributions of the Latino community in the great State of New Jersey. New Jersey's 1.3 million Hispanic Americans are an integral and vital part of our State, contributing to every aspect of life, from business to culture. Hispanic or Latino Americans represent nearly 15 percent of the population of my State. They are the largest and fastest-growing minority group in the Nation and in New Jersey.

As the son of immigrants who came to this country for the opportunities it offers, I am proud of the way our Latino neighbors have worked to make a better life for themselves and for their children.

New Jersey is home to more than 50,000 Latino-owned businesses, ranging from big corporations like Goya Foods, which is based in Secaucus, to small mom-and-pop bodegas. Through their energy and talent, these Hispanic businesses in New Jersey generate more than $9 billion in economic activity and support 167,000 jobs.

Latinos contribute to our economy, to our culture, and also to our public life. Hispanic Americans serve our Nation and the State of New Jersey at all levels of government—as mayors and municipal council members, county freeholders, and in countless elected and appointed capacities throughout the State. Seven members of the State's current General Assembly are of Hispanic descent, as well as a member of our Congressional delegation, Congressman ROBERT MENENDEZ. In 2004, Justice Roberto Rivera-Soto became the first Hispanic American to serve on New Jersey's Supreme Court. And just this year, New Jersey's first Latino county prosecutor was appointed.

I am honored today to recognize the efforts and contributions of New Jersey's Hispanic Americans and I thank my colleagues for supporting this important resolution.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On April 27, 1998, Stephen Goedereis, was killed by two teens near his home in Miami, FL. Goedereis was walking down the street, when he complimented one of the two teens. The teens then beat Goedereis, who subsequently died 2 days later in the local hospital. The teens were convicted of second degree murder and robbery, both of which were classified as hate crimes. I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

LIBERIA'S ELECTIONS

Mr. FEINGOLD. Mr. President, I commend the Liberian people on their recent Presidential and parliamentary elections. News reports of people camping outside polling areas to vote, strong voter turnout, and a free and fair democratic process in Liberia are inspiring. Following a 14-year-long civil war and the regime of former Liberian leader Charles Taylor, who fled in exile in August 2003, the war-tired people of Liberia deserve our support as they work to bring about a legitimate, representative government in that country.

However, Liberia's elections are not the silver bullet for stability. There remains much work to be done to build long-term stability in this country, and the U.S. has a meaningful role to play. We must remain engaged in Liberia to help rebuild and strengthen institutions. The legitimacy of government is contingent upon the public's confidence, and lasting stability depends on such steps as rooting out corruption and providing transparency in government. The Liberian people deserve our unflagging support in those endeavors. Too much is at stake to turn our back and allow Liberia to regress into a state that houses a corrupt and abusive government and further destabilizes West Africa.

In looking forward, Liberians must also reconcile with the past. Years of horrible violence and conflict and the drastic decline of humanitarian conditions in the country under the regime of Charles Taylor need resolution. We also know now that Charles Taylor's

desire for power and wealth extended beyond the borders of Liberia. I firmly believe that Charles Taylor is a war criminal, and I maintain that he should stand trial before the Special Court for Sierra Leone. The U.S. and the international community have a responsibility to ensure that the circle of violence and impunity in Liberia does not continue in its nascent government. And we must continue to help the Liberian people combat corruption, because no new leadership can bring lasting change if that fundamental problem is not addressed.

ADDITIONAL STATEMENTS

A TRIBUTE TO JUDGE TOMMY JEWELL

• Mr. BINGAMAN. Mr. President, I rise today to speak about a man of hope and deep conviction who has displayed a tireless commitment to improving the lives of New Mexicans. After serving the State of New Mexico for 22 years, Judge Tommy Jewell stepped down from the bench on September 30, 2005. With his resignation, New Mexico lost one of its finest, most compassionate public servants.

Judge Jewell began his career by breaking down barriers. In 1983, he became the first African American ever appointed to the New Mexico bench. In 1991, after serving for 8 years in Metropolitan Court as Chief Judge, Judge Jewell was appointed to Children's Court in New Mexico's Second Judicial District. Judge Jewell approached each case and each child who came before him with the same underlying philosophy: no one is beyond the reach of hope and everyone is capable of turning his or her life around and moving it in the right direction.

In dealing with juvenile offenders in the Children's Court, Judge Jewell emphasized the need for these young people to take responsibility for their actions. However, he also conveyed his strong belief that, by acknowledging their mistakes and owning up to the consequences, the troubled teens with whom he dealt could find power within themselves to change their life for the better. While striving to keep a firm hand and not let serious offenses go unmet by serious consequences, Judge Jewell believed that there was a degree of goodness in every person who stood before him. Moreover, he was unrelenting in his contention that children would learn more about themselves and how to contribute positively to society by working in recovery programs than they ever could while sitting on a bench behind jail bars.

Well liked and respected by his colleagues, Judge Jewell was honored for Outstanding Judicial Service by the State Bar of New Mexico in 1997 and, in 2001, was named Outstanding Judge by the Albuquerque Bar Association.

Judge Jewell's work in the legal field prior to becoming a judge helped him develop skills that contributed to his success while serving on the bench. He was a partner in the successful law firm of Jewell, Kelly, and Kitson. After graduating from the University of New Mexico School of Law in 1979, Judge Jewell went to work as a staff attorney with the Legal Aid Society, which provides essential legal services to the poor.

In addition to his success as a dedicated public servant, Tommy Jewell is also a man of many interests and talents. Judge Jewell is an avid musician and drummer in a band. As an undergraduate, he was a member of the New Mexico State University football team. Judge Jewell is also a dedicated family man. He and his wife Judge Angela Jewell, also a longtime public servant, have two children, Thomas and Taja.

During his career as a public servant, Judge Jewell has broken racial barriers and empowered many young New Mexicans by helping them believe in themselves. With his resignation, New Mexico loses one of its most committed and effective judges, but there is no doubt in my mind that Judge Tommy Jewell will continue to serve his State with great passion and success.•

TRIBUTE TO IOWA'S 2005 ''PRIME TIME AWARDS'' WINNERS

• Mr. HARKIN. Mr. President, Experience Works is a national nonprofit organization dedicated to helping seniors get the training and assistance they need to find good jobs in their communities. Each year, Experience Works uses its Prime Time Awards program to recognize exemplary older workers. This year, two Iowans have been honored. Dwight Hauff of Sioux City, who is 100 years old, has been selected for a national award as America's Oldest Worker. And Milt Roth of Waterloo, who is 87, has been selected as Iowa's Outstanding Older Worker.

Mr. Hauff is the owner of a chain of sporting goods stores that includes Hauff Mid-America Sports, Dakota Sports, Inc., and the Iowa Sports Supply Company. He opened his first sporting goods store in Sioux City in 1933 at the height of the Great Depression. For 73 years, Mr. Hauff has supplied schools, athletic leagues, and businesses with quality sports equipment and apparel. In the 1960s, Dwight served as president of the National Sporting Goods Association. He is a past president of the National Operating Committee on Standards for Athletic Equipment, and is a current member of the Iowa High School Girls and Boys Athletic Association. At age 100, Mr. Hauff is still going strong. He spends 6 days a week at his sporting goods store in downtown Sioux City, where he is a much respected and beloved member of the community.

Mr. Roth is the owner and operator of Roth Jewelers, which his father founded in 1931, and which is now the second oldest retail business in downtown Waterloo. During the Second World War, Mr. Roth served in the U.S. Army and was initially assigned to the Armored Cavalry Unit at Fort Riley, KS. He attended Officers Candidate School, was commissioned as a lieutenant, and served with an ordnance unit in the European Theater. After the war he returned to Waterloo, and took over ownership of Roth Jewelers from his father. These days, well into his ninth decade, Mr. Roth still regularly puts in 40 or more hours a week at his store. He remains very much engaged in his community, where he has served on the Allen Memorial Hospital Board of Directors, and has been an active member of the Waterloo Chamber of Commerce and the Kiwanis Club. He has been a generous supporter of scholarships, local colleges, and the performing arts.

Someone once said that we make a living by what we get, but we make a life by what we give. Dwight Hauff and Milt Roth have been blessed with work that they love, and, in return, they have given so much to their communities. I congratulate them on their richly deserved honors from Experience Works. And I wish them many more years of continued service.•

HONORING THE LIFE OF CHARLIE YATES

• Mr. ISAKSON. Yesterday, the city of Atlanta, the State of Georgia and the game of golf lost a legend and a friend, Charlie Yates.

Charlie Yates won the national college golf championship in 1934, and was a Walker Cup competitor twice. In 1938 Charlie Yates won the British Amateur Championship at Royal Troon in Scotland.

Charlie Yates was a close friend of the late Bobby Jones, and a constant playing partner with Jones at their beloved East Lake Golf Club. Yates played in eleven Masters tournaments, and was a member of the Augusta National Golf Club.

Charlie Yates's contributions were not limited to the game of golf. He served as president of the Atlanta Symphony Orchestra from 1962 to 1965, and then chaired the Atlanta Arts Alliance which became the Woodruff Arts Center, one of America's great centers for the Arts.

Under Yates's leadership the Woodruff Arts Center's overall budget rose from $3.8 million in 1973 to $163 million in 1983, and he led the effort that raised $5.4 million for the center's endowment.

Charlie Yates touched the lives of many Georgians, including this Senator, through his efforts on behalf of our community and through his wonderful family. I am honored to pay tribute to a great American, Charlie Yates.•

2005 SOLAR DECATHLON WINNER

• Mr. SALAZAR. Mr. President, it is with great pleasure and pride that I commend the University of Colorado

Solar Team on taking overall honors in the 2005 Solar Decathlon on the National Mall in Washington, DC. With their strong work ethic, vision, creativity and commitment to energy conservation and efficiency, the CU Solar Team has successfully designed, engineered and constructed a national model for an attractive, energy-efficient solar-powered home, while outshining esteemed competitors from such prestigious institutions as Cornell University and the California Polytechnic State University.

The 2005 Solar Decathlon was an international competition between 18 competing collegiate teams, sponsored by the Department of Energy's National Renewable Energy Laboratory, or NREL, in Golden, CO. Participants came from all over the United States, and as far away as Puerto Rico, Canada and Spain. Teams competed in 10 areas, including architecture, livability and comfort, as well as how well the homes provide energy for space heating and cooling, hot water, lighting and appliances. Home designs were also required to produce enough extra energy to power an electric car.

The CU Solar Team is a tight-knit group of students and faculty from the colleges of architecture, engineering, and environmental studies. Charged with the task of integrating natural materials and innovative technology into an environmentally conscious, publicly accessible and energy efficient modular home design, architecture students began to ''think like engineers'' and engineering students were placed in the role of architect. In the end, the team rose to the challenge and successfully achieved an exceptional solar design which included features such as a rooftop photovoltaic system composed of 32 SunPower 200-watt solar panels, and made of building materials such as soy, corn, sunflower and canola.

At a time when our Nation's energy policy continues to be heavily dependent on foreign oil, and when home heating costs are rising to unbearable levels, I commend the ambitious work of these students in envisioning, designing and successfully creating a model for energy-efficient mobile home design. Their achievement stands as a testament to the world-class research and innovation produced at the University of Colorado, which is one of the nation's most accomplished research universities.

I also want to briefly pay tribute to NREL. It is no exaggeration to say that NREL holds the key to our Nation's long-term energy security. For nearly 30 years, NREL has been at the forefront of alternative energy research and development, and their sponsorship of research projects like the decathlon helps ensure that our young engineers and scientists have opportunities to channel their education, creativity, and talent towards solving our Nation's energy challenges.

The work done by this team of 14 students at CU Boulder is impressive, important and will help lead the United States to a future of greater energy independence and greater security.●

DR. C. DELORES TUCKER

● Mr. SANTORUM. Mr. President, I rise today in recognition of the passing of a great Pennsylvanian, and great American, Dr. C. DeLores Tucker. Throughout her distinguished life, Dr. Tucker demonstrated an incredible amount of courage, selflessness, and compassion, as well as an unquenchable thirst for equality for all Americans. Dr. Tucker lived her life in a manner we should all aspire to, and she will be sorely missed.

Born in Philadelphia on October 4, 1927, the child of a north Philadelphia pastor, Dr. Tucker was truly a daughter of Pennsylvania. She attended Temple University and the University of Pennsylvania-Wharton School, and in 1951 married Mr. William Tucker, a successful Philadelphia real estate agent.

Dr. Tucker had a significant, renowned history in the civil rights movement. Her involvement included raising funds for the National Association for the Advancement of Colored People, participating in the 1965 march in Selma, AL with Dr. Martin Luther King, Jr., and founding the National Political Congress of Negro Women, now known as the National Congress of Black Women, and the Philadelphia Martin Luther King, Jr. Association for Nonviolence, Inc. Her devotion to obtaining equal rights for African Americans altered the future of this Nation, and history will remember C. DeLores Tucker as a patriot, a revolutionary thinker, and a credit to America.

Dr. Tucker, a pioneer so often throughout her life, became the first African-American secretary of state for the Commonwealth of Pennsylvania in 1971. In assuming this position, Dr. Tucker also became the first African-American woman secretary of state in America's history. Dr. Tucker often walked upon the road less traveled, and while on this path, paved the way towards a better life for those that followed.

Following her time as secretary of state, Dr. Tucker took up an intense interest in protecting our children, the future of America. She was founder and president of the Bethune-DuBois Institute, Inc., an institution with the goal of enhancing the cultural and intellectual development of African-American youth through scholarships and educational programs. Dr. Tucker was a firm believer in the preservation of values in our culture, and fought hard against the inclusion of explicit lyrics in rap and hip-hop music, citing their detrimental effect on the youth of this Nation.

Personally, I had the pleasure to work with Dr. Tucker in her capacity as national chair of the National Congress of Black Women, Inc. Dr. Tucker and the organization she founded established the Sojourner Truth Crusade, an effort to put the likeness of Sojourner Truth on the Suffrage Monument that now stands in the Capitol Rotunda. In working with Dr. Tucker, I was able to see first-hand the dedication, the joy, and the passion that she brought to both her work and her everyday life.

America has lost a great citizen with the passing of C. DeLores Tucker, and the Commonwealth of Pennsylvania has lost one of its brightest stars. While we will surely miss Dr. Tucker and all that she brought to the lives of each person she touched, there is no question that her legacy will live on for years to come.●

GEORGE HALE

● Ms. SNOWE. Mr. President, I rise today to express my deep admiration for the indomitable George Hale, a man whose voice has danced over the airwaves of Maine television and radio over the last 50 years.

George Hale has an exceptional ability of bringing unique personality and perspective to each and every broadcast. With a career in sports, George provides the listener with the personal stories of triumph that make competition enthralling.

Maine can not take all the credit for George Hale. Born in Cleveland, OH, George had to decide whether to come to Bangor and work in television or accept a desk job in New York City. By my estimation, he made the right decision subsequently establishing himself as one of Maine's premier broadcasting personalities.

The most famous story about George is the time that he predicted snow flurries in the evening weather forecast and the next day Bangor awoke to find itself buried in the biggest snowstorm in its history. To this day, residents refer to him as ''Flurries Hale''.

I extend my most sincere congratulations to Mr. Hale on this milestone accomplishment.●

MESSAGES FROM THE HOUSE

At 6:18 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 55. An act to adjust the boundary of Rocky Mountain National Park in the State of Colorado.

S. 156. An act to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia, and for other purposes.

The message also announced that the House agrees to the amendments of the Senate to the bill (H.R. 3765) to extend through December 31, 2007, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities to expedite the processing of permits.

ENROLLED BILL SIGNED

At 6:42 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3765. An act to extend through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–4256. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicaid Program and State Children's Health Insurance Program (SCHIP) Payment Error Rate Measurement'' (RIN0938–AN77) received on October 6, 2005; to the Committee on Finance.

EC–4257. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medicare and Medicaid Programs; Conditions of Participation: Immunization Standard for Long Term Care Facilities'' (RIN0938–AN95) received on October 06, 2005; to the Committee on Finance.

EC–4258. A communication from the Administrator, Rural Business-Cooperative Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Business and Industry Guaranteed Loan Program Annual Renewal Fee'' (RIN0570–AA34) received on October 6, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4259. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Protected Plant Permits'' (APHIS Docket No. 04–137–1) received on October 6, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4260. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Noxious Weed Control and Eradication Act; Revisions to Authority Citations'' (APHIS Docket No. 05–012–2) received on October 6, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4261. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Tuberculosis in Cattle and Bison; State and Zone Designations; Michigan'' (APHIS Docket No. 05–035–1) received on October 11, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4262. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Melons Grown in South Texas; Continued Suspension of Handling and Assessment Collection Regulations'' (Docket No. FV05–979–2 IFR) received on October 11, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4263. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Kiwifruit Grown in California; Relaxation of Pack Requirements'' (Docket No. FV05–920–1 FR) received on October 11, 2005; to the Committee on Agriculture, Nutrition, and Forestry.

EC–4264. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Kiwifruit Grown in California; Increased Assessment Rate'' (Docket No. FV05–920–2 FR) received on October 11, 2005; to the Committee on Agriculture Nutrition, and Forestry.

EC–4265. A communication from the Regulations Coordinator, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Registration of Food Facilities Under the Public Health Security and Bioterrorism Preparedness and Response Act of 2002'' ((RIN0910–AC40) (Docket No. 200N–0276)) received on October 6, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4266. A communication from the Railroad Retirement Board, transmitting, pursuant to law, the Board's 2005 Annual Report; to the Committee on Health, Education, Labor, and Pensions.

EC–4267. A communication from the Director, Regulations Policy and Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Medical Devices; Dental Devices; Classification of Oral Rinse to Reduce the Adhesion of Dental Plaque'' (Docket No. 2005N–0338) received on October 11, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4268. A communication from the Administrator, Office of National Programs, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Labor Condition Applications and Requirements for Employers Using Nonimmigrants on H–1B Visas in Speciality Occupations and as Fashion Models; Labor Attestations Regarding H–1B1 Visas; Interim Final Rule'' (RIN1205–AB38) received on October 11, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4269. A communication from the Administrator, Office of National Programs, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Labor Certification for the Permanent Employment of Aliens in the United States; Backlog Reduction; Interim Final Rule'' (RIN1205–AB37) received on October 11, 2005; to the Committee on Health, Education, Labor, and Pensions.

EC–4270. A communication from the Senior Procurement Executive, National Aeronautics and Space Administration, General Services Administration, transmitting, pursuant to law, the report of a rule entitled ''Federal Acquisition Regulation; Federal Acquisition Circular 2005–06'' (FAC 2005–06) received on October 6, 2005; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STEVENS, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1516. A bill to reauthorize Amtrak, and for other purposes (Rept. No. 109–143).

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. CRAIG for the Committee on Veterans' Affairs.

George J. Opfer, of Virginia, to be Inspector General, Department of Veterans Affairs.

*Robert Joseph Henke, of Virginia, to be an Assistant Secretary of Veterans Affairs (Management).

*William F. Tuerk, of Virginia, to be Under Secretary of Veterans Affairs for Memorial Affairs.

*John M. Molino, of Virginia, to be an Assistant Secretary of Veterans Affairs (Policy and Planning).

*Lisette M. Mondello, of Texas, to be an Assistant Secretary of Veterans Affairs (Public and Intergovernmental Affairs).

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, and Mr. ENSIGN):

S. 1881. A bill to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco otherwise known as the ''Granite Lady'', and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCHUMER (for himself, Ms. CANTWELL, and Mr. LAUTENBERG):

S. 1882. A bill to amend title 49, United States Code, to provide for a national tire fuel efficiency program; to the Committee on Commerce, Science, and Transportation.

By Mr. HATCH (for himself and Mr. BAUCUS):

S. 1883. A bill to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to assist property owners and Federal agencies in resolving disputes relating to private property; to the Committee on Environment and Public Works.

By Mr. CRAPO:

S. 1884. A bill to amend title XVIII of the Social Security Act to modernize payments for ambulatory surgical centers under the medicare program; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Mrs. DOLE, Mrs. LINCOLN, Mr. SMITH, Mr. DURBIN, Mr. MARTINEZ, Mr. LEVIN, Mr. CORZINE, and Mr. LEAHY):

S. 1885. A bill to encourage the effective use of community resources to combat hunger and the root causes of hunger by creating opportunity through food recovery and job training; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. LUGAR (for himself and Mr. BIDEN):

S. 1886. A bill to authorize the transfer of naval vessels to certain foreign recipients; considered and passed.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRAPO (for himself, Ms. CANTWELL, Mr. LIEBERMAN, Mr. DURBIN, Mr. AKAKA, Ms. MURKOWSKI, Mrs. MURRAY, and Mr. BIDEN):

S. Res. 275. A resolution designating the week of February 6, 2006 as ''National Teen Dating Violence Awareness and Prevention Week''; to the Committee on the Judiciary.

By Mr. SALAZAR (for himself, Mr. BURR, and Mrs. DOLE):

S. Res. 276. A resolution expressing the sense of the Senate that the attachment therapy technique know as rebirthing is a dangerous practice and should be prohibited; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mr. GRASSLEY, Mr. BIDEN, Mr. TALENT, Mrs. DOLE, Mr. STEVENS, Mr. DOMENICI, and Mr. CHAMBLISS):

S. Res. 277. A resolution supporting the goals of Red Ribbon Week; considered and agreed to.

By Mr. REED (for himself, Ms. COLLINS, Mr. BAYH, Mr. BIDEN, Mr. BOND, Mrs. BOXER, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mrs. CLINTON, Mr. COCHRAN, Mr. CORZINE, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HAGEL, Mr. INOUYE, Mr. ISAKSON, Mr. JEFFORDS, Mr. JOHNSON, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. MIKULSKI, Mrs. MURRAY, Mr. OBAMA, Mr. PRYOR, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TALENT, Mr. CONRAD, and Ms. MURKOWSKI):

S. Res. 278. A resolution designating the week of October 23, 2005, through October 29, 2005, as ''National Childhood Lead Poisoning Prevention Week''; considered and agreed to.

By Mr. FRIST (for himself and Mr. REID):

S. Res. 279. A resolution to authorize testimony in State of Mississippi v. Edward Statecum; considered and agreed to.

ADDITIONAL COSPONSORS

S. 211

At the request of Mrs. CLINTON, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2–1–1 telephone service for information and referral on human services, volunteer services, and for other purposes.

S. 241

At the request of Ms. SNOWE, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 406

At the request of Ms. SNOWE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 406, a bill to amend title I of the Employee Retirement Security Act of 1974 to improve access and choice for entrepreneurs with small businesses with respect to medical care for their employees.

S. 408

At the request of Mr. DEWINE, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 408, a bill to provide for programs and activities with respect to the prevention of underage drinking.

S. 438

At the request of Mr. ENSIGN, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 438, a bill to amend title XVIII of the Social Security Act to repeal the medicare outpatient rehabilitation therapy caps.

S. 495

At the request of Mrs. CLINTON, her name was added as a cosponsor of S. 495, a bill to impose sanctions against perpetrators of crimes against humanity in Darfur, Sudan, and for other purposes.

S. 558

At the request of Mr. REID, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 558, a bill to amend title 10, United States Code, to permit certain additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special compensation and to eliminate the phase-in period under current law with respect to such concurrent receipt.

S. 685

At the request of Mr. AKAKA, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 685, a bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60.

S. 756

At the request of Mr. BENNETT, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 756, a bill to amend the Public Health Service Act to enhance public and health professional awareness and understanding of lupus and to strengthen the Nation's research efforts to identify the causes and cure of lupus.

S. 910

At the request of Ms. SNOWE, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 910, a bill to require that health plans provide coverage for a minimum hospital stay for mastectomies, lumpectomies, and lymph node dissection for the treatment of breast cancer and coverage for secondary consultations.

S. 1269

At the request of Mr. INHOFE, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1269, a bill to amend the Federal Water Pollution Control Act to clarify certain activities the conduct of which does not require a permit.

S. 1351

At the request of Mrs. CLINTON, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1351, a bill to amend title 10, United States Code, to provide for the award of a military service medal to members of the Armed Forces who served honorably during the Cold War era.

S. 1418

At the request of Mr. ENZI, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 1418, a bill to enhance the adoption of a nationwide inter-operable health information technology system and to improve the quality and reduce the costs of health care in the United States.

S. 1440

At the request of Mr. CRAPO, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 1440, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 1489

At the request of Mrs. CLINTON, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1489, a bill to amend the Public Health Service Act with regard to research on asthma, and for other purposes.

S. 1516

At the request of Mr. LOTT, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1516, a bill to reauthorize Amtrak, and for other purposes.

S. 1597

At the request of Mr. ENZI, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1597, a bill to award posthumously a Congressional gold medal to Constantino Brumidi.

S. 1687

At the request of Ms. MIKULSKI, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 1687, a bill to amend the Public Health Service Act to provide waivers relating to grants for preventive health measures with respect to breast and cervical cancers.

S. 1725

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1725, a bill to strengthen Federal leadership, provide grants, enhance outreach and guidance, and provide other support to State and local

officials to enhance emergency communications capabilities, to achieve communications interoperability, to foster improved regional collaboration and coordination, to promote more efficient utilization of funding devoted to public safety communications, to promote research and development by both the public and private sectors for first responder communications, and for other purposes.

S. 1749

At the request of Mr. KENNEDY, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 1749, a bill to reinstate the application of the wage requirements of the Davis-Bacon Act to Federal contracts in areas affected by Hurricane Katrina.

S. 1779

At the request of Mr. AKAKA, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 1779, a bill to amend the Humane Methods of Livestock Slaughter Act of 1958 to ensure the humane slaughter of nonambulatory livestock, and for other purposes.

S. 1815

At the request of Mr. ALEXANDER, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1815, a bill to amend the Immigration and Nationality Act to prescribe the binding oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States, to encourage and support the efforts of prospective citizens of the United States to become citizens, and for other purposes.

S. 1859

At the request of Mr. BURR, the name of the Senator from Florida (Mr. MARTINEZ) was added as a cosponsor of S. 1859, a bill to amend the Clean Air Act to provide for a Federal Fuels List, and for other purposes.

S. 1864

At the request of Mr. TALENT, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1864, a bill to amend the Internal Revenue Code of 1986 to treat certain farming business machinery and equipment as 5-year property for purposes of depreciation.

S. 1867

At the request of Mr. FEINGOLD, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1867, a bill to extend to individuals evacuated from their residences as a result of Hurricane Katrina the right to use the absentee balloting and registration procedures available to military and overseas voters under the Uniformed and Overseas Citizens Absentee Voting Act, and for other purposes.

S.J. RES. 25

At the request of Mr. TALENT, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S.J. Res. 25, a joint resolution proposing an amendment to the Constitution of the United States to authorize the President to reduce or disapprove any appropriation in any bill presented by Congress.

S. CON. RES. 46

At the request of Mr. BROWNBACK, the names of the Senator from Louisiana (Mr. VITTER) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. Con. Res. 46, a concurrent resolution expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards.

S. RES. 272

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. Res. 272, a resolution recognizing and honoring the life and achievements of Constance Baker Motley, a judge for the United States District Court, Southern District of New York.

AMENDMENT NO. 2062

At the request of Mr. KYL, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of amendment No. 2062 proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2063

At the request of Mr. KENNEDY, the names of the Senator from Massachusetts (Mr. KERRY), the Senator from New York (Mrs. CLINTON), the Senator from New Jersey (Mr. CORZINE) and the Senator from Delaware (Mr. BIDEN) were added as cosponsors of amendment No. 2063 proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

AMENDMENT NO. 2065

At the request of Mr. BINGAMAN, the names of the Senator from Iowa (Mr. HARKIN) and the Senator from Kansas (Mr. BROWNBACK) were added as cosponsors of amendment No. 2065 intended to be proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. FEINSTEIN (for herself, Mrs. BOXER, and Mr. ENSIGN):

S. 1881. A bill to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco otherwise known as the ''Granite Lady'', and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mrs. FEINSTEIN. Mr. President. I rise today to join my colleagues Senators Boxer and Ensign to introduce legislation to authorize the United States Mint to issue a commemorative coin that will honor the San Francisco Old Mint and help restore this historic building in downtown San Francisco.

The San Francisco Old Mint Building is an important historical landmark for San Francisco, the State of California, and the United States.

Beginning its operations in 1854, the Old Mint Building was established to take advantage of the plentiful gold and silver mined in the West during the California Gold Rush. At one point, more than half of the money minted in the United States came from the San Francisco Mint, and it once held a third of the Nation's gold supply.

The Old Mint Building, located in the heart of the city, has been standing for more than 125 years as the oldest stone building in San Francisco.

The Greek-revivalist design of the Old Mint Building was created by architect Alfred B. Mullet, who also designed the U.S. Treasury Building and the Old Executive Office Building in Washington, DC. The San Francisco Old Mint building is also listed on the National Register of Historic Places.

Aided by its magnificent stone structure, the Old Mint Building was able to survive the terrible San Francisco earthquake and fire of 1906. In fact, the Mint was the only financial institution that remained operable after the earthquake and the building was used as the treasury for the city's disaster relief funds.

The San Francisco Old Mint Building minted coins until 1937 when the building became too small and its operations moved to a larger space elsewhere in San Francisco. In the years since then, the building has deteriorated.

In 1994, the Bureau of the Mint closed the Old Mint because it could not afford the then-estimated $20 million seismic retrofit to bring the building up to code. Since 2003, the General Services Administration transferred ownership of the building to the City of San Francisco.

The San Francisco Museum and Historical Society has proposed an exciting project to restore and rejuvenate the Old Mint Building in downtown San Francisco. A fine history museum supported by shops and a visitor's center will combine to make the building a striking and viable destination.

The bill authorizes the Secretary of the Treasury to mint and issue 100,000 $5 gold coins and 500,000 $1 silver coins emblematic of the San Francisco Old Mint Building and its importance to California and the United States.

Proceeds generated from the sale of these commemorative coins will be paid to the San Francisco Museum and

Historical Society for the restoration of the Old Mint Building.

The San Francisco Old Mint is venerated by coin collectors, Californians, and millions of Americans as a national treasure and I believe it is worthy of a commemorative coin.

I believe honoring and restoring the San Francisco Old Mint building is an important historic preservation project.

Next year will mark the 100th anniversary of the building's survival of the 1906 San Francisco earthquake and fire.

No other mint has been commemorated and because issuance of these coins would make a vital contribution to preserving this national treasure, the San Francisco Old Mint merits commemoration at this time.

I hope my colleagues will join me to support this legislation to help preserve and restore this majestic building and honor the important role it played in rebuilding the great ''City by the Bay''.

I ask unanimous consent that the text of the legislation be printed in the RECORD.

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

S. 1881

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 ''San Francisco Old Mint Commemorative Coin Act''.

SEC. 2. FINDINGS.

Congress finds the following:

(1) The Granite Lady played an important role in the history of the Nation.

(2) The San Francisco Mint was established pursuant to an Act of Congress of July 3, 1852, to convert miners' gold from the California gold rush into coins.

(3) The San Francisco Old Mint Building was designed by architect A.B. Mullett, who also designed the United States Treasury Building and the Old Executive Office Building.

(4) The solid construction of the Granite Lady enabled it to survive the 1906 San Francisco earthquake and fire, making it the only financial institution that was able to operate immediately after the earthquake as the treasury for disaster relief funds for the city of San Francisco.

(5) Coins struck at the San Francisco Old Mint are distinguished by the ''S'' mint mark.

(6) The San Francisco Old Mint is famous for having struck many rare, legendary issues, such as the 1870–S $3 coin, which is valued today at well over $1,000,000, and the 1894–S dime which is comparatively rare.

(7) The San Francisco Old Mint Commemorative Coin will be the first commemorative coin to honor a United States mint facility.

SEC. 3. COIN SPECIFICATIONS.

(a) DENOMINATIONS.—Notwithstanding any other provision of law, and in commemoration of the San Francisco Old Mint, the Secretary of the Treasury (hereafter in this Act referred to as the ''Secretary'') shall mint and issue the following coins:

(1) $5 GOLD COINS.—Not more than 100,000 $5 coins, which shall—

(A) weigh 8.359 grams;

(B) have a diameter of 0.850 inches; and

(C) contain 90 percent gold and 10 percent alloy.

(2) $1 SILVER COINS.—Not more than 500,000 $1 coins, which shall—

(A) weigh 26.73 grams;

(B) have a diameter of 1.500 inches; and

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

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

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

SEC. 4. DESIGN OF COINS.

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall be emblematic of the San Francisco Old Mint Building, its importance to California and the history of the United States, and its role in rebuilding San Francisco after the 1906 earthquake and fire.

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

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

(B) an inscription of the year ''2006''; and

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

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

(1) selected by the Secretary, after consultation with the Commission of Fine Arts, and the Board of the San Francisco Museum and Historical Society; and

(2) reviewed by the Citizens Coinage Advisory Committee.

SEC. 5. ISSUANCE OF COINS.

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

(b) MINT FACILITY.—The coins authorized under this Act shall be struck at the San Francisco Mint, to the greatest extent possible.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins minted under this Act only during the 1-year period beginning on January 1, 2006.

SEC. 6. SALE OF COINS.

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

(1) the face value of the coins;

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

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

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

(c) PREPAID ORDERS.—

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

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

SEC. 7. SURCHARGES.

(a) IN GENERAL.—All sales of coins minted under this Act shall include a surcharge as follows:

(1) A surcharge of $35 per coin for the $5 coin.

(2) A surcharge of $10 per coin for the $1 coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the San Francisco Museum and Historical Society for the purposes of rehabilitating the Historic Old Mint in San Francisco as a city museum and an American Coin and Gold Rush Museum.

(c) AUDITS.—The San Francisco Museum and Historical Society shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with regard to the amounts received under subsection (b).

By Mr. HATCH (for himself and Mr. BAUCUS):

S. 1883. A bill to amend the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 to assist property owners and Federal agencies in resolving disputes relating to private property; to the Committee on Environment and Public Works.

Mr. HATCH. Mr. President: I rise today to introduce S. 1883, the Empowering More Property Owners with Enhanced Rights Act of 2005, or the EMPOWER Act, a bill that amends the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (the Uniform Act). The EMPOWER Act will assist property owners and Federal agencies in resolving disputes relating to private property outside of the courts. I am joined by my colleague Senator BAUCUS as lead cosponsor of this bill.

In the wake of the Supreme Court decision Kelo v. New London, citizens around the country are calling members of Congress asking if their homes, small businesses, and family farms are safe from the power of the government. While this legislation doesn't address Kelo directly, the EMPOWER Act will enhance the rights of private property owners, when their property becomes a target of the federal government.

The Uniform Act applies to all Federal agencies, and was passed by Congress to ''provide for uniform and equitable treatment of persons displaced from their homes, businesses or farms by Federal and federally assisted programs. . . .'' The Act was amended in 1987 to designate the U.S. Department of Transportation (DOT) as the Lead Agency, requiring it to coordinate with other Federal agencies to issue government-wide standards for eminent domain actions.

The EMPOWER Act would super-size the Uniform Act by assigning the DOT stronger responsibilities in protecting the rights of property owners. It accomplishes this goal in two significant ways. First, it establishes a Property Owners' Bill of Rights, adding new powers to property owners. Second, it establishes a Private Property Ombudsperson to act as a neutral party to assist property owners, small businesses, and family farms when they are subject to Federal or federally assisted actions that affect their property.

The property owners' ''Bill of Rights'' includes those rights already enumerated in the Uniform Act, such as the right to just compensation, replacement housing, and relocation assistance. However, the bill would add several new rights that would significantly enhance the power of the Uniform Act. These are: the right to full

disclosure of the government's appraised value of the property in question; the right to an independent second appraisal; the right to participate in mediation or, if necessary, arbitration as an alternative to costly and time-consuming litigation; the right to be informed about their rights and access to assistance; and the right to assistance from a Property Rights Ombudsperson.

The Property Rights Ombudsperson established by the EMPOWER Act would assist property owners in negotiating the Federal bureaucracy and to act as a third-party neutral in resolving disputes. The Ombudsperson would inform the public of their rights and actively work to help property owners take full advantage of those rights. The Ombudsperson would call for mediated disputes; force arbitration if necessary; work with Federal agencies to advise them about their actions which affect private property; ensure that agencies inform affected property owners of their rights; and provide information to private citizens, citizen groups, and other interested parties regarding rights and responsibilities relating to property rights.

The EMPOWER Act is modeled after a highly successful program in Utah, which has led the Nation in the area of property rights. After 8 years in effect in Utah, this program has taken a great deal of the acrimony and pain out of the process of eminent domain. It has saved the state millions of dollars in litigation fees and reduced the condemnation rate by half. Most important, it has considerably improved government to citizen relations. The vast majority of those using this program in Utah are homeowners and the program has provided them with considerable relief.

The EMPOWER Act adapts the Utah model to the Federal Government. The Act does not change the rules of Federal acquisition of private property, but it does provide significant assistance to private property owners, small businesses, and family farmers when they are faced with a daunting Federal bureaucracy and the possibility of private property loss.

The EMPOWER Act goes a long way toward protecting our citizens from overbearing federal action with regard to private property rights. It takes nothing away from government but does empower citizens, and requires agencies to ensure that property owners are treated fairly. I urge my colleagues to support this Act.

By Mr. LAUTENBERG (for himself, Mrs. DOLE, Mrs. LINCOLN, Mr. SMITH, Mr. DURBIN, Mr. MARTINEZ, Mr. LEVIN, Mr. CORZINE, and Mr. LEAHY):

S. 1885. A bill to encourage the effective use of community resources to combat hunger and the root causes of hunger by creating opportunity through food recovery and job training; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. LAUTENBERG. Mr. President, I rise to introduce the Food Employment Empowerment and Development Act or FEED Act along with my colleagues Senators DOLE and LINCOLN. This important, bipartisan legislation will award grants to qualified programs that effectively combat hunger while creating opportunity through food rescue programs and job training.

This legislation is inspired by some of the great work that food rescue programs in my State of New Jersey, such as Table to Table in Englewood Cliffs, Elijah's Promise in New Brunswick; the Food Bank of Monmouth and Ocean Counties, in Spring Lake; and the Community Food Bank of New Jersey in Hillside are doing.

It is a tragedy that in the United States, a country where food is plentiful, more than 34 million people are either going hungry or living on the edge of hunger. Thirteen million of those are children.

While on average New Jersey is one of the wealthiest States in the Nation, nearly 12 percent of all New Jersey households experience either hunger, food insecurity or both. Low wages, unstable employment and the high cost of living in the State leave many people in need. Senior adults in particular, faced with high housing costs, rising taxes and significant medical expenses miss meals to help make ends meet.

That is why we believe the FEED Act is so important. The FEED Act would provide eligible entities with a maximum grant of $200,000 per year to carry out food rescue and job training activities.

Food rescue programs collect food from restaurants and businesses and turn it into nutritional meals for seniors, children, and low-income families. In turn, these meals can be distributed and served to hungry people at homeless shelters, community and youth centers, children's after-school programs, and senior citizen programs.

Such programs have proven to be very successful, encouraging partnerships between existing social service programs like welfare-to-work, meals-on-wheels, the school lunch program, and after school programs with the preparation of nutritious meals for people in need. Food rescue programs often maximize use of existing school, community, or private food service facilities and resources to run programs.

But just addressing the immediate problem of hunger by providing food is half the battle. Hunger and poverty are closely related. With hunger on the rise in America, we need to go further and address the root causes of hunger by encouraging self sufficiency and responsibility. We need to focus on opportunities that will provide for a living wage through job training and education.

Programs supported by FEED are designed to provide long-term hunger relief by helping participants find employment in the food service industry. In the food service industry, the average wage for starting jobs is $8.81—over three dollars higher than the Federal minimum wage.

I urge my colleagues to support this bipartisan legislation. Together we can make progress by finding innovative, cost-effective ways to use food to feed the hungry while working to break the cycle of poverty by training the homeless and unemployed in food service preparation and delivery.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 1885

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 ''Food Employment Empowerment and Development Program Act of 2005''.

SEC. 2. DEFINITIONS.

In this Act:

(1) ELIGIBLE ENTITY.—The term ''eligible entity'' means an entity that meets the requirements of section (3)(b).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of Agriculture.

(3) VULNERABLE SUBPOPULATION.—

(A) IN GENERAL.—The term ''vulnerable subpopulation'' means low-income individuals, unemployed individuals, and other subpopulations identified by the Secretary as being likely to experience special risks from hunger or a special need for job training.

(B) INCLUSIONS.—The term ''vulnerable subpopulation'' includes—

(i) addicts (as defined in section 102 of the Controlled Substances Act (21 U.S.C. 802));

(ii) at-risk youths (as defined in section 1432 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6472));

(iii) individuals that are basic skills deficient (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801));

(iv) homeless individuals (as defined in section 17(b) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(b));

(v) homeless youths (as defined in section 387 of the Runaway and Homeless Youth Act (42 U.S.C. 5732a));

(vi) individuals with disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102));

(vii) low-income individuals (as defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)); and

(viii) older individuals (as defined in section 102 of the Older Americans Act of 1965 (42 U.S.C. 3002)).

SEC. 3. FOOD EMPLOYMENT EMPOWERMENT AND DEVELOPMENT PROGRAM.

(a) ESTABLISHMENT.—The Secretary shall establish a food employment empowerment and development program under which the Secretary shall make grants to eligible entities to encourage the effective use of community resources to combat hunger and the root causes of hunger by creating opportunity through food recovery and job training.

(b) ELIGIBLE ENTITIES.—To be eligible to receive a grant under this section, an entity shall be a public agency, or private nonprofit institution, that conducts, or will conduct, 2 or more of the following activities as an integral part of the normal operation of the entity:

(1) Recovery of donated food from area restaurants, caterers, hotels, cafeterias, farms, or other food service businesses.

(2) Distribution of meals or recovered food to—

(A) nonprofit organizations described in section 501(c)(3) of the Internal Revenue Code of 1986;

(B) entities that feed vulnerable subpopulations; and

(C) other agencies considered appropriate by the Secretary.

(3) Training of unemployed and underemployed adults for careers in the food service industry.

(4) Carrying out of a welfare-to-work job training program in combination with—

(A) production of school meals, such as school meals served under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.); or

(B) support for after-school programs, such as programs conducted by community learning centers (as defined in section 4201(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7171(b))).

(c) USE OF FUNDS.—An eligible entity may use a grant awarded under this section for—

(1) capital investments related to the operation of the eligible entity;

(2) support services for clients, including staff, of the eligible entity and individuals enrolled in job training programs;

(3) purchase of equipment and supplies related to the operation of the eligible entity or that improve or directly affect service delivery;

(4) building and kitchen renovations that improve or directly affect service delivery;

(5) educational material and services;

(6) administrative costs, in accordance with guidelines established by the Secretary; and

(7) additional activities determined appropriate by the Secretary.

(d) PREFERENCES.—In awarding grants under this section, the Secretary shall give preference to eligible entities that perform, or will perform, any of the following activities:

(1) Carrying out food recovery programs that are integrated with—

(A) culinary worker training programs, such as programs conducted by a food service management institute under section 21 of the Richard B. Russell National School Lunch Act (42 U.S.C. 1769b–1);

(B) school education programs; or

(C) programs of service-learning (as defined in section 101 of the National and Community Service Act of 1990 (42 U.S.C. 12511)).

(2) Providing job skills training, life skills training, and case management support to vulnerable subpopulations.

(3) Integrating recovery and distribution of food with a job training program.

(4) Maximizing the use of an established school, community, or private food service facility or resource in meal preparation and culinary skills training.

(5) Providing job skills training, life skills training, and case management support to vulnerable subpopulations.

(e) ELIGIBILITY FOR JOB TRAINING.—To be eligible to receive job training assistance from an eligible entity using a grant made available under this section, an individual shall be a member of a vulnerable subpopulation.

(f) PERFORMANCE INDICATORS.—The Secretary shall establish, for each year of the program, performance indicators and expected levels of performance for meal and food distribution and job training for eligible entities to continue to receive and use grants under this section.

(g) TECHNICAL ASSISTANCE.—

(1) IN GENERAL.—The Secretary shall provide technical assistance to eligible entities that receive grants under this section to assist the eligible entities in carrying out programs under this section using the grants.

(2) FORM.—Technical assistance for a program provided under this subsection includes—

(A) maintenance of a website, newsletters, email communications, and other tools to promote shared communications, expertise, and best practices;

(B) hosting of an annual meeting or other forums to provide education and outreach to all programs participants;

(C) collection of data for each program to ensure that the performance indicators and purposes of the program are met or exceeded;

(D) intervention (if necessary) to assist an eligible entity to carry out the program in a manner that meets or exceeds the performance indicators and purposes of the program;

(E) consultation and assistance to an eligible entity to assist the eligible entity in providing the best services practicable to the community served by the eligible entity, including consultation and assistance related to—

(i) strategic plans;

(ii) board development;

(iii) fund development;

(iv) mission development; and

(v) other activities considered appropriate by the Secretary;

(F) assistance considered appropriate by the Secretary regarding—

(i) the status of program participants;

(ii) the demographic characteristics of program participants that affect program services;

(iii) any new idea that could be integrated into the program; and

(iv) the review of grant proposals; and

(G) any other forms of technical assistance the Secretary considers appropriate.

(h) RELATIONSHIP TO OTHER LAW.—

(1) BILL EMERSON GOOD SAMARITAN FOOD DONATION ACT.—An action taken by an eligible entity using a grant provided under this section shall be covered by the Bill Emerson Good Samaritan Food Donation Act (42 U.S.C. 1791).

(2) FOOD HANDLING GUIDELINES.—In using a grant provided under this section, an eligible entity shall comply with any applicable food handling guideline established by a State or local authority.

(3) INSPECTIONS.—An eligible entity using a grant provided under this section shall be exempt from inspection under sections 303.1(d)(2)(iii) and 381.10(d)(2)(iii) of volume 9, Code of Federal Regulations (or a successor regulation), if the eligible entity—

(A) has a hazard analysis and critical control point (HACCP) plan;

(B) has a sanitation standard operating procedure (SSOP); and

(C) otherwise complies with the Federal Meat Inspection Act (21 U.S.C. 601 et seq.) and the Poultry Products Inspection Act (21 U.S.C. 451 et seq.).

(i) MAXIMUM AMOUNT OF GRANT.—The amount of a grant provided to an eligible entity for a fiscal year under this section shall not exceed $200,000.

(j) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2006 through 2011.

(2) TECHNICAL ASSISTANCE.—Of the amount of funds that are made available for a fiscal year under paragraph (1), the Secretary shall use to provide technical assistance under subsection (g) not more than the greater of—

(A) 5 percent of the amount of funds that are made available for the fiscal year under paragraph (1); or

(B) $1,000,000.

Mrs. LINCOLN. Mr. President, I rise today in support of the Food Employment Empowerment and Development (FEED) Act. I am proud to join my good friends and colleagues, Senators LAUTENBERG and DOLE in introducing this legislation that aims to help feed hungry Americans and provide job training to low-income Americans in search of self-sufficiency.

The United States Department of Agriculture estimates that Americans throw away 96 billion pounds of food each year. This number includes the food we throw away after meals, food that loses its shelf life and food that never makes it to store shelves. Meanwhile, 36 million Americans, including 13 million children, don't know where their next meal is coming from. Many of these children will go to bed tonight on an empty stomach. This is a paradox in a land of plenty.

Several blocks from this magnificent and historic Capitol building, there is a kitchen located in the basement of a building that houses social services. In that kitchen, every day, over 4,000 meals are prepared by low-income, recovering drug addicts or unemployed persons who are training to be chefs. The dozen men and women are in a 12-week culinary arts training program and once completed, they will earn their culinary arts certification which will empower them to find a job in the culinary industry. The over 4,000 meals produced at the DC Central Kitchen each day come from a combination of donated, rescued or purchased food and are delivered to hundreds of agencies in the Washington metro area that in turn feed hungry adults and children.

America's Second Harvest has a national network of foodbanks which conduct similar programs called ''Community Kitchens'' that achieve the same goals.

These types of programs are smart and responsible uses of resources and Senators LAUTENBERG and DOLE and I recognize a great model when we see one. We believe that by infusing some Federal support with private business, foundations, and faith-based and local non-profit resources, we can grow similar programs all across the Nation.

Again, we are taking rescued food, food that would otherwise be wasted, turning it into meals that are being prepared by people who are training to get a job to help support themselves and their family, and using the meals to feed hungry American adults and children.

I believe that all of us that are committed to helping end hunger in America agree with the old adage: ''Give a man a fish and he eats for a day; teach a man to fish and he eats for a lifetime.'' And it is this simple concept that is the impetus for the FEED Act.

I am hopeful that this legislation will help local anti-hunger organizations in Arkansas and across the Nation who want to use this multi-pronged approach to feed the hungry, empower the unemployed and maximize food resources.

I am proud to join my colleagues in introducing this bi-partisan bill today

and I appreciate those Senators who have joined us in sponsoring this commonsense legislation. I look forward to working with all of my colleagues to ensure its speedy consideration and passage.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 275—DESIGNATING THE WEEK OF FEBRUARY 6, 2006 AS ''NATIONAL TEEN DATING VIOLENCE AWARENESS AND PREVENTION WEEK''

Mr. CRAPO (for himself, Ms. CANTWELL, Mr. LIEBERMAN, Mr. DURBIN, Mr. AKAKA, Ms. MURKOWSKI, Mrs. MURRAY, and Mr. BIDEN) submitted the following resolution; which was referred to the Committee on the Judiciary.

S. RES. 275

Whereas 1 in 3 female high school students reports being physically abused or sexually abused by a dating partner;

Whereas over 40 percent of male and female high school students surveyed had been victims of dating violence at least once;

Whereas violent relationships in adolescence can have serious ramifications for victims, who are at higher risk for substance abuse, eating disorders, risky sexual behavior, suicide, and adult re-victimization;

Whereas the severity of violence among intimate partners has been shown to increase if the pattern was established in adolescence;

Whereas 81 percent of parents surveyed either believed dating violence is not a problem or admitted they did not know it is a problem; and

Whereas the establishment of a ''National Teen Dating Violence Awareness and Prevention Week'' will benefit schools, communities, and families regardless of socio-economic status, race, or gender: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of February 6, 2006 as ''National Teen Dating Violence Awareness and Prevention Week''; and

(2) calls on the people of the United States, especially high schools, law enforcement, local, and State officials, and interested groups to observe the week with appropriate activities that promote awareness and prevention of the crime of teen dating violence in our communities.

Mr. CRAPO. Mr. President, I rise to submit a resolution in a critical and too often overlooked subject—teen dating violence. For many decades the tragic crime of domestic violence in the United States went largely unacknowledged by the public face that our society wears. Behind smiling couples and seemingly carefree children lurked something that was better left unspoken, or so many were convinced. Fortunately, in recent years, this dreadful violence that makes a home a prison where rights, human dignity and freedom are eclipsed by fear and rage is now something that society is more willing to acknowledge, talk about and report to proper authorities. As we expose domestic violence to the light of truth and hold perpetrators accountable for their violent actions and destructive words, it is important to address the reality of the transgenerational nature of this crime within families.

I've always liked the adage, ''Children learn what they live.'' Never is this more true than in the case of abuse and domestic violence. When children begin to enter their teen years, the relationship norms they learned watching those in parental roles become their own. The results in many junior high, high schools, and colleges across our Nation are chilling: 20 percent of surveyed male students reported witnessing someone they go to high school with physically hit a person they were dating; 58 percent of rape victims report having been raped between the ages of 12–24; 81 percent of parents surveyed either believe teen dating violence is not an issue or admit they don't know if it is an issue; There is a clear link between adolescent dating violence and adult marital violence.

Clearly, the crime of teen dating violence, including physical, emotional, and sexual assault, is a reality for many American teenagers. Like drug abuse, it's a reality of which many parents are unaware. It makes sense to have the people most affected by this insidious disease leading the efforts to raise awareness of and prevent the further spread of it.

The Teen Dating Violence Awareness and Prevention Initiative is a movement spearheaded by teenagers across the nation to make a stand and put a stop to teen dating violence. Led by the American Bar Association's Steering Committee on the Unmet Needs of Children and co-sponsored by dozens of other organizations, teenagers from 20 State Teams attended a national awareness and education summit in 2004. At that time, they developed Teen Dating Violence Prevention and Awareness Toolkits to distribute to high schools across the Nation in conjunction with a proposed National Teen Dating Violence Awareness and Prevention Week in early 2006.

Today, I am submitting a resolution declaring February 6–10, 2006, National Teen Dating Violence Awareness and Prevention Week. Many governors, the Department of Education and the Department of Justice have already pledged to work with the goals and activities that are part of the Initiative. This resolution calls on government representatives and agencies, private organizations and public officials to promote activities in their respective communities that raise awareness of the high incidence of teen dating violence that occurs among our teens every day, as well as prevention strategies. I thank my colleagues, Senators CANTWELL, MURRAY, LIEBERMAN, MURKOWSKI, DURBIN, AKAKA and BIDEN in joining me in raising awareness of the problem. This is one major step we can take toward the goal of eliminating the tragedy of children hurting children, and I am privileged to be in a position to help lead this effort.

SENATE RESOLUTION 276—EXPRESSING THE SENSE OF THE SENATE THAT THE ATTACHMENT THERAPY TECHNIQUE KNOW AS REBIRTHING IS A DANGEROUS PRACTICE AND SHOULD BE PROHIBITED

Mr. SALAZAR (for himself, Mr. BURR, and Mrs. DOLE) submitted the following resolution; which was considered and agreed to:

S. RES. 276

Whereas ''rebirthing'' is the most dangerous form of attachment therapy, a controversial and scientifically unsupported form of therapy that claims to treat emotionally disturbed children by using physical restraints;

Whereas rebirthing techniques attempt to reenact the birth process by restraining a child with blankets or other materials and forcing the child to emerge unaided;

Whereas rebirthing techniques are based on the erroneous assumption that a reenactment of the birth process will treat children with reactive attachment disorder, a psychiatric condition characterized by the inability to form emotional attachments, by purging the child of rage resulting from past mistreatment and allowing the child to form stronger emotional attachments in the future;

Whereas attachment therapists claim rebirthing techniques create new bonds between adopted children and adoptive parents and often use rebirthing techniques in therapy sessions with adoptive families;

Whereas in 2000, Candace Newmaker, a 10-year-old child from North Carolina, died from suffocation, after being wrapped in flannel sheets, covered with pillows, and leaned on by 4 adults to simulate contractions, when Candace became trapped by the sheets because she was forcibly restrained by these adults and could not emerge through her own efforts to be reborn into her adoptive family;

Whereas between 1995 and 2005, at least 4 other children in the United States have died from other forms of attachment therapy;

Whereas the American Psychiatric Association, a national medical specialty society that focuses on the diagnosis, treatment, and prevention of mental illnesses, maintains that no scientific evidence supports the effectiveness of rebirthing techniques;

Whereas in 2002, Paul S. Appelbaum, M.D., President of the American Psychiatric Association, condemned rebirthing techniques as ''extreme methods [that] pose serious risk and should not be used under any circumstances''; and

Whereas several States have enacted or are considering legislation to prohibit the use of rebirthing techniques: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) rebirthing, an attachment therapy technique that reenacts the birth process by physically restraining a child and forcing the child to emerge unaided, is dangerous, potentially life-threatening, and unsupported by scientific evidence; and

(2) each State should enact laws prohibiting the use of rebirthing techniques.

SENATE RESOLUTION 277—SUPPORTING THE GOALS OF RED RIBBON WEEK

Ms. MURKOWSKI (for herself, Mr. GRASSLEY, Mr. BIDEN, Mr. TALENT, Mrs. DOLE, Mr. STEVENS, Mr. DOMENICI,

and Mr. CHAMBLISS) submitted the following resolution; which was considered and agreed to:

S. RES. 277

Whereas the Governors and Attorneys General of the States, the National Family Partnership, Parent Teacher Associations, Boys and Girls Clubs of America, and more than 100 other organizations throughout the United States annually cosponsor Red Ribbon Week during the week of October 23 through October 31;

Whereas a purpose of the Red Ribbon Campaign is to commemorate the service of Enrique ''Kiki'' Camarena, a Drug Enforcement Administration special agent who died in the line of duty in 1985 while engaged in the battle against illicit drugs;

Whereas the Red Ribbon Campaign is nationally recognized and is in its twentieth year of celebration, helping to preserve Special Agent Camarena's memory and further the cause for which he gave his life;

Whereas the objective of Red Ribbon Week is to promote drug-free communities through drug prevention efforts, education, parental involvement, and community wide support;

Whereas drug and alcohol abuse contributes to domestic violence and sexual assaults, and places the lives of children at risk;

Whereas drug abuse is one of the major challenges our Nation faces in securing a safe and healthy future for our families and children;

Whereas emerging drug threats, such as the growing epidemic of methamphetamine abuse, jeopardize the progress made against illegal drug abuse; and

Whereas parents, youth, schools, businesses, law enforcement agencies, religious institutions, service organizations, senior citizens, medical and military personnel, sports teams, and individuals throughout the United States demonstrate their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons during this week long celebration: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of Red Ribbon Week;

(2) encourages children and teens to choose to live a drug-free life; and

(3) encourages all people of the United States to promote drug-free communities and to participate in drug prevention activities to show support for healthy, productive, drug-free lifestyles.

SENATE RESOLUTION 278—DESIGNATING THE WEEK OF OCTOBER 23, 2005, THROUGH OCTOBER 29, 2005, AS ''NATIONAL CHILDHOOD LEAD POISONING PREVENTION WEEK''

Mr. REED (for himself, Ms. COLLINS, Mr. BAYH, Mr. BIDEN, Mr. BOND, Mrs. BOXER, Ms. CANTWELL, Mr. CARPER, Mr. CHAFEE, Mrs. CLINTON, Mr. COCHRAN, Mr. CORZINE, Mr. DAYTON, Mr. DEWINE, Mr. DODD, Mr. DURBIN, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. HAGEL, Mr. INOUYE, Mr. ISAKSON, Mr. JEFFORDS, Mr. JOHNSON, Mr. KERRY, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Ms. MIKULSKI, Mrs. MURRAY, Mr. OBAMA, Mr. PRYOR, Mr. SANTORUM, Mr. SARBANES, Mr. SCHUMER, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TALENT, Mr. CONRAD, and Ms. MURKOWSKI) submitted the following resolution; which was considered and agreed to:

S. RES. 278

Whereas lead poisoning is a leading environmental health hazard to children in the United States;

Whereas according to the Centers for Disease Control and Prevention, 310,000 preschool children in the United States have harmful levels of lead in their blood;

Whereas lead poisoning may cause serious, long-term harm to children, including reduced intelligence and attention span, behavior problems, learning disabilities, and impaired growth;

Whereas children from low-income families are significantly more likely to be poisoned by lead than are children from high-income families;

Whereas children may be poisoned by lead in water, soil, or consumable products;

Whereas children most often are poisoned in their homes through exposure to lead particles when lead-based paint deteriorates or is disturbed during home renovation and repainting; and

Whereas lead poisoning crosses all barriers of race, income, and geography: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of October 23, 2005, through October 29, 2005, as ''National Childhood Lead Poisoning Prevention Week''; and

(2) calls upon the people of the United States to observe the week with appropriate programs and activities.

SENATE RESOLUTION 279—TO AUTHORIZE TESTIMONY IN STATE OF MISSISSIPPI V. EDWARD STATECUM

Mr. FRIST (for himself and Mr. REID) submitted the following resolution; which was considered and agreed to:

S. RES. 279

Whereas, in the case of State or Mississippi v. Edward Statecum, Case No. M051648, pending in Municipal Court in the City of Clarksdale, Mississippi, testimony has been requested from Kim Coalter, an employee in the office of Senator Thad Cochran;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, that Kim Coalter is authorized to testify in the case of State of Mississippi v. Edward Statecum, except concerning matters for which a privilege should be asserted.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2069. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 2070. Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. AKAKA, Mr. WARNER, Mr. LEVIN, and Mr. COLEMAN) submitted an amendment intended to be proposed by her to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2071. Mr. BROWNBACK (for himself and Ms. LANDRIEU) proposed an amendment to the bill H.R. 3058, supra.

SA 2072. Mr. CRAIG (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2073. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2074. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2075. Mr. FRIST (for himself and Mr. MARTINEZ) submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2076. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2077. Mr. REED (for himself, Ms. COLLINS, Mr. KERRY, Mr. KENNEDY, Ms. SNOWE, Ms. CANTWELL, Mrs. CLINTON, Mr. COLEMAN, Mr. HARKIN, Mr. DORGAN, Mr. SCHUMER, Ms. STABENOW, Mr. SMITH, Mr. LAUTENBERG, Mr. BAUCUS, Mr. BINGAMAN, Mr. KOHL, Mr. DURBIN, Mr. JEFFORDS, Mr. SALAZAR, Mrs. LINCOLN, Ms. MIKULSKI, Mr. LEAHY, Mr. ROCKEFELLER, Mr. LIEBERMAN, Mr. JOHNSON, Mr. REID, Mr. CORZINE, Mr. LEVIN, Mr. BAYH, Mr. BYRD, Mr. CONRAD, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2078. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2079. Mr. BOND proposed an amendment to the bill H.R. 3058, supra.

SA 2080. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2081. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2082. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2083. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2084. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2086. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2087. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2088. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2089. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2090. Mr. COBURN submitted an amendment intended to be proposed by him

to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2091. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2092. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2093. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2094. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2095. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2096. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2097. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2098. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2099. Mr. NELSON of Florida (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2100. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2101. Mr. AKAKA (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2102. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2103. Mr. BURNS submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2104. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2105. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2106. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2107. Mr. SCHUMER (for himself, Ms. CANTWELL, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2108. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2109. Mr. BOND proposed an amendment to the bill H.R. 3058, supra.

SA 2110. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

SA 2111. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 3058, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2069. Ms. STABENOW (for herself and Mr. LEVIN) submitted an amendment intended to be proposed by her to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 276, after line 24, insert the following:

SEC. 1____. Item number 274 of the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) is amended by striking ''Van Buren, Belleville Road widen to 5 lanes between Tyler and Ecorse'' and inserting ''Intersection improvements at Belleville and Ecorse Roads and approach roadways, and widen Belleville Road from Ecorse to Tyler, Van Buren Township, Michigan''.

SA 2070. Ms. COLLINS (for herself, Mr. LIEBERMAN, Mr. AKAKA, Mr. WARNER, Mr. LEVIN, and Mr. COLEMAN) submitted an amendment intended to be proposed by her to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 406, between lines 7 and 8, insert the following:

SEC. 724. REPEAL OF INCREASE IN MICRO-PURCHASE THRESHOLD.

Section 101 of the Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005 (Public Law 109–62; 119 Stat. 1992) is repealed.

SA 2071. Mr. BROWNBACK (for himself and Ms. LANDRIEU) proposed an amendment to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

DIVISION B—DISTRICT OF COLUMBIA APPROPRIATIONS ACT, 2006

That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the District of Columbia and related agencies for the fiscal year ending September 30, 2006, and for other purposes, namely:

DISTRICT OF COLUMBIA

FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

For a Federal payment to the District of Columbia, to be deposited into a dedicated account, for a nationwide program to be administered by the Mayor, for District of Columbia resident tuition support, $33,200,000, to remain available until expended: *Provided,* That such funds, including any interest accrued thereon, may be used on behalf of eligible District of Columbia residents to pay an amount based upon the difference between in-State and out-of-State tuition at public institutions of higher education, or to pay up to $2,500 each year at eligible private institutions of higher education: *Provided further*, That the awarding of such funds may be prioritized on the basis of a resident's academic merit, the income and need of eligible students and such other factors as may be authorized: *Provided further,* That the District of Columbia government shall maintain a dedicated account for the Resident Tuition Support Program that shall consist of the Federal funds appropriated to the Program in this Act and any subsequent appropriations, any unobligated balances from prior fiscal years, and any interest earned in this or any fiscal year: *Provided further*, That the account shall be under the control of the District of Columbia Chief Financial Officer, who shall use those funds solely for the purposes of carrying out the Resident Tuition Support Program: *Provided further*, That the Office of the Chief Financial Officer shall provide a quarterly financial report to the Committees on Appropriations of the House of Representatives and Senate for these funds showing, by object class, the expenditures made and the purpose therefor: *Provided further,* That not more than $1,200,000 of the total amount appropriated for this program may be used for administrative expenses.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE DISTRICT OF COLUMBIA

For necessary expenses, as determined by the Mayor of the District of Columbia in written consultation with the elected county or city officials of surrounding jurisdictions, $12,000,000, to remain available until expended, to reimburse the District of Columbia for the costs of providing public safety at events related to the presence of the national capital in the District of Columbia and for the costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia or surrounding jurisdictions: *Provided*, That any amount provided under this heading shall be available only after such amount has been apportioned pursuant to chapter 15 of title 31, United States Code.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

For salaries and expenses for the District of Columbia Courts, $218,912,000, to be allocated as follows: for the District of Columbia Court of Appeals, $9,198,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Superior Court, $87,342,000, of which not to exceed $1,500 is for official reception and representation expenses; for the District of Columbia Court System, $41,643,000, of which not to exceed $1,500 is for official reception and representation expenses; and $80,729,000, to remain available until September 30, 2007, for capital improvements for District of Columbia courthouse facilities: *Provided,* That notwithstanding any other provision of law, a single contract or related contracts for development and construction of facilities may be employed which collectively include the full scope of the project: *Provided further,* That the solicitation and contract shall contain the clause ''availability of Funds'' found at 48 CFR 52.232–18: *Provided further,* That funds made available for capital improvements shall be expended consistent with the General Services Administration master plan study and building evaluation report: *Provided further*, That notwithstanding any other provision of law, all

amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate: *Provided further,* That 30 days after providing written notice to the Committees on Appropriations of the House of Representatives and Senate, the District of Columbia Courts may reallocate not more than $1,000,000 of the funds provided under this heading among the items and entities funded under this heading for operations, and not more than 4 percent of the funds provided under this heading for facilities.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

For payments authorized under section 11–2604 and section 11–2605, D.C. Official Code (relating to representation provided under the District of Columbia Criminal Justice Act), payments for counsel appointed in proceedings in the Family Court of the Superior Court of the District of Columbia under chapter 23 of title 16, D.C. Official Code, or pursuant to contractual agreements to provide guardian ad litem representation, training, technical assistance and such other services as are necessary to improve the quality of guardian ad litem representation, payments for counsel appointed in adoption proceedings under chapter 3 of title 16, D.C. Code, and payments for counsel authorized under section 21–2060, D.C. Official Code (relating to representation provided under the District of Columbia Guardianship, Protective Proceedings, and Durable Power of Attorney Act of 1986), $45,000,000, to remain available until expended: *Provided,* That the funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $80,729,000 provided under such heading for capital improvements for District of Columbia courthouse facilities) may also be used for payments under this heading: *Provided further,* That in addition to the funds provided under this heading, the Joint Committee on Judicial Administration in the District of Columbia may use funds provided in this Act under the heading ''Federal Payment to the District of Columbia Courts'' (other than the $80,729,000 provided under such heading for capital improvements for District of Columbia courthouse facilities), to make payments described under this heading for obligations incurred during any fiscal year: *Provided further,* That funds provided under this heading shall be administered by the Joint Committee on Judicial Administration in the District of Columbia: *Provided futher,* That notwithstanding any other provision of law, this appropriation shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for expenses of other Federal agencies, with payroll and financial services to be provided on a contractual basis with the General Services Administration (GSA), and such services shall include the preparation of monthly financial reports, copies of which shall be submitted directly by GSA to the President and to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY FOR THE DISTRICT OF COLUMBIA

(INCLUDING TRANSFER OF FUNDS)

For salaries and expenses, including the transfer and hire of motor vehicles, of the Court Services and Offender Supervision Agency for the District of Columbia and the Public Defender Service for the District of Columbia, as authorized by the National Capital Revitalization and Self-Government Improvement Act of 1997, $201,388,000, of which not to exceed $2,000 is for official receptions and representation expenses related to Community Supervision and Pretrial Services Agency programs; of which not to exceed $25,000 is for dues and assessments relating to the implementation of the Court Services and Offender Supervision Agency Interstate Supervision Act of 2002; of which $129,360,000 shall be for necessary expenses of Community Supervision and Sex Offender Registration, to include expenses relating to the supervision of adults subject to protection orders or the provision of services for or related to such persons; of which $42,195,000 shall be available to the Pretrial Services Agency; and of which $29,833,000 shall be transferred to the Public Defender Service for the District of Columbia: *Provided,* That notwithstanding any other provision of law, all amounts under this heading shall be apportioned quarterly by the Office of Management and Budget and obligated and expended in the same manner as funds appropriated for salaries and expenses of other Federal agencies: *Provided further,* That the Director is authorized to accept and use gifts in the form of in-kind contributions of space and hospitality to support offender and defendant programs, and equipment and vocational training services to educate and train offenders and defendants: *Provided further,* That the Director shall keep accurate and detailed records of the acceptance and use of any gift or donation under the previous proviso, and shall make such records available for audit and public inspection: *Provided further,* That the Court Services and Offender Supervision Agency Director is authorized to accept and use reimbursement from the D.C. Government for space and services provided on a cost reimbursable basis: *Provided further,* That *for this fiscal year and subsequent fiscal years,* the Public Defender Service is authorized to charge fees to cover costs of materials distributed *and training provided* to attendees of educational events, including conferences, sponsored by the Public Defender Service, and notwithstanding section 3302 of title 31, United States Code, said fees shall be credited to the Public Defender Service account to be available for use without further appropriation.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

For a Federal payment to the District of Columbia Water and Sewer Authority, $5,000,000, to remain available until expended, to continue implementation of the Combined Sewer Overflow Long-Term Plan: *Provided,* That the District of Columbia Water and Sewer Authority provides a 100 percent match for this payment.

FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT INITIATIVE

For a Federal payment to the District of Columbia Department of Transportation, $3,000,000, to remain available until September 30, 2007, for design and construction of a continuous pedestrian and bicycle trail system from the Potomac River to the District's border with Maryland.

FEDERAL PAYMENT TO THE CRIMINAL JUSTICE COORDINATING COUNCIL

For a Federal payment to the Criminal Justice Coordinating Council, $1,300,000, to remain available until expended, to support initiatives related to the coordination of Federal and local criminal justice resources in the District of Columbia.

FEDERAL PAYMENT FOR TRANSPORTATION ASSISTANCE

For a Federal payment to the District of Columbia Department of Transportation, $1,000,000, to implement a downtown circulator transit system.

FEDERAL PAYMENT FOR FOSTER CARE IMPROVEMENTS IN THE DISTRICT OF COLUMBIA

For the Federal payment to the District of Columbia for foster care improvements, $2,000,000 to remain available until expended: *Provided,* That $1,750,000 shall be for the Child and Family Services Agency, of which $1,000,000 shall be for a loan repayment program for social workers; of which $750,000 shall be for post-adoption services: *Provided further,* That $250,000 shall be for the Washington Metropolitan Council of Governments, to continue a program in conjunction with the Foster and Adoptive Parents Advocacy Center, to provide respite care for and recruitment of foster parents: *Provided further,* That these Federal funds shall supplement and not supplant local funds for the purposes described under this heading.

FEDERAL PAYMENT TO THE OFFICE OF THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

For a Federal payment to the Office of the Chief Financial Officer of the District of Columbia, $16,500,000: *Provided,* That these funds shall be available for the projects and in the amounts specified in the Statement of the Managers on the conference report accompanying this Act: *Provided further,* That each entity that receives funding under this heading shall submit to the Office of the Chief Financial Officer of the District of Columbia and the Committees on Appropriations of the House of Representatives and Senate a report on the activities to be carried out with such funds no later than March 15, 2006.

FEDERAL PAYMENT FOR SCHOOL IMPROVEMENT

For a Federal payment for a school improvement program in the District of Columbia, $40,000,000, to be allocated as follows: for the District of Columbia Public Schools, $13,000,000 to improve public school education in the District of Columbia; for the State Education Office, $13,000,000 to expand quality public charter schools in the District of Columbia, to remain available until September 30, 2007; for the Secretary of the Department of Education, $14,000,000 to provide opportunity scholarships for students in the District of Columbia in accordance with division C, title III of the District of Columbia Appropriations Act, 2004 (Public Law 108–199; 118 Stat. 126), of which up to $1,000,000 may be used to administer and fund assessments: *Provided,* That of the $13,000,000 provided for public charter schools in the District of Columbia; $4,000,000, to remain available until expended, shall be for the Direct Loan Fund for Charter Schools; $2,000,000, to remain available until expended, shall be for Credit Enhancement; $2,000,000 shall be for continuation of the City Build Charter School Program; $1,500,000 shall be for flexible grants; $2,000,000 shall be used only for grants to public charter schools for improvement of public school facilities; $400,000 shall be for college access programming; $300,000 shall be to create a truancy center; $250,000 shall be for administration of Federal entitlement funding; $300,000 shall be for data collection

and analysis; and $250,000 shall be for administration within the State Education Office.

FEDERAL PAYMENT FOR BIOTERRORISM AND FORENSICS LABORATORY

For a Federal payment to the District of Columbia, $5,200,000, to remain available until September 30, 2007, for costs associated with the construction of a bioterrorism and forensics laboratory: *Provided,* That the District of Columbia shall provide an additional $1,500,000 with local funds as a condition of receiving this payment.

FEDERAL PAYMENT FOR THE NATIONAL GUARD YOUTH CHALLENGE PROGRAM

For a Federal payment to the District of Columbia National Guard for the Youth Challenge program, $500,000.

FEDERAL PAYMENT FOR MARRIAGE DEVELOPMENT AND IMPROVEMENT

For a Federal payment for marriage development and improvement in the District of Columbia, $3,000,000, to remain available until expended: *Provided,* That $1,500,000 shall be for the Capital Area Asset Building Corporation for the establishment of marriage development accounts in accordance with the requirements in the accompanying report, of which $400,000 shall be for program planning, marketing, evaluation, and account administration: *Provided further,* That $1,500,000 shall be for mentoring, counseling, community outreach, and training and technical assistance, of which $850,000 shall be for the National Center for Fathering and $650,000 shall be for the East Capitol Center for Change to carry out these activities: *Provided further,* That within 30 days of enactment of this Act, the entities receiving funds under this title shall submit to the Committees on Appropriations of the House and Senate, a detailed expenditure plan and program requirements that comport with the guidance in the accompanying report.

FEDERAL PAYMENT FOR A LATINO YOUTH INITIATIVE

For a Federal payment to improve health and educational outcomes of Latino youth in the District of Columbia, $2,000,000, to remain available until expended: *Provided,* That $1,100,000 shall be for The National Council of La Raza to provide mentoring, training, intervention services and policy research: *Provided further,* That $400,000 shall be for the MidAtlantic Equity Center to develop a comprehensive Latino youth literacy plan: *Provided further,* That $500,000 shall be for the Latin American Youth Center for direct services to Latino youth: *Provided further,* That within 15 days of enactment of this Act, the entities receiving funds under this title shall submit to the Committees on Appropriations of the House and Senate, a detailed expenditure plan that comports with the requirements in the accompanying report.

FEDERAL PAYMENT FOR PRISONER REENTRANT HOUSING

For a Federal payment to the District of Columbia to increase the capacity of available housing for ex-offenders returning to the community, $3,000,000, to remain available until expended: *Provided,* That the District will use a portion of these funds to provide housing to on-site mentors as a condition of receiving this payment: *Provided further,* That within 15 days of enactment of this Act, the Mayor shall submit to the Committees on Appropriations of the House and Senate, a detailed expenditure plan that comports with the requirements in the accompanying report.

DISTRICT OF COLUMBIA FUNDS

The following amounts are appropriated for the District of Columbia for the current fiscal year out of the general fund of the District of Columbia, except as otherwise specifically provided: *Provided,* That notwithstanding any other provision of law, except as provided in section 450A of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.50a) and provisions of this Act, the total amount appropriated in this Act for operating expenses for the District of Columbia for fiscal year 2006 under this heading shall not exceed the lesser of the sum of the total revenues of the District of Columbia for such fiscal year or $8,700,158,000 (of which $5,007,344,000 shall be from local funds, $1,921,287,000 shall be from Federal grant funds, $1,754,399,000 shall be from other funds, and $17,129,000 shall be from private funds), in addition, $163,116,000 from funds previously appropriated in this Act as Federal payments: *Provided further,* That of the local funds, $466,894,000 shall be derived from the District's general fund balance: *Provided further,* That of these funds the District's intradistrict authority shall be $468,486,000: in addition for capital construction projects there is appropriated an increase of $2,820,637,000, of which $1,072,671,000 shall be from local funds, $49,551,000 from Highway Trust funds, $172,183,000 from the Local Street Maintenance fund, $378,000,000 from securitization of future revenue streams, $400,000,000 from Certificates of Participation financing, $534,800,000 from financing for construction of a baseball stadium, $213,432,000 from Federal grant funds, and a rescission of $295,032,000 from local funds appropriated under this heading in prior fiscal years, for a net amount of $2,525,605,000, to remain available until expended: *Provided further,* That the amounts provided under this heading are to be allocated and expended as proposed under ''Title II—District of Columbia Funds'' of the Fiscal Year 2006 Proposed Budget and Financial Plan submitted to the Congress of the United States by the District of Columbia on June 6, 2005: *Provided further,* That this amount may be increased by proceeds of one-time transactions, which are expended for emergency or unanticipated operating or capital needs: *Provided further,* That such increases shall be approved by enactment of local District law and shall comply with all reserve requirements contained in the District of Columbia Home Rule Act as amended by this Act: *Provided further,* That the Chief Financial Officer of the District of Columbia shall take such steps as are necessary to assure that the District of Columbia meets these requirements, including the apportioning by the Chief Financial Officer of the appropriations and funds made available to the District during fiscal year 2006, except that the Chief Financial Officer may not reprogram for operating expenses any funds derived from bonds, notes, or other obligations issued for capital projects.

GENERAL PROVISIONS

SEC. 101. Whenever in this Act, an amount is specified within an appropriation for particular purposes or objects of expenditure, such amount, unless otherwise specified, shall be considered as the maximum amount that may be expended for said purpose or object rather than an amount set apart exclusively therefor.

SEC. 102. Appropriations in this Act shall be available for expenses of travel and for the payment of dues of organizations concerned with the work of the District of Columbia government, when authorized by the Mayor, or, in the case of the Council of the District of Columbia, funds may be expended with the authorization of the Chairman of the Council.

SEC. 103. There are appropriated from the applicable funds of the District of Columbia such sums as may be necessary for making refunds and for the payment of legal settlements or judgments that have been entered against the District of Columbia government.

SEC. 104. None of the Federal funds provided in this Act may be used for publicity or propaganda purposes or implementation of any policy including boycott designed to support or defeat legislation pending before Congress or any State legislature.

SEC. 105. (a) None of the Federal funds provided in this Act may be used to carry out lobbying activities on any matter. The District may use local funds to carry out lobbying activities not inconsistent with this Act.

(b) Nothing in this section may be construed to prohibit any elected official from advocating with respect to any issue.

SEC. 106. (a) None of the funds provided under this title to the agencies funded by this title, both Federal and District government agencies, that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this title, shall be available for obligation or expenditures for an agency through a reprogramming of funds which—

(1) creates new programs;

(2) eliminates a program, project, or responsibility center;

(3) establishes or changes allocations specifically denied, limited or increased under this Act;

(4) increases funds or personnel by any means for any program, project, or responsibility center for which funds have been denied or restricted;

(5) reestablishes any program or project previously deferred through reprogramming;

(6) augments any existing program, project, or responsibility center through a reprogramming of funds in excess of $3,000,000 or 10 percent, whichever is less; or

(7) increases by 20 percent or more personnel assigned to a specific program, project or responsibility center,

unless the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the reprogramming.

(b) None the local funds contained in this Act may be available for obligation or expenditure for an agency through a transfer of any local funds in excess of $3,000,000 from one appropriation heading to another unless the Committees on Appropriations of the House of Representatives and Senate are notified in writing 15 days in advance of the transfer, except that in no event may the amount of any funds transferred exceed 4 percent of the local funds in the appropriations.

SEC. 107. Consistent with the provisions of section 1301(a) of title 31, United States Code, appropriations under this Act shall be applied only to the objects for which the appropriations were made except as otherwise provided by law.

SEC. 108. Notwithstanding any other provisions of law, the provisions of the District of Columbia Government Comprehensive Merit Personnel Act of 1978 (D.C. Law 2–139; D.C. Official Code, sec. 1–601.01 et seq.), enacted pursuant to section 422(3) of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–2041.22(3)), shall apply with respect to the compensation of District of Columbia employees. For pay purposes, employees of the District of Columbia government shall not be subject to the provisions of title 5, United States Code.

SEC. 109. No later than 30 days after the end of the first quarter of fiscal year 2006, the Mayor of the District of Columbia shall submit to the Council of the District of Columbia and the Committees on Appropriations of the House of Representatives and

Senate the new fiscal year 2006 revenue estimates as of the end of such quarter. These estimates shall be used in the budget request for fiscal year 2007. The officially revised estimates at midyear shall be used for the midyear report.

SEC. 110. No sole source contract with the District of Columbia government or any agency thereof may be renewed or extended without opening that contract to the competitive bidding process as set forth in section 303 of the District of Columbia Procurement Practices Act of 1985 (D.C. Law 6–85; D.C. Official Code, sec. 2–303.03), except that the District of Columbia government or any agency thereof may renew or extend sole source contracts for which competition is not feasible or practical, but only if the determination as to whether to invoke the competitive bidding process has been made in accordance with duly promulgated rules and procedures and has been reviewed and certified by the Chief Financial Officer of the District of Columbia.

SEC. 111. None of the Federal funds provided in this Act may be used by the District of Columbia to provide for salaries, expenses, or other costs associated with the offices of United States Senator or United States Representative under section 4(d) of the District of Columbia Statehood Constitutional Convention Initiatives of 1979 (D.C. Law 3–171; D.C. Official Code, sec. 1–123).

SEC. 112. None of the Federal funds made available in this Act may be used to implement or enforce the Health Care Benefits Expansion Act of 1992 (D.C. Law 9–114; D.C. Official Code, sec. 32–701 et seq.) or to otherwise implement or enforce any system of registration of unmarried, cohabiting couples, including but not limited to registration for the purpose of extending employment, health, or governmental benefits to such couples on the same basis that such benefits are extended to legally married couples.

SEC. 113. (a) Notwithstanding any other provision of this Act, the Mayor, in consultation with the Chief Financial Officer of the District of Columbia may accept, obligate, and expend Federal, private, and other grants received by the District government that are not reflected in the amounts appropriated in this Act.

(b)(1) No such Federal, private, or other grant may be obligated, or expended pursuant to subsection (a) until—

(A) the Chief Financial Officer of the District of Columbia submits to the Council a report setting forth detailed information regarding such grant; and

(B) the Council has reviewed and approved the obligation, and expenditure of such grant.

(2) For purposes of paragraph (1)(B), the Council shall be deemed to have reviewed and approved the obligation, and expenditure of a grant if—

(A) no written notice of disapproval is filed with the Secretary of the Council within 14 calendar days of the receipt of the report from the Chief Financial Officer under paragraph (1)(A); or

(B) if such a notice of disapproval is filed within such deadline, the Council does not by resolution disapprove the obligation, or expenditure of the grant within 30 calendar days of the initial receipt of the report from the Chief Financial Officer under paragraph (1)(A).

(c) No amount may be obligated or expended from the general fund or other funds of the District of Columbia government in anticipation of the approval or receipt of a grant under subsection (b)(2) or in anticipation of the approval or receipt of a Federal, private, or other grant not subject to such subsection.

(d) The Chief Financial Officer of the District of Columbia may adjust the budget for Federal, private, and other grants received by the District government reflected in the amounts appropriated in this title, or approved and received under subsection (b)(2) to reflect a change in the actual amount of the grant.

(e) The Chief Financial Officer of the District of Columbia shall prepare a quarterly report setting forth detailed information regarding all Federal, private, and other grants subject to this section. Each such report shall be submitted to the Council of the District of Columbia and to the Committees on Appropriations of the House of Representatives and Senate not later than 15 days after the end of the quarter covered by the report.

SEC. 114. (a) Except as otherwise provided in this section, none of the funds made available by this Act or by any other Act may be used to provide any officer or employee of the District of Columbia with an official vehicle unless the officer or employee uses the vehicle only in the performance of the officer's or employee's official duties. For purposes of this paragraph, the term ''official duties'' does not include travel between the officer's or employee's residence and workplace, except in the case of—

(1) an officer or employee of the Metropolitan Police Department who resides in the District of Columbia or is otherwise designated by the Chief of the Department;

(2) at the discretion of the Fire Chief, an officer or employee of the District of Columbia Fire and Emergency Medical Services Department who resides in the District of Columbia and is on call 24 hours a day or is otherwise designated by the Fire Chief;

(3) the Mayor of the District of Columbia; and

(4) the Chairman of the Council of the District of Columbia.

(b) The Chief Financial Officer of the District of Columbia shall submit by March 1, 2006, an inventory, as of September 30, 2005, of all vehicles owned, leased or operated by the District of Columbia government. The inventory shall include, but not be limited to, the department to which the vehicle is assigned; the year and make of the vehicle; the acquisition date and cost; the general condition of the vehicle; annual operating and maintenance costs; current mileage; and whether the vehicle is allowed to be taken home by a District officer or employee and if so, the officer or employee's title and resident location.

SEC. 115. None of the funds contained in this Act may be used for purposes of the annual independent audit of the District of Columbia government for fiscal year 2006 unless—

(1) the audit is conducted by the Inspector General of the District of Columbia, in coordination with the Chief Financial Officer of the District of Columbia, pursuant to section 208(a)(4) of the District of Columbia Procurement Practices Act of 1985 (D.C. Official Code, sec. 2–302.8); and

(2) the audit includes as a basic financial statement a comparison of audited actual year-end results with the revenues submitted in the budget document for such year and the appropriations enacted into law for such year using the format, terminology, and classifications contained in the law making the appropriations for the year and its legislative history.

SEC. 116. (a) None of the funds contained in this Act may be used by the District of Columbia Corporation Counsel or any other officer or entity of the District government to provide assistance for any petition drive or civil action which seeks to require Congress to provide for voting representation in Congress for the District of Columbia.

(b) Nothing in this section bars the District of Columbia Corporation Counsel from reviewing or commenting on briefs in private lawsuits, or from consulting with officials of the District government regarding such lawsuits.

SEC. 117. (a) None of the Federal funds contained in this Act may be used for any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

(b) Any individual or entity who receives any funds contained in this Act and who carries out any program described in subsection (a) shall account for all funds used for such program separately from any funds contained in this Act.

SEC. 118. None of the funds contained in this Act may be used after the expiration of the 60-day period that begins on the date of the enactment of this Act to pay the salary of any chief financial officer of any office of the District of Columbia government (including any independent agency of the District of Columbia) who has not filed a certification with the Mayor and the Chief Financial Officer of the District of Columbia that the officer understands the duties and restrictions applicable to the officer and the officer's agency as a result of this Act (and the amendments made by this Act), including any duty to prepare a report requested either in the Act or in any of the reports accompanying the Act and the deadline by which each report must be submitted: *Provided*, That the Chief Financial Officer of the District of Columbia shall provide to the Committees on Appropriations of the House of Representatives and Senate by April 1, 2006 and October 1, 2006, a summary list showing each report, the due date, and the date submitted to the Committees.

SEC. 119. Nothing in this Act may be construed to prevent the Council or Mayor of the District of Columbia from addressing the issue of the provision of contraceptive coverage by health insurance plans, but it is the intent of Congress that any legislation enacted on such issue should include a ''conscience clause'' which provides exceptions for religious beliefs and moral convictions.

SEC. 120. The Mayor of the District of Columbia shall submit to the Committees on Appropriations of the House of Representatives and Senate, the Committee on Government Reform of the House of Representatives, and the Committee on Governmental Affairs of the Senate quarterly reports addressing—

(1) crime, including the homicide rate, implementation of community policing, the number of police officers on local beats, and the closing down of open-air drug markets;

(2) access to substance and alcohol abuse treatment, including the number of treatment slots, the number of people served, the number of people on waiting lists, and the effectiveness of treatment programs;

(3) management of parolees and pre-trial violent offenders, including the number of halfway houses escapes and steps taken to improve monitoring and supervision of halfway house residents to reduce the number of escapes to be provided in consultation with the Court Services and Offender Supervision Agency for the District of Columbia;

(4) education, including access to special education services and student achievement to be provided in consultation with the District of Columbia Public Schools and the District of Columbia public charter schools;

(5) improvement in basic District services, including rat control and abatement;

(6) application for and management of Federal grants, including the number and type of grants for which the District was eligible but failed to apply and the number and type of grants awarded to the District but for which the District failed to spend the amounts received; and

(7) indicators of child well-being.

SEC. 121. (a) No later than 30 calendar days after the date of the enactment of this Act, the Chief Financial Officer of the District of Columbia shall submit to the appropriate committees of Congress, the Mayor, and the Council of the District of Columbia a revised appropriated funds operating budget in the format of the budget that the District of Columbia government submitted pursuant to section 442 of the District of Columbia Home Rule Act (D.C. Official Code, sec. 1–204.42), for all agencies of the District of Columbia government for fiscal year 2006 that is in the total amount of the approved appropriation and that realigns all budgeted data for personal services and other-than-personal-services, respectively, with anticipated actual expenditures.

(b) This section shall apply only to an agency where the Chief Financial Officer of the District of Columbia certifies that a reallocation is required to address unanticipated changes in program requirements.

SEC. 122. Notwithstanding any other law, in fiscal year 2006 and in each subsequent fiscal year, the District of Columbia Courts shall transfer to the general treasury of the District of Columbia all fines levied and collected by the Courts under section 10(b)(1) and (2) of the District of Columbia Traffic Act (D.C. Official Code, sec. 50–2201.05(b)(1) and (2)): *Provided*, that the transferred funds are hereby made available and shall remain available until expended and shall be used by the Office of the Attorney General of the District of Columbia for enforcement and prosecution of District traffic alcohol laws in accordance with section 10(b)(3) of the District of Columbia Traffic Act (D.C. Official Code, sec. 50–2201.05(b)(3)).

SEC. 123. (a) None of the funds contained in this Act may be made available to pay—

(1) the fees of an attorney who represents a party in an action or an attorney who defends an action brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) in excess of $4,000 for that action; or

(2) the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer, or employee of the firm, in any special education diagnostic services, schools, or other special education service providers.

(b) In this section, the term ''action'' includes an administrative proceeding and any ensuing or related proceedings before a court of competent jurisdiction.

SEC. 124. The Chief Financial Officer of the District of Columbia shall require attorneys in special education cases brought under the Individuals with Disabilities Education Act (IDEA) in the District of Columbia to certify in writing that the attorney or representative rendered any and all services for which they receive awards, including those received under a settlement agreement or as part of an administrative proceeding, under the IDEA from the District of Columbia. As part of the certification, the Chief Financial Officer of the District of Columbia shall require all attorneys in IDEA cases to disclose any financial, corporate, legal, memberships on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which the attorneys have referred any clients as part of this certification. The Chief Financial Officer shall prepare and submit quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the certification of and the amount paid by the government of the District of Columbia, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA. The Inspector General of the District of Columbia may conduct investigations to determine the accuracy of the certifications.

SEC. 125. The amount appropriated by this title may be increased by no more than $42,000,000 from funds identified in the comprehensive annual financial report as the District's fiscal year 2005 unexpended general fund surplus. The District may obligate and expend these amounts only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify that the use of any such amounts is not anticipated to have a negative impact on the District's long-term financial, fiscal, and economic vitality.

(2) The District of Columbia may only use these funds for the following expenditures:

(A) One-time expenditures.

(B) Expenditures to avoid deficit spending.

(C) Debt Reduction.

(D) Program needs.

(E) Expenditures to avoid revenue shortfalls.

(3) The amounts shall be obligated and expended in accordance with laws enacted by the Council in support of each such obligation or expenditure.

(4) The amounts may not be used to fund the agencies of the District of Columbia government under court ordered receivership.

(5) The amounts may not be obligated or expended unless the Mayor notifies the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 126. (a) The fourth proviso in the item relating to ''Federal Payment for School Improvement'' in the District of Columbia Appropriations Act, 2005 (Public Law 108–335; 118 Stat. 1327) is amended—

(1) by striking ''$4,000,000'' and inserting ''$4,000,000, to remain available until expended,''; and

(2) by striking ''$2,000,000 shall be for a new incentive fund'' and inserting ''$2,000,000, to remain available until expended, shall be for a new incentive fund''.

(b) The amendments made by subsection (a) shall take effect as if included in the enactment of the District of Columbia Appropriations Act, 2005.

SEC. 127. (a) To account for an unanticipated growth of revenue collections, the amount appropriated as District of Columbia Funds pursuant to this Act may be increased—

(1) by an aggregate amount of not more than 25 percent, in the case of amounts proposed to be allocated as ''Other-Type Funds'' in the Fiscal Year 2006 Proposed Budget and Financial Plan submitted to Congress by the District of Columbia on June 6, 2005; and

(2) by an aggregate amount of not more than 6 percent, in the case of any other amounts proposed to be allocated in such Proposed Budget and Financial Plan.

(b) The District of Columbia may obligate and expend any increase in the amount of funds authorized under this section only in accordance with the following conditions:

(1) The Chief Financial Officer of the District of Columbia shall certify—

(A) the increase in revenue; and

(B) that the use of the amounts is not anticipated to have a negative impact on the long-term financial, fiscal, or economic health of the District.

(2) The amounts shall be obligated and expended in accordance with laws enacted by the Council of the District of Columbia in support of each such obligation and expenditure, consistent with the requirements of this Act.

(3) The amounts may not be used to fund any agencies of the District government operating under court-ordered receivership.

(4) The amounts may not be obligated or expended unless the Mayor has notified the Committees on Appropriations of the House of Representatives and Senate not fewer than 30 days in advance of the obligation or expenditure.

SEC. 128. Beginning in fiscal year 2006 and for each fiscal year thereafter, the Chief Financial Officer for the District of Columbia may, for the purpose of cash flow management, conduct short-term borrowing from the emergency reserve fund and from the contingency reserve fund established under section 450A of the District of Columbia Home Rule Act (Public Law 98–198): *Provided*, That the amount borrowed shall not exceed 50 percent of the total amount of funds contained in both the emergency and contingency reserve funds at the time of borrowing: *Provided further*, That the borrowing shall not deplete either fund by more than 50 percent: *Provided further*, That 100 percent of the funds borrowed shall be replenished within 9 months of the time of the borrowing or by the end of the fiscal year, whichever occurs earlier: *Provided further*, That in the event that short-term borrowing has been conducted and the emergency or the contingency funds are later depleted below 50 percent as a result of an emergency or contingency, an amount equal to the amount necessary to restore reserve levels to 50 percent of the total amount of funds contained in both the emergency and contingency reserve fund must be replenished from the amount borrowed within 60 days.

SEC. 129. (a) None of the funds contained in this Act may be used to enact or carry out any law, rule, or regulation to legalize or otherwise reduce penalties associated with the possession, use, or distribution of any schedule I substance under the Controlled Substances Act (21 U.S.C. 802) or any tetrahydrocannabinols derivative.

(b) The Legalization of Marijuana for Medical Treatment Initiative of 1998, also known as Initiative 59, approved by the electors of the District of Columbia on November 3, 1998, shall not take effect.

SEC. 130. None of the funds appropriated under this Act shall be expended for any abortion except where the life of the mother would be endangered if the fetus were carried to term or where the pregnancy is the result of an act of rape or incest.

SEC. 131. CONVEYANCE OF TITLE FOR EDUCATIONAL PURPOSES.—Section 7 of the District of Columbia Stadium Act of 1957 (Public Law 85–300, 71 Stat. 619), as amended, is further amended by inserting after paragraph (d)(4) the following:

''(e)(1) Upon receipt of a written description from the District of Columbia of not more than 15 contiguous acres (hereinafter referred to as 'the 15 acres'), with the longest side of the 15 acres abutting one of the roads bounding the property, within the area designated 'D' on the revised map entitled 'Map to Designate Transfer of Stadium and Lease of Parking Lots to the District' and bound by Oklahoma Avenue, NE, Benning Road, NE, the Metro line, and C Street, NE, and execution of a long-term lease that is contingent up the Secretary's conveyance of the 15 acres and for the purpose consistent with this paragraph, the Secretary shall convey the 15 acres described land to the District of Columbia for the purpose of siting, developing, and operating an educational institution for the public welfare, with first preference given to a pre-collegiate public boarding school.

''(2) Upon conveyance, the portion of the stadium lease that affects the15 acres on the property and all the conditions associated

therewith shall terminate, and the 15 acres property shall be removed from the 'Map to Designate Transfer of Stadium and Lease of Parking Lots to the District', and the long-term lease described in paragraph (1) shall take effect immediately.''.

SEC. 132. CONTINUATION OF CERTAIN AUTHORITIES OF CHIEF FINANCIAL OFFICER. The authority that the Chief Financial Officer of the District of Columbia exercised with respect to personnel and the preparation of fiscal impact statements during a control period (as defined in Public Law 104–8) shall remain in effect until September 30, 2006.

SEC. 133. CLARIFICATION OF CERTAIN AUTHORITIES OF THE CHIEF FINANCIAL OFFICER. The entire process used by the Chief Financial Officer to acquire any and all kinds of goods, works and services by any contractual means, including but not limited to purchase, lease or rental, shall be exempt from all of the provisions of the District of Columbia's Procurement Practices Act: *Provided*, That provisions made by this subsection shall take effect as if enacted in D.C. Law 11–259 and shall remain in effect until September 30, 2006.

SEC. 134. Section 4013 of the Uniform Per Student Funding Formula for Public Schools and Public Charter Schools Amendment Act of 2005, passed on first reading on May 10, 2005 (engrossed version of Bill 16–200), is hereby enacted into law.

SEC. 135. The Chief Financial Officer of the District is hereby authorized to transfer $5,000,000 from the local funds appropriated for the Deputy Mayor for Economic Development to the Anacostia Waterfront Corporation and to reallocate the appropriation authority for such funds to a heading to be entitled 'Anacostia Waterfront Corporation' in addition, an amount of $3,200,000 is hereby appropriated from the local funds made available to the Anacostia Waterfront Corporation in fiscal year 2005. *Provided, That* all of the funds made available herein to the Anacostia Waterfront Corporation shall remain available until expended.

SEC. . Amounts appropriated in this Act for the Department of Health may be increased by 250,000 in local funds to remain available until expended to conduct a health study in Spring Valley.

SEC. #. WAIVER OF CONGRESSIONAL REVIEW OF AMENDMENTS TO BALLPARK OMNIBUS FINANCING AND REVENUE ACT OF 2004

Notwithstanding section 602(c)(1) of the District of Columbia Home Rule Act, amendments to the Ballpark Technical Amendments Act of 2005 and the Ballpark Fee Rebate Act of 2005 shall take effect on the date of the enactment by the District of Columbia.

This Division may be cited as the ''District of Columbia Appropriations Act, 2006''.

SA 2072. Mr. CRAIG (for himself and Mr. CRAPO) submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 276, after line 24, insert the following:

SEC. 1____. Beginning in fiscal year 2006 and thereafter, the Federal share of the cost of any project under the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) that is located in the State of Idaho shall be determined in accordance with section 120(b) of title 23, United States Code.

SA 2073. Mr. INHOFE submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. None of the funds appropriated or otherwise made available in this Act may be used by the Federal Aviation Administration for ARAC consolidation of Fort Sill, Oklahoma into OKC TRACON: *Provided*, That $3,000,000 shall be available for ARAC maintenance and associated salaries at Fort Sill, Oklahoma and $4,236,070 shall be available for repair and improvement at the Lawton-Fort Sill Regional Airport in Lawton, Oklahoma.

SA 2074. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 348, between lines 5 and 6, insert the following:

SEC. 321. ELIMINATION OF CAP ON NUMBER OF MORTGAGES INSURED.

(a) SHORT TITLE.—This section may be cited as the ''Reverse Mortgages to Help America's Seniors Act''.

(b) NATIONAL HOUSING ACT.—Section 255 of the National Housing Act (12 U.S.C. 1715z–20) is amended—

(1) in subsection (g), by striking the first sentence; and

(2) in subsection (i)(1)(C), by striking ''limitations'' and inserting ''limitation''.

SA 2075. Mr. FRIST (for himself and Mr. MARTINEZ) submitted an amendment intended to be proposed by him to the bill H.R 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 310 line 11, strike the word ''and'' after the word ''LISC'' and insert '','' and on page 310 on line 12 after the words ''Enterprise Foundation'' insert '', and the Habitat for Humanity''; and

On page 319 line 17 after the word ''Foundation'' insert the following ''Habitat for Humanity,''.

SA 2076. Mr. HARKIN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert the following:

SEC. ____. (a) No assistance shall be provided under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) to any individual who—

(1) is enrolled as a student at an institution of higher education (as defined under section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002));

(2) is under 24 years of age;

(3) is not a veteran;

(4) is unmarried;

(5) does not have a dependent child; and

(6) is not otherwise individually eligible, or has parents who, individually or jointly, are not eligible, to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f).

(b) For purposes of determining the eligibility of a person to receive assistance under section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f), any financial assistance (in excess of amounts received for tuition) that an individual receives under the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), from private sources, or an institution of higher education (as defined under the Higher Education Act of 1965 (20 U.S.C. 1002), shall be considered income to that individual.

(c) Not later than 30 days after the date of enactment of this Act, the Secretary of Housing and Urban Development shall issue final regulations to carry out the provisions of this section.

SA 2077. Mr. REED (for himself, Ms. COLLINS, Mr. KERRY, Mr. KENNEDY, Ms. SNOWE, Ms. CANTWELL, Mrs. CLINTON, Mr. COLEMAN, Mr. HARKIN, Mr. DORGAN, Mr. SCHUMER, Ms. STABENOW, Mr. SMITH, Mr. LAUTENBERG, Mr. BAUCUS, Mr. BINGAMAN, Mr. KOHL, Mr. DURBIN, Mr. JEFFORDS, Mr. SALAZAR, Mrs. LINCOLN, Ms. MIKULSKI, Mr. LEAHY, Mr. ROCKEFELLER, Mr. LIEBERMAN, Mr. JOHNSON, Mr. REID, Mr. CORZINE, Mr. LEVIN, Mr. BAYH, Mr. BYRD, Mr. CONRAD, and Mr. DAYTON) submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, insert the following:

ADMINISTRATION FOR CHILDREN AND FAMILIES

LOW INCOME HOME ENERGY ASSISTANCE

For making payments under title XXVI of the Omnibus Budget Reconciliation Act of 1981 (42 U.S.C. 8621 et seq.), $3,100,000,000, for the unanticipated home energy assistance needs of 1 or more States, as authorized by section 2604(e) of the Act (42 U.S.C. 8623(e)), which amount shall be made available for obligation in fiscal year 2006 and which amount is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

SA 2078. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of

Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE ____—SPECIAL COMMITTEE OF SENATE ON WAR AND RECONSTRUCTION CONTRACTING

SEC. ____01. FINDINGS.

Congress makes the following findings:

(1) The wars in Iraq and Afghanistan have exerted very large demands on the Treasury of the United States and required tremendous sacrifice by the members of the Armed Forces of the United States.

(2) Congress has a constitutional responsibility to ensure comprehensive oversight of the expenditure of United States Government funds.

(3) Waste and corporate abuse of United States Government resources are particularly unacceptable and reprehensible during times of war.

(4) The magnitude of the funds involved in the reconstruction of Afghanistan and Iraq and the war on terrorism, together with the speed with which these funds have been committed, presents a challenge to the effective performance of the traditional oversight function of Congress and the auditing functions of the executive branch.

(5) The Senate Special Committee to Investigate the National Defense Program, popularly know as the Truman Committee, which was established during World War II, offers a constructive precedent for bipartisan oversight of wartime contracting that can also be extended to wartime and postwar reconstruction activities.

(6) The Truman Committee is credited with an extremely successful investigative effort, performance of a significant public education role, and achievement of fiscal savings measured in the billions of dollars.

(7) The public has a right to expect that taxpayer resources will be carefully disbursed and honestly spent.

SEC. ____02. SPECIAL COMMITTEE ON WAR AND RECONSTRUCTION CONTRACTING.

There is established a special committee of the Senate to be known as the Special Committee on War and Reconstruction Contracting (hereafter in this title referred to as the ''Special Committee'').

SEC. ____03. PURPOSES AND DUTIES.

(a) PURPOSES.—The purposes of the Special Committee are as follows:

(1) To investigate the awarding and performance of contracts to conduct military, security, and reconstruction activities in Afghanistan and Iraq and to support the prosecution of the war on terrorism.

(2) To investigate the awarding and performance of contracts to conduct, recovery, relief, and reconstruction efforts in the Gulf Coast of the United States relating to damage caused by Hurricane Katrina and Hurricane Rita.

(b) DUTIES.—The Special Committee shall examine the contracting actions described in subsection (a) and report on such actions, in accordance with this section, regarding—

(1) bidding, contracting, accounting, and auditing standards for Federal Government contracts;

(2) methods of contracting, including sole-source contracts and limited competition or noncompetitive contracts;

(3) subcontracting under large, comprehensive contracts;

(4) oversight procedures;

(5) consequences of cost-plus and fixed price contracting;

(6) allegations of wasteful and fraudulent practices;

(7) accountability of contractors and Government officials involved in procurement and contracting;

(8) penalties for violations of law and abuses in the awarding and performance of Government contracts; and

(9) lessons learned—

(A) from the contracting process used in Iraq and Afghanistan and in connection with the war on terrorism with respect to the structure, coordination, management policies, and procedures of the Federal Government; and

(B) from the contracting process used in the recovery, relief, and reconstruction efforts regarding the damage caused by Hurricane Katrina and Hurricane Rita with respect to the structure, coordination, management policies, and procedures of the Federal Government.

(c) INVESTIGATION OF WASTEFUL AND FRAUDULENT PRACTICES.—The investigation by the Special Committee of allegations of wasteful and fraudulent practices under subsection (b)(6) shall include investigation of allegations regarding any contract or spending entered into, supervised by, or otherwise involving the Coalition Provisional Authority, regardless of whether or not such contract or spending involved appropriated funds of the United States.

(d) EVIDENCE CONSIDERED.—In carrying out its duties, the Special Committee shall ascertain and evaluate the evidence developed by all relevant governmental agencies regarding the facts and circumstances relevant to contracts described in subsection (a) and any contract or spending covered by subsection (c).

SEC. ____04. COMPOSITION OF SPECIAL COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The Special Committee shall consist of 7 members of the Senate of whom—

(A) 4 members shall be appointed by the President pro tempore of the Senate, in consultation with the majority leader of the Senate; and

(B) 3 members shall be appointed by the minority leader of the Senate.

(2) DATE.—The appointments of the members of the Special Committee shall be made not later than 90 days after the date of the enactment of this Act.

(b) VACANCIES.—Any vacancy in the Special Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) SERVICE.—Service of a Senator as a member, chairman, or ranking member of the Special Committee shall not be taken into account for the purposes of paragraph (4) of rule XXV of the Standing Rules of the Senate.

(d) CHAIRMAN AND RANKING MEMBER.—The chairman of the Special Committee shall be designated by the majority leader of the Senate, and the ranking member of the Special Committee shall be designated by the minority leader of the Senate.

(e) QUORUM.—

(1) REPORTS AND RECOMMENDATIONS.—A majority of the members of the Special Committee shall constitute a quorum for the purpose of reporting a matter or recommendation to the Senate.

(2) TESTIMONY.—One member of the Special Committee shall constitute a quorum for the purpose of taking testimony.

(3) OTHER BUSINESS.—A majority of the members of the Special Committee, or ⅓ of the members of the Special Committee if at least one member of the minority party is present, shall constitute a quorum for the purpose of conducting any other business of the Special Committee.

SEC. ____05. RULES AND PROCEDURES.

(a) GOVERNANCE UNDER STANDING RULES OF SENATE.—Except as otherwise specifically provided in this resolution, the investigation, study, and hearings conducted by the Special Committee shall be governed by the Standing Rules of the Senate.

(b) ADDITIONAL RULES AND PROCEDURES.—The Special Committee may adopt additional rules or procedures if the chairman and ranking member agree that such additional rules or procedures are necessary to enable the Special Committee to conduct the investigation, study, and hearings authorized by this resolution. Any such additional rules and procedures—

(1) shall not be inconsistent with this resolution or the Standing Rules of the Senate; and

(2) shall become effective upon publication in the Congressional Record.

SEC. ____06. AUTHORITY OF SPECIAL COMMITTEE.

(a) IN GENERAL.—The Special Committee may exercise all of the powers and responsibilities of a committee under rule XXVI of the Standing Rules of the Senate.

(b) HEARINGS.—The Special Committee or, at its direction, any subcommittee or member of the Special Committee, may, for the purpose of carrying out this resolution—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Special Committee or such subcommittee or member considers advisable; and

(2) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Special Committee considers advisable.

(c) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

(1) ISSUANCE.—Subpoenas issued under subsection (b) shall bear the signature of the Chairman of the Special Committee and shall be served by any person or class of persons designated by the Chairman for that purpose.

(2) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under subsection (a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(d) MEETINGS.—The Special Committee may sit and act at any time or place during sessions, recesses, and adjournment periods of the Senate.

SEC. ____07. REPORTS.

(a) INITIAL REPORT.—The Special Committee shall submit to the Senate a report on the investigation conducted pursuant to section ____03 not later than 270 days after the appointment of the Special Committee members.

(b) UPDATED REPORT.—The Special Committee shall submit an updated report on such investigation not later than 180 days after the submission of the report under subsection (a).

(c) ADDITIONAL REPORTS.—The Special Committee may submit any additional report or reports that the Special Committee considers appropriate.

(d) FINDINGS AND RECOMMENDATIONS.—The reports under this section shall include findings and recommendations of the Special Committee regarding the matters considered under section ____03.

(e) DISPOSITION OF REPORTS.—Any report made by the Special Committee when the

Senate is not in session shall be submitted to the Clerk of the Senate. Any report made by the Special Committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

SEC. ___08. ADMINISTRATIVE PROVISIONS.

(a) STAFF.—

(1) IN GENERAL.—The Special Committee may employ in accordance with paragraph (2) a staff composed of such clerical, investigatory, legal, technical, and other personnel as the Special Committee, or the chairman or the ranking member, considers necessary or appropriate.

(2) APPOINTMENT OF STAFF.—

(A) IN GENERAL.—The Special Committee shall appoint a staff for the majority, a staff for the minority, and a nondesignated staff.

(B) MAJORITY STAFF.—The majority staff shall be appointed, and may be removed, by the chairman and shall work under the general supervision and direction of the chairman.

(C) MINORITY STAFF.—The minority staff shall be appointed, and may be removed, by the ranking member of the Special Committee, and shall work under the general supervision and direction of such member.

(D) NONDESIGNATED STAFF.—Nondesignated staff shall be appointed, and may be removed, jointly by the chairman and the ranking member, and shall work under the joint general supervision and direction of the chairman and ranking member.

(b) COMPENSATION.—

(1) MAJORITY STAFF.—The chairman shall fix the compensation of all personnel of the majority staff of the Special Committee.

(2) MINORITY STAFF.—The ranking member shall fix the compensation of all personnel of the minority staff of the Special Committee.

(3) NONDESIGNATED STAFF.—The chairman and ranking member shall jointly fix the compensation of all nondesignated staff of the Special Committee, within the budget approved for such purposes for the Special Committee.

(c) REIMBURSEMENT OF EXPENSES.—The Special Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by such staff members in the performance of their functions for the Special Committee.

(d) PAYMENT OF EXPENSES.—There shall be paid out of the applicable accounts of the Senate such sums as may be necessary for the expenses of the Special Committee. Such payments shall be made on vouchers signed by the chairman of the Special Committee and approved in the manner directed by the Committee on Rules and Administration of the Senate. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate.

SEC. ___09. TERMINATION.

The Special Committee shall terminate on February 28, 2007.

SEC. ___10. SENSE OF SENATE ON CERTAIN CLAIMS REGARDING THE COALITION PROVISIONAL AUTHORITY.

It is the sense of the Senate that any claim of fraud, waste, or abuse under the False Claims Act that involves any contract or spending by the Coalition Provisional Authority should be considered a claim against the United States Government.

SA 2079. Mr. BOND proposed an amendment to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 295, line 6, strike ''or HOPE VI vouchers'' and insert in lieu thereof: '', HOPE VI vouchers or vouchers that were not in use during the 12-month period in order to be available to meet a commitment pursuant to section 8(o)(13) of the Act''.

SA 2080. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 276, after line 24, add the following:

SEC. 18___. Section 112(b)(2) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking ''title 40'' and all that follows through the period and inserting ''title 40.'';

(2) by striking subparagraph (B);

(3) by redesignating subparagraphs (C) through (F) as subparagraphs (B) through (E), respectively;

(4) in subparagraph (E) (as redesignated by paragraph (3)), in the first sentence, by striking ''subparagraph (E)'' and inserting ''subparagraph (D)''; and

(5) by striking subparagraph (G).

SA 2081. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 436, between lines 10 and 11, insert the following:

SEC. ___.(a) The Secretary shall permit the city of Columbus, Ohio, to conduct a pilot project to authorize the erection and maintenance of graphics in the downtown district of the city pursuant to ordinances and regulations promulgated by the city.

(b) The pilot program shall be a new initiative for advertising artistic and other graphics to revitalize the urban core of the city.

(c) Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report on the results of the pilot project.

SA 2082. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 217, line 9, strike ''$86,000,000'' and insert ''$80,000,000''.

On page 244, lines 17 and 18, strike ''$226,688,000, to be derived from the Highway Trust Fund:'' and insert ''$232,688,000, to be derived from the Highway Trust Fund, of which $13,679,000 shall be available for the New Car Assessment Program and $6,000,000 of such amount shall remain available until September 30, 2007:''.

SA 2083. Mr. DEWINE submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 248, between lines 20 and 21, insert the following:

SEC. 133.(a) The amount appropriated under this title for the National Highway Traffic Safety Administration under the heading ''Operations and Research'' is increased by $6,000,000. Of the amount appropriated under that heading, $13,679,000 shall be made available for the New Car Assessment Program, of which $6,000,000 shall remain available until September 30, 2007.

(b) The amount appropriated under this title for the Office of the Secretary under the heading ''Salaries and Expenses'' is reduced by $6,000,000.

SA 2084. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. Any limitation, directive, or earmarking contained in either the House of Representatives or Senate report accompanying H.R. 3058 shall also be included in the conference report or joint statement accompanying H.R. 3058 in order to be considered as having been approved by both Houses of Congress.

SA 2085. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 276, after line 24, insert the following:

SEC. 1___.(a) Section 144(g)(1) of title 23, United States Code, is amended—

(1) in subparagraph (A)(ii), by striking ''for the construction of a bridge joining the Island of Gravina to the community of Ketchikan in Alaska'' and inserting ''for the reconstruction of the Twin Spans Bridge connecting New Orleans, Louisiana, and Slidell, Louisiana'';

(2) by striking subparagraph (B); and

(3) by redesignating subparagraph (C) as subparagraph (B).

(b) The table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) is amended—

(1) in item 406—

(A) by striking ''AK'' and inserting ''LA''; and

(B) by striking ''Planning, design, and construction of a bridge joining the Island of Gravina to the Community of Ketchikan'' and inserting ''Reconstruction of Twin Spans Bridge connecting New Orleans and Slidell, Louisiana''; and

(2) in item 3323—

(A) by striking ''AK'' and inserting ''LA''; and

(B) by striking ''Earthwork and roadway construction Gravina Access Project'' and inserting ''Reconstruction of Twin Spans Bridge connecting New Orleans and Slidell, Louisiana''.

(c)(1) The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) is amended—

(A) by striking section 4410; and

(B) by redesignating sections 4411 through 4413 as sections 4410 through 4412, respectively.

(2) The table of contents of that Act is amended—

(A) by striking the item relating to section 4410; and

(B) by redesignating the items relating to sections 4411 through 4413 as sections 4410 through 4412, respectively.

(d) Nothing in this section or an amendment made by this section affects the allocation of funds to any State other than the States of Alaska and Louisiana.

SA 2086. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 308, strike the period on line 12 and insert the following: ": Provided further, That not less than 80 percent of the funds made available under this heading shall be used exclusively for providing direct financial assistance for housing of eligible program participants.''.

SA 2087. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 348, between lines 5 and 6, insert the following:

SEC. 321. LIMITATION ON FUNDING FOR CONFERENCES.

Of the funds made available for the Department of Housing and Development under the heading ''Management and Administration, Salaries and Expenses'' in this title, not to exceed $3,000,000 shall be available for expenses related to conferences, including for conference programs, staff time, travel costs, and related expenses.

SA 2088. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in the bill, insert the following:

SEC. ____. None of the funds appropriated under this Act may be used to enforce Executive Order 13166, issued August 16, 2000 (65 Fed. Reg. 50121) (relating to improving access to services for persons with limited English proficiency).

SA 2089. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 348, between lines 5 and 6, insert the following:

SEC. 321. STAND UP FOR ANIMALS.

None of the funds made available for the Department of Housing and Urban Development under the heading ''Community Development Fund'' in this title, shall be available for Stand Up for Animals in Westerly, Rhode Island for building construction.

SA 2090. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 348, between lines 5 and 6, insert the following:

SEC. 321. MISSOURI SOYBEAN ASSOCIATION.

None of the funds made available for the Department of Housing and Urban Development under the heading ''Community Development Fund'' in this title, shall be available for the Missouri Soybean Association for test plots for the Life Sciences Research Development and Commercialization Project in Boone County, Missouri.

SA 2091. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 348, between lines 5 and 6, insert the following:

SEC. 321. SEATTLE ART MUSEUM.

None of the funds made available for the Department of Housing and Urban Development under the heading ''Community Development Fund'' in this title, shall be available for the Seattle Art Museum in Seattle, Washington for the construction of the Olympic Sculpture Park.

SA 2092. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 348, between lines 5 and 6, insert the following:

SEC. 321. MISSISSIPPI FILM ENTERPRISE ZONE.

None of the funds made available for the Department of Housing and Urban Development under the heading ''Community Development Fund'' in this title, shall be available for the Mississippi Film Enterprise Zone in Canton, Mississippi, to create an art film enterprise facility.

SA 2093. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 348, between lines 5 and 6, insert the following:

SEC. 321. JOSLYN ART MUSEUM.

None of the funds made available for the Department of Housing and Urban Development under the heading ''Community Development Fund'' in this title, shall be available for a parking facility as part of the Joslyn Art Museum Master Plan, in Omaha, Nebraska.

SA 2094. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, amounts not required by law provided in this Act for fiscal year 2006 are reduced on a pro rata basis by 1 percent.

SA 2095. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, amounts not required by law provided in this Act for fiscal year 2006 are reduced on a pro rata basis by 2 percent.

SA 2096. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of

Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, amounts not required by law provided in this Act for fiscal year 2006 are reduced on a pro rata basis by 3 percent.

SA 2097. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, amounts not required by law provided in this Act for fiscal year 2006 are reduced on a pro rata basis by 4 percent.

SA 2098. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. Notwithstanding any other provision of this Act, amounts not required by law provided in this Act for fiscal year 2006 are reduced on a pro rata basis by 5 percent.

SA 2099. Mr. NELSON of Florida (for himself and Mr. SMITH) submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 293, after line 25, insert the following:

SEC. 221.(a)(1) On December 17, 2004, the Secretary of State placed Al-Manar, a global satellite television operation, on the Terrorist Exclusion List pursuant to section 212(a)(3)(B) of the Immigration and Nationality Act (8 U.S.C. 1182(a)(3)(B)) because Al-Manar engages in terrorist activity.

(2) The United States included Hizballah on a Specially Designated Global Terrorist list pursuant to Executive Order No. 13224 (50 U.S.C. 1701 note; relating to prohibiting transactions with persons who support terrorism) on October 31, 2001.

(3) Al-Manar is an official mouthpiece of the Hizballah terrorist network.

(4) Pursuant to Executive Order No. 13224, except to the extent required by section 203(b) of the International Emergency Economic Powers Act (50 U.S.C. 1702(b)), or provided in regulations, orders, directives, or licenses issued pursuant to that Order, and notwithstanding any contract entered into or any license or permit granted prior to the effective date of that Order, all property and interests in property of the following persons in the United States or that come within the United States, or that come within the possession or control of United States persons shall be blocked:

(A) Foreign persons listed in the Annex to that Order.

(B) Foreign persons determined by the Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, to have committed, or to pose a significant risk of committing, acts of terrorism that threaten the security of United States nationals or the national security, foreign policy, or economy of the United States.

(C) Persons determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General, to be owned or controlled by, or to act for or on behalf of those persons listed in the Annex to that Order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of that Order.

(D) Except as provided in section 5 of that Order and after such consultation, if any, with foreign authorities as the Secretary of State, in consultation with the Secretary of the Treasury and the Attorney General, deems appropriate in the exercise of the Secretary's discretion, persons determined by the Secretary of the Treasury, in consultation with the Secretary of State and the Attorney General—

(i) to assist in, sponsor, or provide financial, material, or technological support for, or financial or other services to or in support of, such acts of terrorism or those persons listed in the Annex to that Order or determined to be subject to that Order; or

(ii) to be otherwise associated with those persons listed in the Annex to that Order or those persons determined to be subject to subsection 1(b), 1(c), or 1(d)(i) of that Order.

(b) Not later than 60 days after the date of enactment of this Act, the Secretary of the Treasury, in conjunction with the Secretary of Homeland Security, the Secretary of State, and the Attorney General, shall submit to the appropriate congressional committees a report on whether the activities of Al-Manar and the Lebanese Communications Group SAL, the parent company of Al-Manar, fit the criteria established for placement on the Specially Designated Global Terrorist list pursuant to Executive Order No. 13224.

(c) In this section, the term ''appropriate congressional committees'' means the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate and the Committee on Appropriations, the Committee on Financial Services, the Committee on International Relations, and the Committee on Ways and Means of the House of Representatives.

SA 2100. Mr. JEFFORDS submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 436, between lines 10 and 11, insert the following:

SEC. 8____. Notwithstanding any other provision of law, the projects numbered 5094 and 5096 in the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) shall be subject to section 120(c) of title 23, United States Code.

SA 2101. Mr. AKAKA (for himself and Mr. BINGAMAN) submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 293, after line 25, add the following:

SEC. ____. DEBT INDICATOR PROGRAM.

None of the funds appropriated or otherwise made available by this Act may be used for the Debt Indicator program announced in Internal Revenue Service Notice 99–58.

SA 2102. Mr. VOINOVICH submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 436, between lines 10 and 11, insert the following:

SEC. 8____.(a) The table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) is amended—

(1) in item number 1429, by striking ''Construct Flats East Bulkhead and Riverwalk: construct bulkhead and riverwalk connecting Front and Maine Ave'' and inserting ''For roadway improvements and construction of Flats East Bulkhead and Riverwalk: construct bulkhead and riverwalk connecting Front and Maine Ave.''; and

(2) in item number 4632, by striking ''Construct 1,100 foot bulkhead/riverwalk connecting Front and Maine Ave. public rights-of-way'' and inserting ''For roadway improvements and construction of 1,100 foot bulkhead/riverwalk connecting Front and Maine Ave. public rights-of-way''.

(b) The table contained in section 3044 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) is amended in item number 516 by striking ''Dayton Wright Stop Plaza'' and inserting ''Downtown Dayton Transit Enhancements''.

SA 2103. Mr. BURNS submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. EXTENSION OF REQUIREMENT FOR AIR CARRIERS TO HONOR TICKETS FOR SUSPENDED AIR PASSENGER SERVICE.

Section 145(c) of the Aviation and Transportation Security Act (49 U.S.C. 40101 note) is amended by striking ''November 19, 2005.'' and inserting ''November 30, 2006.''.

SA 2104. Mr. SANTORUM submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. (a) PROMOTION OF FAMILY FORMATION AND HEALTHY MARRIAGE.—Section 402(a)(1)(A) of the Social Security Act (42 U.S.C. 602(a)(1)(A)) is amended by adding at the end the following:

''(vii) Encourage equitable treatment of healthy 2-parent married families under the program referred to in clause (i).''.

(b) HEALTHY MARRIAGE PROMOTION GRANTS; REPEAL OF BONUS FOR REDUCTION OF ILLEGITIMACY RATIO.—Section 403(a)(2) of such Act (42 U.S.C. 603(a)(2)) is amended to read as follows:

''(2) HEALTHY MARRIAGE PROMOTION GRANTS.—

''(A) AUTHORITY.—

''(i) IN GENERAL.—The Secretary shall award competitive grants to States and Indian tribes and tribal organizations for not more than 50 percent of the cost of developing and implementing innovative programs to promote and support healthy 2-parent married families.

''(ii) USE OF OTHER TANF FUNDS.—A State or Indian tribe or tribal organization with an approved tribal family assistance plan may use funds provided under other grants made under this part for all or part of the expenditures incurred for the remainder of the costs described in clause (i). In the case of a State, any such funds expended shall not be considered qualified State expenditures for purposes of section 409(a)(7).

''(B) HEALTHY MARRIAGE PROMOTION ACTIVITIES.—Funds provided under subparagraph (A) and corresponding State matching funds shall be used to support any of the following programs or activities:

''(i) Public advertising campaigns on the value of marriage and the skills needed to increase marital stability and health.

''(ii) Education in high schools on the importance of healthy marriages and the characteristics of other healthy relationships experienced throughout life, including education on the importance of grounding all relationships in mutual respect and how earlier healthy relationships are the building blocks for later healthy marital relationships.

''(iii) Marriage education, marriage skills, and relationship skills programs, that may include parenting skills, financial management, conflict resolution, and job and career advancement, for non-married pregnant women, non-married expectant fathers, and non-married recent parents.

''(iv) Pre-marital education and marriage skills training for engaged couples and for couples or individuals interested in marriage.

''(v) Marriage enhancement and marriage skills training programs for married couples.

''(vi) Divorce reduction programs that teach relationship skills.

''(vii) Marriage mentoring programs which use married couples as role models and mentors.

''(viii) Programs to reduce the disincentives to marriage in means-tested aid programs, if offered in conjunction with any activity described in this subparagraph.

''(C) VOLUNTARY PARTICIPATION.—

''(i) IN GENERAL.—Participation in programs or activities described in any of clauses (iii) through (vii) of subparagraph (B) shall be voluntary.

''(ii) ASSURANCE OF INFORMED CONSENT AND OPTION TO DISENROLL.—Each State or Indian tribe or tribal organization that carries out programs or activities described in any of clauses (iii) through (vii) of subparagraph (B) shall provide the Secretary with an assurance that each recipient of assistance under the State program funded under this part who elects to participate in such programs or activities shall be informed, prior to making such election—

''(I) that such participation is voluntary;

''(II) that the recipient may elect at any time to disenroll from such programs or activities by notifying the State or Indian tribe or tribal organization that the recipient no longer wants to participate in such programs or activities;

''(III) of the process, if any, by which a recipient who chooses to withdraw from, or fails to participate in, such programs or activities may be required to follow to become engaged in other programs or activities that are not programs or activities described in clauses (iii) through (vii) of subparagraph (B); and

''(IV) that the State may reassign a recipient at any time, in accordance with the requirements of section 408(b), to other activities that are not programs or activities described in clauses (iii) through (vii) of subparagraph (B).

''(iii) NO SANCTION FOR REFUSAL OR FAILURE TO PARTICIPATE.—

''(I) IN GENERAL.—No State or Indian tribe or tribal organization shall deny or reduce assistance to a recipient of assistance under the State program funded under this part solely on the basis of the recipient's withdrawal from, or failure to, participate in programs or activities described in clauses (iii) through (vii) of subparagraph (B).

''(II) RULE OF CONSTRUCTION.—Nothing in this subparagraph shall be construed as precluding a State or Indian tribe or tribal organization from requiring a recipient of assistance under the State program funded under this part to engage in programs or activities that are not programs or activities described in clauses (iii) through (vii) of subparagraph (B) or to sanction a recipient for failure to engage in such programs or activities or to follow any such procedures the State may establish to enroll a recipient in such other programs or activities.

''(D) GENERAL RULES GOVERNING USE OF FUNDS.—The rules of section 404, other than subsection (b) of that section, shall not apply to a grant made under this paragraph.

''(E) REQUIREMENTS FOR RECEIPT OF FUNDS.—A State or Indian tribe or tribal organization may not be awarded a grant under this paragraph unless the State or Indian tribe or tribal organization, as a condition of receiving funds under such a grant—

''(i) consults with domestic violence organizations that have demonstrated expertise working with survivors of domestic violence in developing policies, procedures, programs and training necessary to appropriately address domestic violence in families served by programs and activities funded under such grant;

''(ii) describes in the application for a grant under this paragraph—

''(I) how the programs or activities proposed to be conducted will appropriately address issues of domestic violence; and

''(II) what the State or Indian tribe or tribal organization, will do, to the extent relevant, to ensure that participation in such programs or activities is voluntary, and to inform potential participants that their involvement is voluntary;

''(iii) establishes a written protocol for providers and administrators of programs and activities relevant to the grant that—

''(I) provides for helping identify instances or risks of domestic violence; and

''(II) specifies the procedures for making service referrals and providing protections and appropriate assistance for identified individuals and families;

''(iv) establishes performance goals for funded programs and activities that clarify the primary objective of such funded programs and activities is to increase the incidence and quality of healthy marriages and not solely to expand the number or percentage of married couples; and

''(v) submits the annual reports required under subparagraph (F).

''(F) ANNUAL REPORTS TO THE SECRETARY.—Each State and Indian tribe or tribal organization awarded a grant under this paragraph shall submit to the Secretary an annual report on the programs and activities funded under the grant that includes the following:

''(i) A description of the written protocols developed in accordance with the requirements of subparagraph (E)(iii) for each program or activity funded under the grant and how such protocols are used, including specific policies and procedures for addressing domestic violence issues within each program or activity funded under the grant and how confidentiality issues are addressed.

''(ii) The name of each individual, organization, or entity that was consulted in the development of such protocols.

''(iii) A description of each individual, organization, or entity (if any) that provided training on domestic violence for the State, Indian tribe or tribal organization, or for any subgrantees.

''(iv) A description of any implementation issues identified with respect to domestic violence and how such issues were addressed.

''(G) BIANNUAL REPORTS TO CONGRESS.—Not later than 24 months after the date of enactment of the Personal Responsibility and Individual Development for Everyone Act, and every 6 months thereafter, the Secretary shall submit to Congress a report regarding the programs and activities funded with grants awarded under this paragraph. Each report submitted in accordance with this subparagraph shall include the following:

''(i) The name of each program or activity funded with such grants and the name of each grantee and subgrantee.

''(ii) The total number of individuals served under programs or activities funded under the grant.

''(iii) The total number of individuals who—

''(I) completed a program or activity funded under the grant, including the number of such individuals who received assistance under the State program funded under this part or with qualified State expenditures (as defined in section 409(a)(7)(B)(i)) while participating in such program or activity; and

''(II) did not complete such a program or activity, including due to ceasing to receive assistance under the State program funded under this part or with qualified State expenditures (as defined in section 409(a)(7)(B)(i)) or for other reasons.

''(iv) A description of the types of services offered under such programs or activities.

''(v) The criteria for selection of programs or activities to be funded under such grant with respect to the award of grants by the Secretary and the awarding of funds to subgrantees.

''(vi) A description of the activities carried out by the Secretary to support grantees and subgrantees in responding to domestic violence issues.

''(v) A summary of the written domestic violence protocols used by grantees and subgrantees.

''(vii) A summary of who the grantees and subgrantees consulted with in developing such protocols.

''(viii) A summary of the training provided to grantees and subgrantees on domestic violence.

''(ix) A list of the organizations, entities, and activities funded under sections 103(c) and 114(e) of the Personal Responsibility and Individual Development for Everyone Act.

''(H) DOMESTIC VIOLENCE DEFINED.—In this paragraph, the term 'domestic violence' has the meaning given that term in section 402(a)(7)(B).

''(I) APPROPRIATION.—

''(i) IN GENERAL.—Out of any money in the Treasury of the United States not otherwise appropriated, there are appropriated for each of fiscal years 2005 through 2010, $100,000,000 for grants under this paragraph.

''(ii) EXTENDED AVAILABILITY OF FUNDS.—

''(I) IN GENERAL.—Funds appropriated under clause (i) for each of fiscal years 2006 through 2010 shall remain available to the Secretary until expended.

''(II) AUTHORITY FOR GRANT RECIPIENTS.—A State or Indian tribe or tribal organization may use funds made available under a grant awarded under this paragraph without fiscal year limitation pursuant to the terms of the grant.''.

(c) BEST PRACTICES FOR ADDRESSING DOMESTIC VIOLENCE.—Section 413 of such Act (42 U.S.C. 613) is amended by adding at the end the following:

''(k) BEST PRACTICES FOR ADDRESSING DOMESTIC VIOLENCE.—

''(1) IN GENERAL.—The Secretary shall, by grant, contract, or interagency agreement, develop and implement programs that are designed to address domestic violence as a barrier to healthy relationships, marriage, and economic security. Programs developed and implemented under this subsection shall include—

''(A) training for caseworkers administering the State program funded under this part;

''(B) technical assistance;

''(C) the provision of voluntary services for victims of such violence; and

''(D) activities related to the prevention of domestic violence.

''(2) DOMESTIC VIOLENCE DEFINED.—In this subsection, the term 'domestic violence' has the meaning given that term in section 402(a)(7)(B).

''(3) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this subsection, $10,000,000 for each of fiscal years 2006 through 2010. Amounts appropriated to carry out this subsection shall be in addition to and not in lieu of amounts otherwise appropriated to carry out programs to address domestic violence.''.

(d) COUNTING OF SPENDING ON NON-ELIGIBLE FAMILIES TO PREVENT AND REDUCE INCIDENCE OF OUT-OF-WEDLOCK BIRTHS, ENCOURAGE FORMATION AND MAINTENANCE OF HEALTHY 2-PARENT MARRIED FAMILIES, OR ENCOURAGE RESPONSIBLE FATHERHOOD.—Section 409(a)(7)(B)(i) of such Act (42 U.S.C. 609(a)(7)(B)(i)) is amended by adding at the end the following:

''(V) COUNTING OF SPENDING ON NON-ELIGIBLE FAMILIES TO PREVENT AND REDUCE INCIDENCE OF OUT-OF-WEDLOCK BIRTHS, ENCOURAGE FORMATION AND MAINTENANCE OF HEALTHY 2-PARENT MARRIED FAMILIES, OR ENCOURAGE RESPONSIBLE FATHERHOOD.—Subject to subclauses (II) and (III), the term 'qualified State expenditures' includes the total expenditures by the State during the fiscal year under all State programs for a purpose described in paragraph (3) or (4) of section 401(a).''.

(e) PURPOSES.—Section 401(a)(4) of such Act (42 U.S.C. 601(a)(4)) is amended by striking ''two-parent families'' and inserting ''healthy 2-parent married families, and encourage responsible fatherhood''.

SA 2105. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 276, after line 24, insert the following:

SEC. 1____. Item number 512 of the table contained in section 3044 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) is amended by striking ''Corning, NY, Phase II Corning Preserve Transportation Enhancement Project'' and inserting ''Transportation Center Enhancements, Corning, NY''.

SA 2106. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 276, after line 24, insert the following:

SEC. 1____. Item number 4596 of the table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) is amended by striking ''Corning Preserve improvements Phase II'' and inserting ''Transportation Center, Corning, NY''.

SA 2107. Mr. SCHUMER (for himself, Ms. CANTWELL, and Mr. LAUTENBERG) submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 276, after line 24, insert the following:

SEC. 1____. (a) Section 30123 of title 49, United States Code, is amended—

(1) in subsection (b), by inserting after the first sentence the following: ''The grading system shall include standards for rating the fuel efficiency of tires designed for use on passenger cars and light trucks.''; and

(2) by adding at the end the following:

''(d) NATIONAL TIRE FUEL EFFICIENCY PROGRAM.—(1) The Secretary shall develop and carry out a national tire fuel efficiency program for tires designed for use on passenger cars and light trucks.

''(2) The program shall include the following:

''(A) Policies and procedures for testing and labeling tires for fuel economy to enable tire buyers to make informed purchasing decisions about the fuel economy of tires.

''(B) Policies and procedures to promote the purchase of energy-efficient replacement tires, including purchase incentives, website listings on the Internet, printed fuel economy guide booklets, and mandatory requirements for tire retailers to provide tire buyers with fuel-efficiency information on tires.

''(C) Minimum fuel economy standards for tires, promulgated by the Secretary.

''(3) The minimum fuel economy standards for tires shall—

''(A) ensure that the average fuel economy of replacement tires is equal to or better than the average fuel economy of tires sold as original equipment;

''(B) secure the maximum technically feasible and cost-effective fuel savings;

''(C) not adversely affect tire safety;

''(D) not adversely affect the average tire life of replacement tires;

''(E) incorporate the results from—

''(i) laboratory testing; and

''(ii) to the extent appropriate and available, on-road fleet testing programs conducted by the manufacturers; and

''(F) not adversely affect efforts to manage scrap tires.

''(4) The policies, procedures, and standards developed under paragraph (2) shall apply to all types and models of tires that are covered by the uniform tire quality grading standards under section 575.104 of title 49, Code of Federal Regulations (or any successor regulation).

''(5) Not less often than every three years, the Secretary shall review the minimum fuel economy standards in effect for tires under this subsection and revise the standards as necessary to ensure compliance with requirements under paragraph (3). The Secretary may not, however, reduce the average fuel economy standards applicable to replacement tires.

''(6) Nothing in this chapter shall be construed to preempt any provision of State law relating to higher fuel economy standards applicable to replacement tires designed for use on passenger cars and light trucks.

''(7) Nothing in this chapter shall apply to—

''(A) a tire or group of tires with the same SKU, plant, and year, for which the volume of tires produced or imported is less than 15,000 annually;

''(B) a deep tread, winter-type snow tire, space-saver tire, or temporary use spare tire;

''(C) a tire with a normal rim diameter of 12 inches or less;

''(D) a motorcycle tire; or

''(E) a tire manufactured specifically for use in an off-road motorized recreational vehicle.

''(8) In this subsection, the term 'fuel economy', with respect to tires, means the extent to which the tires contribute to the fuel economy of the motor vehicles on which the tires are mounted.''.

(b) Section 30103(b) of title 49, United States Code, is amended in paragraph (1) by striking ''When'' and inserting ''Except as provided in section 30123(d) of this title, when''.

(c) The Secretary of Transportation shall ensure that the national tire fuel efficiency program required under subsection (d) of section 30123 of title 49, United States Code (as

added by subsection (a)(2)), is administered so as to apply the policies, procedures, and standards developed under paragraph (2) of such subsection (d) beginning not later than March 31, 2008.

SA 2108. Mr. VOINOVICH submitted an amendment intended to be proposed by her to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 436, between lines 10 and 11, insert the following:

SEC. 8_____. The table contained in section 1702 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59; 119 Stat. 1144) is amended—

(1) in item number 1926, by striking ''Grading, paving, roads for the transfer of rail to truck for the intermodal facility at Rickenbacker Airport'' and inserting ''Grading, paving, roads, and construction of an intermodal freight facility at Rickenbacker Airport, Columbus, Ohio'';

(2) in item number 2893, by striking ''Grading, paving, roads for the transfer of rail to truck for the intermodal facility at Rickenbacker Airport'' and inserting ''Grading, paving, roads, and construction of an intermodal freight facility at Rickenbacker Airport, Columbus, Ohio'';

(3) in item number 4620, by striking ''Grading, paving, roads, and the transfer of rail-to-truck for the intermodal facility at Rickenbacker Airport Columbus, OH'' and inserting ''Grading, paving, roads, and construction of an intermodal freight facility at Rickenbacker Airport, Columbus, Ohio''; and

(4) in item number 4651, by striking ''Grading, paving, roads for the transfer of rail to truck for the intermodal facility at Rickenbacker Airport'' and inserting ''Grading, paving, roads, and construction of an intermodal freight facility at Rickenbacker Airport, Columbus, Ohio''.

SA 2109. Mr. BOND proposed an amendment to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

Insert the following on page 356, after line 4, and renumber accordingly:

''SEC. 408. (a) Section 604 of title 28, United States Code, is amended by adding section (4) at the end of section ''(g)'':

''(4) The Director is hereby authorized:

(A) to enter into contracts for the acquisition of severable services for a period that begins in one fiscal year and ends in the next fiscal year to the same extent as the head of an executive agency under the authority of section 253 of 41 U.S.C.; and

(B) to enter into contracts for multiple years for the acquisition of property and services to the same extent as executive agencies under the authority of section 254c of 41 U.S.C; and

(C) to make advance, partial, progress or other payments under contracts for property or services to the same extent as executive agencies under the authority of section 255 of 41 U.S. C.''

(b) Section 612 of title 28, United States Code, is amended by striking the current language in section (e)(2)(B) and inserting ''such contract is in accordance with the Director's authority in section 604(g) of 28 U.S.C.; and,''

(c) The authorities granted in this Section shall expire on September 30, 2010.

SA 2110. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 356, between lines 4 and 5, insert the following:

SEC. 408.(a) The division of the court shall release to the Congress and to the public not later than 60 days after the date of enactment of this Act all portions of the final report of the independent counsel of the investigation of Henry Cisneros made under section 594(h) of title 28, United States Code, except for any such portions that contain information of a personal nature that the division of the court determines the disclosure of which would cause a clearly unwarranted invasion of privacy that outweighs the public interest in a full accounting of this investigation.

(b) The office of the independent counsel established to investigate Henry Cisneros shall terminate on the date of the release of the report referred to in subsection (a).

SA 2111. Mr. PRYOR submitted an amendment intended to be proposed by him to the bill H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 276, after line 24, insert the following:

SEC. 1____. Section 127(a) of title 23, United States Code, is amended by adding at the end the following:

''(13) ARKANSAS.—During the harvesting season of cotton in the State of Arkansas, as determined by the Governor of the State, the State of Arkansas may allow the operation of vehicles with a gross vehicle weight of up to 80,000 pounds for the hauling of cotton seed on—

''(A) United States Route 63 from Gilbert, Arkansas, at the Lake David interchange, to Jonesboro, Arkansas; and

''(B) Interstate Route 555, if that route is open to traffic.''.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will beheld on Tuesday, November 8, 2005, at 10 a.m., in Room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the progress made on the development of interim and long-term plans for use of fire retardant aircraft in Federal wildfire suppression operations.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Frank Gladics (202–224–2878), Dick Bouts (202–224–7545), or Kristina Rolph (202–224–8276) of the Committee staff.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 18, 2005, at 10 a.m., to mark up S. 1562, ''Safe and Fair Deposit Insurance Act of 2005,'' and an original bill entitled ''FHA Asset Disposition Act of 2005,'' for purposes of reporting the text of both bills to the Senate Budget Committee as Title II for reconciliation purposes. Immediately following the markup, the Committee will conduct a hearing on ''The Future of the National Flood Insurance Program.''

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on October 18, 2005, at 2:30 p.m., to conduct a hearing on ''Growth and Development of the Derivatives Market.''

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, October 18 at 10 a.m. The purpose of this hearing is to discuss the winter fuels outlook and the effect of high prices this coming winter.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, October 18 at 3 p.m. The purpose of this hearing is to consider our national capacity for producing technological innovation and the importance of this innovation to our global economic competitiveness. The Committee will hear testimony describing the results of a recently released National Academy of Science report on this same topic.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to hold a business meeting on October 18, 2005 at 2:30 p.m., to consider a bill, S. ——, to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet on October 18, 2005 at 2:35 p.m., to conduct a legislative hearing on S. 1772, the Gas Petroleum Refiner Improvement and Community Empowerment Act.

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

COMMITTEE ON FINANCE

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Tuesday, October 18, 2005, at 10 a.m., in 215 Dirksen Senate Office Building, to consider the nomination of James S. Halpern, to be Judge of the United States Tax Court, The Judiciary; Susan C. Schwab, to be Deputy United States Trade Representative, with the Rank of Ambassador, executive Office of the President; Karen K. Bhatia, to be Deputy United States Trade Representative, with the rank of Ambassador, Executive Office of the President; Franklin L. Lavin, to be Under Secretary of Commerce for International Trade, Department of Commerce, and, Clay Lowery, to be Deputy Under Secretary of the Treasury, U.S. Department of Treasury.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, October 18, 2005, at 9:30 a.m., to hold a hearing on Prospects for United Nations Reform.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet in executive session during the session of the Senate on Tuesday, October 18, 2005, at 2:30 p.m. in SD–430.

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

COMMITTEE ON THE JUDICIARY

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Comprehensive Immigration Reform II'' on Tuesday, October 18, 2005, at 9:30 a.m. in the Dirksen Senate Office Building Room 226.

Witness List

Panel I: The Honorable Michael Chertoff, Secretary of the Department of Homeland Security, Washington, DC; The Honorable Elaine Chao, Secretary of the Department of Labor, Washington, DC.

Panel II: Frank Sharry, Executive Director, National Immigration Forum, Washington, DC; Mark Krikorian, Executive Director, Center for Immigration Studies, Washington, DC; Douglas S. Massey, Ph.D., Professor of Sociology, Princeton University, Princeton, NJ.

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

COMMITTEE ON THE JUDICIARY

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Executive Nominations'' on Tuesday, October 18, 2005, at 2:30 p.m. in the Dirksen Senate Office Building Room 226.

Witness List

Panel I: Members of Congress.

Panel II: James O'Gara to be Deputy Director for Supply Reduction, Office of National Drug Control Policy; Julie Myers to be Assistant Secretary for Immigration and Customs Enforcement, Department of Homeland Security; Emilio Gonzales to be Director of the Bureau of Citizenship and Immigration Services, Department of Homeland Security.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. BOND. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, October 18, 2005, to markup the following nominations:

1. William F. Tuerk, Under Secretary for Memorial Affairs, VA.
2. Robert J. Henke, Assistant Secretary for Management, VA.
3. John M. Molino, Assistant Secretary of Policy and Planning, VA.
4. Lisette M. Mondello, Assistant Secretary of Public and Intergovernmental Affairs, VA.
5. George J. Opfer, Inspector General, VA.

The markup will take place in the Reception Room off the Senate Floor, the Capitol following the first rollcall vote of the Senate after 1 p.m.

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

PRIVILEGE OF THE FLOOR

Mr. WYDEN. Mr. President, I ask unanimous consent that Kristen Averyt, a fellow in my office, be given the privilege of the floor during today's session.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

SUPPORTING THE GOALS OF RED RIBBON WEEK

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 277 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 277) supporting the goals of Red Ribbon Week.

There being no objection, the Senate proceeded to consider the resolution.

Ms. MURKOWSKI. I rise today in support of a resolution that commemorates the annual ''Red Ribbon Week.'' I am pleased to have Mr. GRASSLEY, Mr. BIDEN, Mr. TALENT, Mrs. DOLE, Mr. STEVENS, Mr. DOMINICI, and Mr. CHAMBLISS join me in introducing this resolution. The purpose of Red Ribbon Week is to educate and advocate a commitment to a drug-free lifestyle. Red Ribbon Week also remembers the contribution of one soldier in the war against drugs, Drug Enforcement Administration Special Agent Enrique ''Kiki'' Camarena. I am honored to be here to seek the Senate's recognition and support again for the annual Red Ribbon Week Campaign.

In Alaska, Red Ribbon Week will be a statewide celebration involving thousands of school children and those people and organizations who care about the welfare of our children and communities. On October 24, the city of Anchorage of will celebrate with a series of Red Ribbon events coordinated with the Anchorage School District, the Alaska National Guard, the Alaska State Troopers, the mayor of Anchorage, the Boys & Girls Clubs of Alaska, the Drug Enforcement Administration, the local U.S. Attorney's Office, many PTA groups and many others throughout the community.

Throughout the week, Alaskans will be encouraged to show gratitude for everyone who remains drug-free and pledges to live a safe and drug-free life and remember those we have lost in the fight against drugs.

The Red Ribbon Week Campaign was started in 1988 by the Federation of Parents. It was organized as an 8-day event and was then chaired by then-President and Mrs. Reagan. The event began as a tribute to DEA Special Agent Enrique ''Kiki'' Camarena who was kidnapped, tortured, and murdered by drug traffickers in 1985. Those who advocate that drug addiction is a

victimless crime should talk to the widow and children of Agent Camarena. His sons, Erik and Enrique, Jr. continue to honor their father and work to help children and families who are victims of drug-related crimes.

The Red Ribbon that we wear during Red Ribbon Week is a symbol of zero tolerance for illegal drug use and a commitment to drug abuse prevention. The ribbon will be worn or displayed in the upcoming Red Ribbon Week by millions of Americans in an act of unity and remembrance of Agent ''Kiki'' Camarena.

The distribution and abuse of illicit drugs is not a private matter. Drugs harm children. Drugs harm our communities. Illegal drugs only facilitate dependency, addiction and the breakdown of families.

We must encourage our children to make better choices by making the same commitment in our own lives. We as parents and leaders must set good examples.

Our children are growing up in a culture that continues to send confusing and mixed signals. Therefore, our children are confronting difficult choices on a continuous basis. Celebrities in the media, movies, television, and music often encourage them to make the wrong decisions. The Red Ribbon Campaign is one effort to help our children make the right decisions.

I thank my colleagues for joining me in support of this resolution to help illustrate the Senate's commitment in ensuring that our children know the benefits of a drug-free lifestyle and encouraging all people to live such a lifestyle.

Mr. GRASSLEY. Mr. President. I am pleased to join my colleague Senator MURKOWSKI in sponsoring a resolution commemorating the annual ''Red Ribbon Week.'' Celebrated October 23–31, Red Ribbon Week encourages individuals, families, and communities to take a stand against alcohol, tobacco, and illegal drug use. I hope the rest of the Senate will join in supporting this resolution and support this very important campaign.

The tradition of Red Ribbon Week now in its twentieth year of wearing and displaying red ribbons started following the assassination of U.S. Drug Enforcement Agency Special Agent Enrique ''Kiki'' Camarena. In an effort to honor his memory and unite in the battle against drug crime and abuse, friends, neighbors, and students from his home town began wearing red ribbons. Shortly thereafter, the National Family Partnership took the celebration nationwide. Since then, the Red Ribbon campaign has reached millions of children, families, and communities across the country, spreading the message about the destructive effects of drugs.

In my State of Iowa, this year's theme for Red Ribbon Week is ''Take a Stand—Be Drug Free.'' Schools and community groups across the State are organizing a variety of activities including pledges, contests, workshops, rallies, theatrical and musical performances, and other family and educational events all designed to educate our children on the negative effects of drugs and promote a drug-free environment.

Research tells us that the longer a child stays drug-free the less likely they will become addicted or even try illegal drugs. This is why it is so important to maintain a coherent anti-drug message that begins early in adolescence and continues throughout the growing years. Such an effort must involve parents, communities, and young people. Red Ribbon Week provides each of us the opportunity to take a stand by helping our children make the right decisions when it comes to drugs.

In light of the growing epidemic of methamphetamine abuse throughout the Nation and especially in State of Iowa, this year's Red Ribbon Week holds greater importance. I urge colleagues to join us in passing this resolution to demonstrate our commitment to raising awareness about drugs and encourage everyone to make healthy choices.

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 277) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 277

Whereas the Governors and Attorneys General of the States, the National Family Partnership, Parent Teacher Associations, Boys and Girls Clubs of America, and more than 100 other organizations throughout the United States annually cosponsor Red Ribbon Week during the week of October 23 through October 31;

Whereas a purpose of the Red Ribbon Campaign is to commemorate the service of Enrique ''Kiki'' Camarena, a Drug Enforcement Administration special agent who died in the line of duty in 1985 while engaged in the battle against illicit drugs;

Whereas the Red Ribbon Campaign is nationally recognized and is in its twentieth year of celebration, helping to preserve Special Agent Camarena's memory and further the cause for which he gave his life;

Whereas the objective of Red Ribbon Week is to promote drug-free communities through drug prevention efforts, education, parental involvement, and community wide support;

Whereas drug and alcohol abuse contributes to domestic violence and sexual assaults, and places the lives of children at risk;

Whereas drug abuse is one of the major challenges our Nation faces in securing a safe and healthy future for our families and children;

Whereas emerging drug threats, such as the growing epidemic of methamphetamine abuse, jeopardize the progress made against illegal drug abuse; and

Whereas parents, youth, schools, businesses, law enforcement agencies, religious institutions, service organizations, senior citizens, medical and military personnel, sports teams, and individuals throughout the United States demonstrate their commitment to drug-free, healthy lifestyles by wearing and displaying red ribbons during this week long celebration: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals of Red Ribbon Week;

(2) encourages children and teens to choose to live a drug-free life; and

(3) encourages all people of the United States to promote drug-free communities and to participate in drug prevention activities to show support for healthy, productive, drug-free lifestyles.

NATIONAL CHILDHOOD LEAD POISONING PREVENTION WEEK

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 278 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 278) designating the week of October 23, 2005, through October 29, 2005, as National Childhood Lead Poisoning Prevention Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD without intervening action or debate.

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

The resolution (S. Res. 278) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 278

Whereas lead poisoning is a leading environmental health hazard to children in the United States;

Whereas according to the Centers for Disease Control and Prevention, 310,000 preschool children in the United States have harmful levels of lead in their blood;

Whereas lead poisoning may cause serious, long-term harm to children, including reduced intelligence and attention span, behavior problems, learning disabilities, and impaired growth;

Whereas children from low-income families are significantly more likely to be poisoned by lead than are children from high-income families;

Whereas children may be poisoned by lead in water, soil, or consumable products;

Whereas children most often are poisoned in their homes through exposure to lead particles when lead-based paint deteriorates or is disturbed during home renovation and repainting; and

Whereas lead poisoning crosses all barriers of race, income, and geography: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of October 23, 2005, through October 29, 2005, as ''National Childhood Lead Poisoning Prevention Week''; and

(2) calls upon the people of the United States to observe the week with appropriate programs and activities.

AUTHORIZATION OF TESTIMONY

Mr. FRIST. I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 279 which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 279) to authorize testimony in the State of Mississippi versus Edward Statecom.

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. Mr. President, this resolution concerns a request for testimony in a shoplifting action pending in Municipal Court in the City of Clarksdale, MS. Trial is scheduled to commence on or about October 20, 2005. The defendant has subpoenaed a member of the Senator's staff who has provided casework assistance to him. The enclosed resolution would authorize that staff member to testify in connection with this action.

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 279) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 279

Whereas, in the case of State of Mississippi v. Edward Statecum, Case No. M051648, pending in Municipal Court in the City of Clarksdale, Mississippi, testimony has been requested from Kim Coalter, an employee in the office of Senator Thad Cochran;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, that Kim Coalter is authorized to testify in the case of State of Mississippi v. Edward Statecum, except concerning matters for which a privilege should be asserted.

AUTHORIZING THE TRANSFER OF NAVAL VESSELS

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to immediate consideration of S. 1886, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1886) to authorize the transfer of naval vessels to certain foreign recipients.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

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

The bill (S. 1886) was read the third time and passed, as follows:

S. 1886

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 ''Naval Vessels Transfer Act of 2005''.

SEC. 2. TRANSFERS BY GRANT.

The President is authorized to transfer vessels to foreign recipients on a grant basis under section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j), as follows:

(1) GREECE.—To the Government of Greece, the OSPREY class minehunter coastal ship PELICAN (MHC–53).

(2) EGYPT.—To the Government of Egypt, the OSPREY class minehunter coastal ships CARDINAL (MHC–60) and RAVEN (MHC–61).

(3) PAKISTAN.—To the Government of Pakistan, the SPRUANCE class destroyer ship FLETCHER (DD–992).

(4) TURKEY.—To the Government of Turkey, the SPRUANCE class destroyer ship CUSHING (DD–985).

SEC. 3. TRANSFERS BY SALE.

The President is authorized to transfer vessels to foreign recipients on a sale basis under section 21 of the Arms Export Control Act (22 U.S.C. 2761), as follows:

(1) INDIA.—To the Government of India, the AUSTIN class amphibious transport dock ship TRENTON (LPD–14).

(2) GREECE.—To the Government of Greece, the OSPREY class minehunter coastal ship HERON (MHC–52).

(3) TURKEY.—To the Government of Turkey, the SPRUANCE class destroyer ship O'BANNON (DD–987).

SEC. 4. GRANTS NOT COUNTED IN ANNUAL TOTAL OF TRANSFERRED EXCESS DEFENSE ARTICLES.

The value of a vessel transferred to another country on a grant basis pursuant to authority provided by section 2 shall not be counted against the aggregate value of excess defense articles transferred to countries in any fiscal year under section 516 of the Foreign Assistance Act of 1961.

SEC. 5. COSTS OF CERTAIN TRANSFERS.

Notwithstanding section 516(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(e)(1)), any expense incurred by the United States in connection with a transfer authorized under section 2 shall be charged to the recipient.

SEC. 6. REPAIR AND REFURBISHMENT IN UNITED STATES SHIPYARDS.

To the maximum extent practicable, the President shall require, as a condition of the transfer of a vessel under this section, that the country to which the vessel is transferred have such repair or refurbishment of the vessel as is needed before the vessel joins the naval forces of that country be performed at a shipyard located in the United States, including a United States Navy shipyard.

SEC. 7. EXPIRATION OF AUTHORITY.

The authority to transfer a vessel under this section shall expire at the end of the 2-year period beginning on the date of the enactment of this Act.

MONTH OF GLOBAL HEALTH

Mr. FRIST. Mr. President, I ask unanimous consent the Judiciary Committee be discharged from further consideration of S. Res. 225 and that the Senate then proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 225) designating the month of November 2005 as the ''Month of Global Health.''

There being no objection, the Senate proceeded to consider the resolution.

Mr. FRIST. I ask unanimous consent the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table en bloc, and any statements be printed without intervening action or debate.

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

The resolution (S. Res. 225) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 225

Whereas child survival is a key element of global health and is of utmost importance to the United States and all countries of the world;

Whereas child survival must be addressed on a global scale;

Whereas increasing child survival rates is critical to population growth in countries around the world;

Whereas child survival depends on access to key nutrients that can avert millions of unnecessary deaths in third world countries from preventable diseases;

Whereas 5 simple interventions, if delivered to children before the age of 5, may significantly increase their chances of survival;

Whereas these 5 interventions—vaccines, antibiotics, Vitamin A and micronutrients, oral rehydration therapy, and insecticide-treated bednets—can be provided to third world countries at minimal cost; and

Whereas 10,000,000 children die each year from preventable diseases in third world countries and 6,000,000 of those deaths could be prevented by the use of these interventions: Now, therefore, be it

Resolved, That the Senate—

(1) designates the month of November 2005 as the ''Month of Global Health'';

(2) reaffirms its commitment to ensuring that children around the world receive the interventions necessary for survival as an integral component of efforts to improve global health; and

(3) encourages the people of the United States to observe the ''Month of Global Health'' with appropriate participation in key activities, programs, and fundraising in support of worldwide child survival.

URGING PROHIBITION OF REBIRTHING TECHNIQUES

Mr. SALAZAR. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. Res. 276, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 276) expressing the sense of the Senate that the attachment therapy technique known as rebirthing is a dangerous practice and should be prohibited.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SALAZAR. Mr. President, I rise today to speak about a resolution I have introduced with my colleague from North Carolina, Senator BURR. This resolution encourages States to prohibit a controversial procedure known as ''rebirthing.''

Today's action sheds light on the death of a North Carolina child brought to Colorado to undergo the ''rebirthing'' procedure.

Like many, I first learned of this intervention procedure known as ''rebirthing'' when information about the death of Candace Newmaker was reported in Colorado newspapers.

Rebirthing is a procedure which attempts to reenact the birth process by restraining a child with blankets and forcing a child to emerge unaided.

Candace, a 10-year-old, was brought to my State to undergo ''rebirthing,'' which was supposed to help her form a bond with her newly adoptive mother. Instead, this dangerous procedure, which is supported by no scientific evidence, and is in fact condemned by the American Psychiatric Association, cut short a life full of possibilities.

Her adoptive mother believed that this procedure would help her establish a stronger relationship with Candace, who was having difficulty adjusting to her new home and who had been in and out of the foster care system.

By paying $7,000 for someone to diagnose and to treat Candace, her adoptive mother believed that she would establish a connection with her new daughter. After a few days, the hired ''experts'' decided that ''rebirthing'' would erase Candace's childhood memories so that she could form a lasting mother-daughter relationship.

Candace was wrapped in flannel blankets, held down by the weight of four adults, who bounced her and squeezed her to simulate contractions. When Candace begged for the procedure to cease, the adults holding her down ignored her pleas. When she told the strangers restraining her that she felt she was going to die, they ignored her.

In April 2001, when Candace was brought to Children's Hospital in Denver, she was unconscious. She had been restrained under blankets for over an hour. Tragically, she suffocated to death.

I was Colorado's Attorney General at the time this tragedy occurred. When one of the therapists was convicted for the death of Candace, my office successfully upheld that conviction upon appeal.

As I stated then, and still believe today: adults are responsible for their criminal recklessness when caring for a child, regardless of whether it is called ''therapy'' or some other form of unusual care or treatment.

We cannot take back the actions of the past and bring Candace back, but we can take action to ensure that her life was not lost in vain.

Her grandparents, David and Mary Davis, have been the primary force behind efforts to honor the life of Candace. Through their advocacy, the States of Colorado and North Carolina have passed laws banning rebirthing.

The Davis family also worked with their representative in the U.S. House of Representatives to pass a resolution encouraging States to outlaw rebirthing.

With the introduction of this resolution, the Senate is poised to act.

Candace's grandparents and several members of her extended family are with us today. I welcome the Davis family and sincerely appreciate their presence. I am honored to join with Senator BURR to support this resolution.

It is my hope that our actions today will prevent further pain and suffering.

I urge the Senate to promptly act on this resolution in the name of Candace Newmaker and all children who could potentially be victimized by this life-threatening procedure.

The PRESIDING OFFICER. The Senator from North Carolina.

Mr. BURR. Mr. President, I thank my colleague from Colorado. It is seldom we have an opportunity to effect a change for a specific individual. We have an opportunity to do that today for an individual we will never meet, an individual who might be placed in the same situation as Candace. In fact, in 2001, Candace Newmaker, the granddaughter of David and Mary Davis of Vale, NC, was killed. She was killed during a so-called rebirthing therapy session. This dangerous practice involves therapists, as my colleague said, wrapping sheets and towels and pillows around a patient who almost always is a young child, who is curled in a fetal position. The therapists attempt to recreate the child's birth by physically restraining and pushing against the child, urging the child to escape.

The stories are horrendous. Rebirthing has resulted in numerous injuries as well as the suffocation and death of five children. If there was ever a time that called out for us to act on a resolution like this, this is it; to reach out to States and say: Do what North Carolina did, do what Colorado did—outlaw this practice.

In 2003, North Carolina did outlaw this unsafe therapy, largely due to the Davises' efforts. Today, Senator SALAZAR and I urge other States to do exactly that. The Candace Newmaker resolution encourages States to examine the rebirthing technique and enact laws prohibiting this dangerous practice. Organizations such as the American Psychological Association fully support the ban of this technique. The possible loss of another child to this harmful therapy should be enough reason for the Senate to pass this resolution; if we can affect one child with our action, a child we have not met who might be exposed to this, we should do so.

The House of Representatives, led by my colleague, Representative SUE MYRICK, passed a similar resolution on December 17, 2002. The Davises are here today, and I thank them personally for their passion and for their commitment to have rebirthing outlawed. Their dedication to this cause is a reflection of the amount of love and loss they feel toward Candace.

Mr. President, I proudly join my colleague, Senator SALAZAR, to raise awareness of this resolution and to urge our colleagues in this body for a quick consideration.

Mr. SALAZAR. Mr. President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, that any statements relating thereto be printed in the RECORD, without intervening action or debate.

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

The resolution (S. Res. 276) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 276

Whereas ''rebirthing'' is the most dangerous form of attachment therapy, a controversial and scientifically unsupported form of therapy that claims to treat emotionally disturbed children by using physical restraints;

Whereas rebirthing techniques attempt to reenact the birth process by restraining a child with blankets or other materials and forcing the child to emerge unaided;

Whereas rebirthing techniques are based on the erroneous assumption that a reenactment of the birth process will treat children with reactive attachment disorder, a psychiatric condition characterized by the inability to form emotional attachments, by purging the child of rage resulting from past mistreatment and allowing the child to form stronger emotional attachments in the future;

Whereas attachment therapists claim rebirthing techniques create new bonds between adopted children and adoptive parents and often use rebirthing techniques in therapy sessions with adoptive families;

Whereas in 2000, Candace Newmaker, a 10-year-old child from North Carolina, died from suffocation, after being wrapped in flannel sheets, covered with pillows, and leaned on by 4 adults to simulate contractions, when Candace became trapped by the sheets because she was forcibly restrained by these adults and could not emerge through her own efforts to be reborn into her adoptive family;

Whereas between 1995 and 2005, at least 4 other children in the United States have died from other forms of attachment therapy;

Whereas the American Psychiatric Association, a national medical specialty society that focuses on the diagnosis, treatment, and prevention of mental illnesses, maintains that no scientific evidence supports the effectiveness of rebirthing techniques;

Whereas in 2002, Paul S. Appelbaum, M.D., President of the American Psychiatric Association, condemned rebirthing techniques as ''extreme methods [that] pose serious risk and should not be used under any circumstances''; and

Whereas several States have enacted or are considering legislation to prohibit the use of rebirthing techniques: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) rebirthing, an attachment therapy technique that reenacts the birth process by

physically restraining a child and forcing the child to emerge unaided, is dangerous, potentially life-threatening, and unsupported by scientific evidence; and

(2) each State should enact laws prohibiting the use of rebirthing techniques.

ORDERS FOR WEDNESDAY, OCTOBER 19, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, October 19. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and there then be a period of morning business for up to 60 minutes, with the first 30 minutes under the control of the Democratic leader or his designee and the final 30 minutes under the control of the Republican leader or his designee, provided that following morning business the Senate then resume consideration of H.R. 3058, the Transportation, Treasury Appropriations bill.

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

PROGRAM

Mr. FRIST. Mr. President, the Senate continued to work on the Transportation—Treasury appropriations bill today. A number of amendments have indeed been filed. I encourage Senators who are serious about offering them to come down early in the day tomorrow to do just that. We hope to dispose of the pending Kennedy amendment and an alternative to that amendment at an early hour tomorrow.

The two managers were here all day and have been very patient. If Senators do not come down in a timely manner to offer their amendments, then I would encourage the managers to close out the bill to further amendment and proceed to final passage. We will finish this bill this week, either Wednesday or Thursday, or Friday, if necessary, and therefore votes can be expected each day until we finish this bill.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:16 p.m., adjourned until Wednesday, October 19, 2005, at 9:30 a.m.

EXTENSIONS OF REMARKS

RECOGNIZING THE LIVES OF DOROTHY AND ROBERT LABEN FOR THEIR OUTSTANDING COMMUNITY SERVICE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. THOMPSON of California. Mr. Speaker, I rise today to express my sadness regarding the recent passing of two leaders in the Davis, California community, Dorothy and Robert Laben.

The couple met at Cornell University during the World War II years. Dorothy was pursuing a doctorate in nutrition and Bob taught in the military science department following his recovery from injuries sustained in battle. They courted by motorcycle and sidecar, married in 1946 and moved first to Oklahoma and then to Missouri as Bob completed his doctorate in genetics. In 1950 Bob Laben accepted a professorship with the UC Davis Animal Science department where he spent the next 36 years in distinguished service as a teacher and mentor.

The Labens were active in organizations that provided much-needed food to the hungry, including the Short-Term Emergency Aid Committee, Davis Community Meals and the Food Bank of Yolo County that collects and distributes food to the hungry via nonprofit agencies and school programs. The Food Bank grew out of the Yolo County Coalition Against Hunger that was co-founded by Dorothy, who was known to all as ''a dynamo, completely dedicated.'' Together the Labens logged thousands of miles on their vehicles—wearing out several of them—collecting food from sources such as grocery stores, bakeries, farms and the Davis Farmers' Market. Always working together, they were once profiled in a local news article as ''The faces behind the food.'' The Labens' contributions earned them numerous awards and recognitions, but the couple always remained humble, redirecting the spotlight from themselves to the human need.

Mr. Speaker, Dorothy and Bob Laben's determination to feed the hungry of their community inspires us all. It is appropriate therefore that we celebrate and honor their lives of service today.

CELEBRATING 130 YEARS AT ST. JAMES A.M.E. CHURCH

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. BURGESS. Mr. Speaker, I rise today to congratulate St. James African Methodist Episcopal Church for celebrating its 130th Anniversary. This is a great accomplishment, and I am proud to have such a historical establishment in the 26th Congressional District of Texas.

Founded in 1875, St. James A.M.E. is one of the oldest African-American churches in Denton today. As the only African Methodist Episcopal church in Denton, members say that the church has survived 130 years because of its people—the friendships, marriages and families have been the glue that keeps the small congregation together.

St. James A.M.E. has dedicated itself to community service and involvement. Members help others by offering tutoring for students, help with credit establishment, and donations for those in need. Since the tragic event of Hurricane Katrina, the 83 member congregation of St. James A.M.E. reached out to support one relocated Louisiana family living in the parsonage. The church's value of submission is seen in this commitment to serving others in the community over the years.

As one of the city's oldest churches, St. James A.M.E. occupies an important place in the Denton community today as a symbol of endurance, stability and service.

Congratulations to the congregation at St. James African Methodist Episcopal Church on their anniversary. One hundred and thirty years of worship is a milestone to be celebrated.

YAHOO SHOULD BE ASHAMED

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. WOLF. Mr. Speaker, I recall with great irony the heated annual debates in Congress surrounding Most Favored Nation trade status and ultimately Permanent Normal Trade Relations for China. The coalition that battled granting China this privilege faced an almost certain perennial loss. Even so, it served as a valuable forum in which to highlight just what kind of a country we are dealing with in China. The list of egregious actions laid at the feet of the communist government of the People's Republic of China is long and spans decades—human rights abuses, religious persecution including torture and imprisonment, slave labor practices, forced sterilization, espionage operations against U.S. businesses, software piracy and intellectual property theft, military spying. At the time many argued with tremendous passion, business interests foremost among them, that trade with China would change China, not the other way around.

It strikes me that those may have been hollow promises—that little has changed in China. Rather it appears that some American companies are increasingly honoring repressive Chinese laws so that they might keep their seat at the table and with it the promise of great profit.

Shi Tao, a freelance journalist for Internet publications, was recently sentenced in China, to 10 years in prison for ''leaking state secrets abroad.''

Tao was arrested in November 2004 after Yahoo, an American company, cooperated with Chinese government authorities to grant them access to Tao's personal e-mail account. Tao simply e-mailed portions of a directive issued by China's Propaganda Department that instructed the Chinese media as to how to cover the 15th anniversary of the military crackdown in Tiananmen Square. Incidentally, even today it is still impermissible to use the term ''4 June,'' the date of the brutal government crackdown on pro-democracy activists, student leaders and workers in Tiananmen Square, in the press or online.

Yahoo justified their actions by claiming that to do business in China, they had to follow Chinese laws—a morally bankrupt argument which excuses doing business with the worst actors on the world scene, under the guise of respect for the law. But even if one subscribed to that argument, it is noteworthy that the information that Yahoo turned over to government authorities was stored in Hong Kong, outside of the jurisdiction of the mainland police.

Yahoo's chairman and chief executive officer Terry Semel, after vigorously defending his company's decision, is reported to have said, ''on a personal level, I wince.'' I would say to Mr. Semel, I too wince. And I would venture to guess that Mr. Tao's family winced when police grabbed him on a street, searched his house and confiscated his computer and other items, thus launching the ordeal that culminated his eventual prosecution and imprisonment.

During the dark days of the Cold War the vast majority of those living behind the Iron Curtain saw America as a friend—we represented their hopes and aspirations. But today in China some are complicity with the oppressors.

Mr. Semel and the company he leads is a beneficiary, as we all are, of this great experiment in self-governance, free enterprise and individual liberty that we call America. When faced with a choice between the bottom line, and betraying the very tenets that underpin this nation, Yahoo chose profit. They should be ashamed.

TRIBUTE TO MRS. C. DELORES TUCKER

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to recognize the life and legacy of Mrs. C. Delores Tucker, who once was the highest-ranking African American woman in Pennsylvania state government.

In tribute to Mrs. Tucker, I would like to submit the following excerpt from the Washington Post Article, ''C. Delores Tucker Dies at 78; Rights and Anti-Rap Activist'', written by Yvonne Shinhoster Lamb on Thursday, October 13, 2005.

Mrs. C. Delores Tucker focused a spotlight on rap music in 1993, calling it ''pornographic filth'' and saying it was demeaning and offensive to black women. ''You can't listen to all that language and filth without it affecting you,'' she said.

She passed out leaflets with lyrics from gangsta rap and urged people to read them aloud. She picketed stores that sold the music, handed out petitions and demanded congressional hearings. She also bought stock in Sony, Time Warner and other companies so she could protest at shareholders meetings.

Crossing political lines, Mrs. Tucker, a Democrat, joined forces with former secretary of education William Bennett, a Republican, as well as Senator JOSEPH LIEBERMAN (D-Conn.). Bennett called her at the time a ''daunting figure.''

''Usually I'm the noisy one, but she's ferocious,'' he said.

In 1994, Mrs. Tucker protested when the NAACP, on whose board of trustees she sat, nominated rapper Tupac Shakur for one of its Image Awards.

The Silver Spring-based organization she co-founded in 1984, now called the National Congress of Black Women, became the vehicle through which she waged her battle. She succeeded the late congresswoman Shirley Chisholm as national chair in 1992.

Mrs. Tucker, an elegant woman who spoke with a stirring cadence, had a long history in the civil rights movement and politics. Early on, she raised funds for the National Association for the Advancement of Colored People and joined the Rev. Martin Luther King Jr. in marches and demonstrations calling for equality and justice.

''I realized we always started at the church and marched to the political kingdom, whether the local or state or national,'' she told the Washington Post in 1995. ''And I realized that's where we needed to go to make a difference. That's where the decisions are being made that affected our lives, but we weren't in those seats.''

Cynthia Delores Nottage was born in Philadelphia on Oct. 4, 1927, the 10th of 11 children of a minister and a ''Christian feminist mother.'' She played the organ and saxophone and directed the choir in church. She attended Temple University, Pennsylvania State University and the University of Pennsylvania.

In 1951, she married William Tucker, a construction company owner who grew prosperous in Philadelphia real estate. She later sold real estate and insurance in Philadelphia.

In the 1960s, after her experiences in the early civil rights movement, she delved deeper into the political arena, working on behalf of black candidates and serving on the Pennsylvania Democratic Committee. She came to be known as a master fund raiser.

In 1971, she was named secretary of the Commonwealth of Pennsylvania by then-Governor Milton Shapp (D), making her the highest-ranking African American woman in state government. In 1978, she ran for lieutenant governor; in 1980, for the U.S. Senate; and in 1992, for the U.S. House but was not elected to office. However, her political involvement continued. She was head of the minority caucus of the Democratic National Committee and a founding member of the National Women's Political Caucus. She chaired the Black Caucus of the Democratic National Committee for 11 years and spoke at five Democratic conventions.

Mrs. Tucker, the recipient of numerous awards, also founded the District-based Bethune-DuBois Institute to provide educational and training programs for black youths.

Survivors include her husband, William Tucker of Philadelphia.

He once said that she was ''one of the most fearless individuals I have ever known. She will take on anyone, anything, if that is what she thinks is right. . . . I tell her there are times you have to compromise, but she is not one who will readily entertain the idea of compromise about anything.''

I take great pride in commending Mrs. C. Delores Tucker for her outstanding contributions to Pennsylvania State Government, national politics and the African American community.

A TRIBUTE TO DR. JAMES P. McGEE

HON. C. A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. RUPPERSBERGER. Mr. Speaker, I am pleased to rise before you today to recognize the dedication of one individual who continues to play a vital role in the prevention and development of innovative programs which address and combat Federal crime.

Dr. James P. McGee, the retired Director of Psychology and Director of Law Enforcement and Forensic Services at Sheppard Pratt Hospital located in Baltimore, Maryland, has served the law enforcement community in a variety of ways while remaining dedicated to improving and expanding existing crime prevention programs.

Most recently, Dr. McGee spent 30 days in the Gulf region to assist Hurricane Katrina's victims, spending the majority of his time counseling officers of the New Orleans Police Department. There, he spearheaded ''Operation: Call a Cop,'' a program in which sports figures both current and retired, politicians, and celebrities call one of the police officers with encouraging words to express their belief of what a remarkable job the officers have done, and are continuing to do in Louisiana. This project has raised the spirits of the people we rely on most to rebuild communities, to reestablish a safe environment, and to restore hope to those affected by Katrina.

During my years as County Executive of Baltimore County, I worked closely with Dr. McGee. He provided over 15 years of service as Chief Psychologist of the Baltimore County Police Department. He also directed psychological service programs for Maryland and Delaware State Police.

He is known for being one of the country's leading sports psychologists having counseled amateur athletes, including Olympic Gold Medal winners. He was the team psychologist for the Baltimore Orioles for 8 years, receiving a World Series ring for his special contribution to the Orioles last World Series Championship season.

Dr. McGee's recent publication of ''The Classroom Avenger,'' an article describing a hypothetical person, who potentially possesses tendencies of violence in a school setting, received national recognition. In addition to this acknowledgment, segments of the work he did on a UNABOMBER Profile submitted to the FBI were used in search warrants relating to that case.

Dr. McGee has stamped the law enforcement community with his commitment to Federal crime prevention. His passion for psychological counseling and his honed skills in this field have enabled him to thwart corruption and administer to the prevention of mayhem.

I ask that my colleagues in the House of Representatives please join with me today to recognize Dr. James McGee for the tremendous contributions he has made to not only the Federal law enforcement community, but also to the people of the United States.

RECOGNIZING THE LIFE OF J. ROBERT CHAPMAN FOR HIS OUTSTANDING PUBLIC SERVICE

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. THOMPSON of California. Mr. Speaker, I rise today to express my sadness at the recent passing of James Robert Chapman, city councilman and ''Mayor Emeritus'' of the City of Winters, California.

Born into a pioneering family, Bob Chapman was a lifelong resident of Winters. He served on the Winters City Council from 1980 to 1996, fourteen of those years as mayor. He more recently served as a City Council member since 2002. Prior to City Council, he served on the Winters Planning Commission for 6 years. During his tenures on the council, Mr. Chapman guided the city through numerous endeavors, including construction of the Winters Community Center, the 1992 General Plan and efforts to keep the city fiscally viable during economically daunting times.

During his recent tenure on the council, Mr. Chapman played a key role in the economic revitalization of the downtown and in numerous capital projects, including the rehabilitation of the historic trestle bridge and Putah Creek car bridge, construction of the amphitheater, traffic improvements and a downtown parking lot. He represented the city and Yolo County on regional boards including the Sacramento Area Council of Governments, Yolo County Local Agency Formation Commission and numerous boards and commissions.

In addition to his role with the City of Winters, Mr. Chapman served 30 years in the California National Guard, retiring at the rank of colonel in 1996. He was a member of two service clubs, the Lions Club and Rotary International, serving as Rotary Chapter President in 2004. In 2002, he was named Winters Citizen of the Year for his many contributions to the community. Chapman was an avid golfer and was employed as director of logistics for Con-Agra, formerly Hunt-Wesson.

Mr. Speaker, the passing of Bob Chapman is a huge loss to the Winters community. His leadership, humor and mentoring style will be greatly missed by his wife, Nicki, his daughter, Shelly, his mother, Dorothy, and all those whose lives he touched. It is appropriate therefore that we honor his life and contributions today.

CONGRATULATING MIRANDA ELKINS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Ms. Miranda Elkins of Gainesville, Texas on receiving the Carnegie Medal for extraordinary heroism.

The Carnegie Medals are selected and administered by a twenty-one member commission to recognize individuals who perform acts of heroism in civilian life in the United States and Canada. The Commission's definition of a hero is a civilian who voluntarily risks his or her life to an extraordinary degree while saving or attempting to save the life of another person. Since the Carnegie Hero Fund Commission's inception in 1904 by Andrew Carnegie, the Commission has recognized 8,943 heroes in the United States and Canada.

On August 20, 2004, Miranda Elkins courageously assisted in saving Hedilberto Martinez, Jr. from drowning and helped attempt to save Robert Diaz on South Padre Island, Texas. Martinez was swimming in the Gulf of Mexico when he was carried away from shore by a strong current. Unable to return against the current to shore, he called for help. On the beach, Diaz and Elkins were among those alerted to his plight. Diaz entered the water and swam to Martinez, then grasped him. Elkins also swam out to him. After Martinez grasped Elkins and submerged her, Elkins surfaced and talked to him, to calm him. On her direction, he then held to her as she swam toward shore. While they reached shore safely, Diaz encountered difficulty in the water and tragically drowned. Elkins and three others swam out to him and unsuccessfully attempted to revive him. However, Martinez was heroically rescued without injuries.

I extend my sincere congratulations to Ms. Miranda Elkins for receiving this commendable award. As Andrew Carnegie wrote in the opening lines of the Commission's 1904 founding Deed of Trust, "We live in a heroic age" and I am honored today to recognize Ms. Elkins' inspirational heroism.

FBI DIRECTOR EXPANDS SCIENCE AND TECHNOLOGY BOARD

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. WOLF. Mr. Speaker, two years ago, at the urging of the House Appropriations Committee, FBI Director Robert Mueller established the Director's Science and Technology Board made up of former senior-level intelligence and Department of Defense staff to provide independent advice to the director on emerging issues.

Among the members of the advisory board are: Arthur Money, former assistant secretary of defense for command, control, communications and intelligence and DOD's former chief information officer. Craig Fields, former chairman of the Defense Science Board, and John Hamre, president of CSIS and former deputy secretary of defense.

I want to congratulate Director Mueller for his recent announcement that he is expanding the membership of the board to include: Lee Hamilton, member of the President's Homeland Security Advisory Council, former vice chair of the 9/11 Commission, and former Congressman from Indiana. Charles Robb, former co-chair of the WMD Commission, former U.S. senator and former governor of Virginia. Richard Thornburgh, former U.S. attorney general, and former governor of Pennsylvania; and James Q. Wilson, who is the Ronald Reagan Professor of Public Policy at Pepperdine University in California, a professor emeritus at UCLA, and chairman of the Council of Academic Advisors of the American Enterprise Institute.

Along with expanding the membership of the board, Director Mueller has expanded its mission from focusing on science and technology to providing advice and counsel on overall management and the FBI's transformation since the September 11 terrorist attacks. I commend Director Mueller for establishing this board and seeking the input from these distinguished and experienced experts in order to improve the FBI.

FBI ADVISORY BOARD

ARTHUR L. MONEY, CHAIRMAN.

Arthur L. Money, a former U.S. Assistant Secretary of Defense and Defense Department CIO. Mr. Money was confirmed by the Senate and served as the Assistant Secretary of Defense for Command, Control, Communications and Intelligence from 1999 to 2001 and was also the Chief Information Officer for the Department of Defense from 1998 until 2001. He prior served as the Senior Civilian Official, Office of the Assistant Secretary of Defense, from 1998 to 1999 and was earlier confirmed by the Senate as Assistant Secretary of the Air Force for Research, Development and Acquisition and was their Chief Information Officer, from 1996 to 1998. Mr. Money, who has more than 40 years of management and engineering experience with the defense electronics and intelligence industry, currently serves as a member of the advisory board of several corporations including the Boeing Company (NYSE: BA). He also serves on the Board of Directors of numerous companies including Silicon Graphics, Inc. (NYSE: SGI) and CACI International (NYSE: CAI) and has been recognized for his vision, leadership and commitment to excellence in systems and process re-engineering.

Mr. Money, who holds a Master of Science Degree in Mechanical Engineering from the University of Santa Clara (California) and a Bachelor of Science Degree in Mechanical Engineering from San Jose (California) State University also currently serves on several U.S. Government Boards and Panels such as NIMA Advisory Board, Defense Science Board, US Air Force AC21SR Center Advisory Board and the US Navy "DSAP" Special Advisory Panel and is the recipient of numerous awards and honors including the Intelligence Community Seal Medallion and Defense Intelligence Agency Director's Award in 2001.

Mr. Money, prior to his government service, had a distinguished business career, having served as President of ESL Inc., a subsidiary of TRW, Inc., from 1990 to 1994 prior to its consolidation with its Avionics and Surveillance Group when he became Vice President and Deputy General Manager of the Group.

FLOYD I. CLARKE

Mr. Clarke was born in Phoenix, Arizona, and spent his early life there. After attending George Washington University, Mr. Clarke joined the FBI in 1964. As a Special Agent, Mr. Clarke worked in the Birmingham, Boston, Philadelphia, and Kansas City Divisions. He also served in many Headquarters Divisions as well. During his career in the Bureau, Mr. Clarke held the position of Supervisor, Assistant Special Agent in Charge, Special Agent in Charge, Assistant Director, Executive Assistant Director, Deputy Director and, last, Acting Director from July 19 through September 1, 1993. Mr. Clarke currently serves as a corporate vice president for a large holding company.

CRAIG I. FIELDS

Craig I. Fields is a former Chairman of the Defense Science Board and is a Director of a number of corporations. He received his B.S. degree from the Massachusetts Institute of Technology in 1966 and his Ph.D. from the Rockefeller University in 1970. After serving on the faculty of Harvard University, he joined the Defense Advanced Research Projects Agency (DARPA) in 1974, the research arm of the Office of the Secretary of Defense. DARPA performs high risk, high impact research in computers and communications, semiconductors and materials, manufacturing technology, aeronautics and astronautics, and weapons system technology.

From 1994 to 1997 he served as Vice Chairman of the Board of Alliance Gaming, a diversified gaming entertainment company. He is currently a member of the Board of MUZAK, a business music company; ENSCO, an energy services company; Perot Systems Corporation, a computer services company; Intertech, an INTERNET applications organization; Network Solutions, Inc., an Internet technology company; Firearms Training Systems, Inc., a training technology company; and Projectavision, a corporation focused on information display and storage.

From 1990 to 1994, Dr. Fields served as Chairman and Chief Executive Officer of the Microelectronics and Computer Technology Corporation (MCC). MCC is a for-profit research and development consortium, whose membership includes over 80 North American companies active in information technology: semiconductors, computers, telecommunications, systems and software. He was Chairman of the Board of MCC Ventures, a venture capital subsidiary of MCC focused on commercializing information technology in entrepreneurial start-up companies. In 1988, Dr. Fields was awarded the President's Distinguished Executive Rank Award for outstanding service, and in 1990 the President's Meritorious Executive Rank Award. He was elected a fellow of the American Association for the Advancement of Science. In 1992 he received the IEEE A ward for Distinguished Contributions to Public Service, is a Principal of the Council for Excellence in Government, is a Member of the Council on Foreign Relations, and a Member of the Council on Competitiveness.

In addition to his Chairmanship of the Defense Science Board, an advisory board to the Secretary of Defense, Dr. Fields serves on the Science and Technology Advisory Panel (STAP), supporting the Director of Central Intelligence; the United States Advisory Council on the National Information Infrastructure; and the U.S.-Israel Science and Technology Commission. He is on the Advisory Boards of SRI International, United Technologies Corporation, and the Economic Strategy Institute. He is a member of the Carnegie-Mellon University Department of Computer Science; the UCLA Graduate School of Education & Information Studies; and the Massachusetts Institute of Technology School of Architecture.

Dr. Fields works with the Senate and the House of Representatives on technology activities of interest to members of the Congress. He is a frequently invited speaker at community organizations, professional societies and colleges and universities. He works closely with the venture capital community. Dr. Fields has been responsible for the implementation of joint technology development efforts with countries in Europe and the Pacific Rim.

LEE H. HAMILTON

Lee H. Hamilton is a member of the President's Homeland Security Advisory Council and served as Vice Chair of the National Commission on Terrorist Attacks Upon the United States. He is also President and Director of the Woodrow Wilson International Center for Scholars. Mr. Hamilton served for 34 years in Congress representing Indiana's 9th District. During his tenure, he served as chairman and ranking member of the House Committee on Foreign Affairs (now the Committee on International Relations), chaired the Subcommittee on Europe and the Middle East from the early 1970s until 1993, the Permanent Select Committee on Intelligence, and the Select Committee to Investigate Covert Arms Transactions with Iran, and chaired the Joint Economic Committee. He served as a commissioner on the United States Commission on National Security in the 21st Century (the Hart-Rudman Commission) and was co-chair with former Senator Howard Baker on the Baker-Hamilton Commission to Investigate Certain Security Issues at Los Alamos.

JOHN J. HAMRE

John Hamre was elected CSIS president and CEO in January 2000. Before joining CSIS, he served as U.S. deputy secretary of defense (1997–1999) and under secretary of defense (comptroller) (1993–1997). As comptroller, Dr. Hamre was the principal assistant to the secretary of defense for the preparation, presentation, and execution of the defense budget and management improvement programs.

Before serving in the Department of Defense, Dr. Hamre worked for ten years as a professional staff member of the Senate Armed Services Committee. During that time he was primarily responsible for the oversight and evaluation of procurement, research, and development programs; defense budget issues; and relations with the Senate Appropriations Committee. From 1978 to 1984, Dr. Hamre served in the Congressional Budget Office, where he became its deputy assistant director for national security and international affairs. In that position, he oversaw analysis and other support for committees in both the House of Representatives and the Senate.

Dr. Hamre received his Ph.D., with distinction, in 1978 from the School of Advanced International Studies, Johns Hopkins University. His studies focused on international politics and economics and U.S. foreign policy. He received a B.A., with high distinction, from Augustana College in Sioux Falls, South Dakota, in 1972, emphasizing political science and economics. He also studied as a Rockefeller Fellow at the Harvard Divinity School.

DARWIN A. JOHN

Mr. John recently was hired as the FBI's Chief Information Officer, coming to the organization as a senior executive with demonstrated capability to achieve broad-based business and enterprise results by leading change directly and through leveraging the use of information technology to create value, and recognized as a leader who advocates teamwork and the continual development of people within the context of teams, resulting in peak levels of performance and achievement. Prior to Mr. John entering-on-duty with the FBI, he worked for the Church of Jesus Christ of Latter-day Saints, where he was Managing Director, Information and Communications Systems Worldwide; the Scott Paper Company, Vice President (Elected Corporate Officer in 1985); General Mills, Minneapolis, Minnesota, where he was Director of Information and Communications Systems Development and Operations; Honeywell, Inc., Minneapolis, Minnesota, as Senior Systems Analyst; and, Thiokol Chemical Corporation, Brigham City, Utah.

He received an MBA from Utah State University in 1971 and a B.S. in Production Management from Utah State University in 1965. He also completed Executive Programs in Finance and Mergers and Acquisitions at Wharton School, University of Pennsylvania.

JAMES KALLSTROM

Mr. Kallstrom is a senior executive vice president for MBNA America Bank, Wilmington, Delaware. Mr. Kallstrom also serves as an adviser to Gov. George Pataki on homeland security and was formerly the state's Director of Public Security, a position he held while on a leave of absence from MBNA. Mr. Kallstrom also serves as a law enforcement consultant with CBS News.

Mr. Kallstrom served in the United States Marine Corps during the Vietnam War, reaching rank of captain. Mr. Kallstrom served as an FBI special agent in Baltimore (1970) and New York City (1971), becoming a supervisor in 1976. Between 1981 and 1990, he served as chief of special operations for the New York Division before being promoted to Chief of the Engineering Section, Technical Services Division at FBI Headquarters. In 1993, Mr. Kallstrom returned to New York City as the Special Agent in Charge overseeing technical and special operations. In 1995, Mr. Kallstrom was appointed Assistant Director in Charge, New York FBI Division, where he served until his retirement in 1997.

PAUL G. KAMINSKI

Paul G. Kaminski is Chairman and CEO of Technovation, Inc. He served as the Under Secretary of Defense for Acquisition and Technology from October 3, 1994, to May 16, 1997. During 1981–1984, he served as Director for Low Observables Technology, with responsibility for directing the development and fielding of stealth systems. Prior to that, he served as Special Assistant to the Under Secretary of Defense for Research and Engineering.

Dr. Kaminski is a member of the National Academy of Engineering, a Fellow of the Institute for Electrical and Electronic Engineering, an Associate Fellow of the American Institute of Aeronautics & Astronautics, and a member of the American Association for the Advancement of Science. He is a Director of Anteon Corporation, the Atlantic Council, the Charles Stark Draper Lab, DynCorp, Eagle-Picher Technologies, General Dynamics, and Pacific Sierra Research. He is an Honorary Trustee of American Technology Alliances. He is a member of the Senate Select Committee on Intelligence Technical Advisory Group, a member of the National Reconnaissance Office Advisory Council a member of the Procurement Roundtable, and a consultant to the Office of Secretary of Defense/Defense Science Board.

Dr. Kaminski has received the following awards: The Department of Defense Medal for Distinguished Public Service (3 awards), The Defense Distinguished Service Medal, The Defense Intelligence Agency Directoris Award, Legion of Merit with Oak Leaf Cluster, The International Strategic Studies Association Stefan T. Possony Medal for Outstanding Contributions to Strategic Progress through Science and Technology, The Netherlands Medal of Merit in Gold, and the Air Force Systems Command Scientific Achievement Award.

JOSEPH MARKOWITZ

Dr. Joseph Markowitz is the former Director of the Community Open Source Program Office (COSPO). As such, he was the DCI's Program Manager and Intelligence Community Principal for the open source information. Dr. Markowitz has held a number of high level positions in the Central Intelligence Agency since joining in 1975. Before the CIA, he taught at MIT and Northeastern University. Dr. Markowitz is no stranger to open sources or the Internet as he was a Group Manager at Bolt Beranek Newman, Inc., when the original ARPANET was being developed there in the late 1960's.

CHARLES ROBB

Charles ''Chuck'' Robb is a Professor of Law and Public Policy at George Mason University School of Law. He served as Co-Chair of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction (WMD Commission). He was Lieutenant Governor of Virginia from 1978 to 1982 and Governor from 1982 to 1986. He was a member of the U.S. Senate from 1989 to 2001 where he served on the Armed Services, Foreign Relations, and Intelligence Committees. He clerked on the U.S. Court of Appeals for the Fourth Circuit and practiced law with Williams and Connolly in the 1970s and Hunton and Williams in the 1980s. He also served as Marine Corps officer and commanded an infantry company in combat in Vietnam.

RICHARD THORNBURGH

Richard ''Dick'' Thornburgh is a fellow of the National Academy of Public Administration (NAPA) and currently chairs a NAPA panel convened at the request of Congress to assess the progress of the reorganization and transformation of the FBI. He is also Counsel at Kirkpatrick & Lockhart, Nicholson, Graham LLP. Mr. Thornburgh previously served as Under Secretary General, Department of Administration and Management, United Nations; Attorney General of the United States; Governor, State of Pennsylvania; U.S. Attorney for Western Pennsylvania; and Assistant Attorney General of the United States, Criminal Division.

JAMES Q. WILSON

James Q. Wilson is the Ronald Reagan Professor of Public Policy at Pepperdine University in California, a professor emeritus at UCLA, and chairman of the Council of Academic Advisors of the American Enterprise Institute. Mr. Wilson taught political science at Harvard University from 1961 to 1987. He is a former Chairman of the White House Task Force on Crime (1966), the National Advisory Commission on Drug Abuse Prevention (1972–73), the Attorney General's Task Force on Violent Crime (1981), and the President's Foreign Intelligence Advisory Board (1985–90). He previously served on the President's Council on Bioethics, and on the board of directors for the New England Electric System, Protection One, and State Farm Mutual Insurance.

TRIBUTE TO MRS. CONSTANCE B. MOTLEY

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. THOMPSON of Mississippi. Mr. Speaker, I would like to recognize the life and legacy

of Mrs. Constance Baker Motley, Esq., a former civil rights lawyer who fought nearly every important civil rights case for 2 decades and then became the first black woman to serve as a New York State Senator and the first black woman to serve as a federal judge.

In tribute to Mrs. Motley, I would like to submit the following excerpt from the Washington Post Article, ''Constance Motley Dies; Rights Lawyer, Judge'', written by Joe Holley on Thursday, September 29, 2005.

Judge Constance Baker Motley, 84, the first African American woman appointed to the federal judiciary and the only woman on the NAACP legal team that won the epochal school desegregation decision Brown v. Board of Education, died Sept. 21 of congestive heart failure at New York University Downtown Hospital. At the time of her death, she was senior judge for the U.S. District Court for the Southern District of New York.

Long before she ascended to the federal bench, she was a key figure in many of the major legal battles of the civil rights era. She represented Martin Luther King Jr., Ralph Abernathy and other civil rights leaders when they were locked up in Southern jail cells. She stayed in Medgar Evers's home not long before an assassin killed him in his front yard, and she was on the podium at the Lincoln Memorial in 1963 when King delivered his ''I Have a Dream'' speech.

As a young lawyer with the NAACP Legal Defense and Education Fund, she helped Thurgood Marshall, then chief counsel of the fund, write the legal brief for the Brown case and then listened as he delivered his argument before the Supreme Court.

She and her colleagues did not anticipate the unanimous decision, she recalled. ''We thought we might come out with five to four, but when it was unanimous, we were flabbergasted,'' she said in a 2003 interview with an American Bar Association magazine. ''In fact, we thought we might even lose. . . . [Chief Justice] Earl Warren did that. He understood, having been a politician, that you had to have unanimity, because if you had a divided court, the Southerners would still be at it. . . . What we did not anticipate was the massive resistance to Brown in the South.''

After the 1954 ruling, she threw herself into what she called ''the second civil war.'' Writing hundreds of court papers and legal briefs to enforce Brown, she argued 10 school desegregation cases before the U.S. Supreme Court, winning nine of them.

In 1956, she represented Autherine Lucy, the daughter of a black tenant farmer who had applied to graduate school at the University of Alabama.

In 1961, she represented Charlayne Hunter (now Hunter-Gault) and Hamilton Holmes in their effort to enter the University of Georgia.

In 1962, she represented James H. Meredith in his arduous but ultimately successful battle to gain admission to the University of Mississippi. Marshall gave her the case, she said, because she was a woman. ''Thurgood's theory was, in the South, they don't bother black women because they all have mammies,'' she once said.

Meredith was admitted after 16 months of legal wrangling, numerous court hearings and tortuous legal resistance on the part of Mississippi officials, including Gov. Ross Barnett, who eventually was held in contempt of court.

''She was indomitable,'' said Jack Greenberg, who succeeded Marshall as director-counsel of the NAACP Legal and Education Fund and is now a professor at Columbia University School of Law. ''She would take on a project like opening up the University of Mississippi and just keep coming back again and again and again. She was like Grant at Vicksburg. She just dug in there and stayed there until they rolled over.''

In 1963, she represented more than 1,000 black children in Birmingham who had been suspended from school for participating in civil rights demonstrations. The same year, she led the NAACP's successful effort to prevent Gov. George C. Wallace from blocking school desegregation in four Alabama counties.

Both in the courtroom and on the bench, she impressed those who knew her with what Greenberg called her presence. ''That Motley woman,'' as her Southern antagonists often referred to her, was tall and always elegantly dressed. Always well prepared, deeply versed in the intricacies of the law, she was soft-spoken and reserved, Greenberg recalled, but formidable.

Her successor, Chief Judge Michael B. Mukasey, recalled appearing in her courtroom as an assistant U.S. attorney in the 1970s. ''She was very calm,'' he said. ''She was the kind of person who could control a courtroom because everyone knew who she was.''

Constance Baker was born in New Haven, Conn., on Sept. 14, 1921, the ninth of 12 children born to parents who had migrated earlier in the century from the island of Nevis in the West Indies. Her father was a cook for Skull & Bones, one of Yale University's elite social clubs.

Attending New Haven's integrated public schools, she became a voracious reader at an early age. She learned about W.E.B. Du Bois and other black heroes from lectures she heard at the Episcopal church. Reading a book about Abraham Lincoln that she had checked out of the New Haven Public Library, she decided at age 15 that she wanted to be a lawyer. She was impressed by Lincoln's observation that the legal profession was the most difficult.

Her mother wanted her to be a hairdresser. ''She had no conception of a woman wanting to be a lawyer,'' Judge Motley told the ABA magazine.

After graduating with honors from New Haven High School, she worked briefly as a maid before accepting a job with the New Haven branch of the National Youth Administration. She happened to give a speech one night at the Dixwell Community House, an African American social organization, urging that black members be given greater control over the facility. In the audience was Clarence Blakeslee, a wealthy white contractor and philanthropist who had built the community house. The grandson of Abolitionists, he was impressed with her energy, poise and eloquence and offered to pay for her education.

She enrolled at Fisk University in Nashville. On the train headed south, she experienced for the first time the reality of segregation when she was directed to ride in the Jim Crow car. On her first trip home, she brought her parents a souvenir of Southern life, a sign that read ''Colored Only.''

She stayed at Fisk for a year and then transferred in 1942 to New York University, where she received a bachelor's degree in economics.

In 1944, she became one of the first black women accepted at Columbia University Law School. During her first year, she met Marshall, who offered her a job as law clerk at the NAACP Legal Defense Fund office in New York. She received her law degree in 1946 and became a full-fledged member of the staff. Her early work focused on housing discrimination.

After passing the New York bar examination in 1948, she became assistant counsel of the Legal Defense Fund. She got her first courtroom experience in 1949 as Marshall's assistant on a Jackson, Miss., equal-pay case that an African American teacher had brought against the Jackson public school system.

''Woman lawyers were a joke in most courthouses and unheard of in virtually every place except New York City,'' Judge Motley wrote in Ms. Magazine years later. ''The whole town turned out to see the Negro lawyers from New York, one of whom [was] a woman.''

For the next 15 years, she served as a key attorney on dozens of school desegregation cases in 11 Southern states and the District. It was the best job she ever had, she recalled in the ABA interview. ''Plus, we were like a family,'' she said. ''I tried a lot of cases before I came on the bench, which is probably more exciting. But, you see, I coincided with history as I see it now.''

After leaving the Legal Defense Fund in 1964, she became the first black woman elected to the New York State Senate. The next year, she was selected to fill the vacant post of Manhattan borough president and then was elected nine months later. Again, she was the first black woman to hold the office.

In January 1966, President Lyndon B. Johnson named her to the District Court for the Southern District of New York, a region that includes Manhattan, the Bronx and six counties north of the city. The first African American woman to serve as a Federal judge, she became chief judge in 1982. She took senior status, handling a reduced caseload, in 1986.

Several of her rulings stand out, including the 1978 case that allowed female reporters to enter the locker rooms of professional sports teams. In 1987, she ruled that, without exceptional circumstances, suspects cannot be detained more than 24 hours without a court ruling that sufficient evidence exists to justify the arrest.

In addition to numerous articles and essays, she was the author of ''Equal Justice Under Law: The Life of a Pioneer for Black Civil Rights and Women's Rights'' (1988). She was inducted into the National Women's Hall of Fame in 1993.

Survivors include her husband of 59 years, Joel Wilson Motley Jr. of New York; a son, Joel Wilson Motley III of Westchester County, N.Y.; three sisters; a brother; and three grandchildren.

I take great pride in commending Mrs. Constance Baker Motley for her work to curb racial segregation and to win social justice in this country.

RECOGNIZING MR. NICHOLAS A. KULIKOWSKI FOR HIS ACT OF HEROISM

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. RUPPERSBERGER. Mr. Speaker, I proudly rise today to acknowledge the act of

heroism displayed by Master Nicholas A. Kulikowski on August 30, 2004. The Weblos Scout of Cub Scout Pack 303 demonstrated both skill and heroism by saving the life of his four-year-old cousin, Dylan, at minimum risk to himself.

During a party at the Kulikowski home, Nicholas noticed that Dylan, who was not wearing proper swim protection jumped into the family's pool. After resurfacing from the jump he quickly began to sink as there was no flotation device in reach. Nicholas, showing true Boy Scout instincts, dove into the water and pulled Dylan to the surface.

Master Kulikowski's alertness and quick-reaction time prevented Dylan from any serious injury. The Boy Scouts of America upon recommendation of the National Court of Honor presented Nicholas with a Heroism Award.

Mr. Speaker, the Core Values of Cub Scouting include Compassion, Courage, and Perseverance. I ask that you join with me today in commending Nicholas A. Kulikoski for adhering to these values, a true testament to the principles of the Boy Scouts of America.

RECOGNIZING THE LIFE OF CHARLES S. WARNER, RENOWNED HIGH SCHOOL ART TEACHER

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. THOMPSON of California. Mr. Speaker, I rise today to express my sadness regarding the recent passing of Charles S. Warner of Woodland, California, a nationally recognized art teacher who inspired many students to pursue professional careers in the visual arts.

Chuck Warner was a teacher for 35 years. He served as chair of Woodland High School's art program since 1974. Under his leadership the program won numerous accolades, including 1997 recognition by Business Week magazine for an "outstanding arts driven curriculum," one of eight in the Nation. That same year Woodland High School was one of six high schools in the United States selected as a Getty/Annenberg arts grant recipient.

Mr. Warner possessed an uncanny ability to challenge his students in a variety of problem solving environments. He inspired them to produce inventive, independent, meaningful pieces that consistently demonstrated higher order thinking. In 2003 he was named "most inspirational teacher" by the California Assembly. Mr. Warner said of his students, "Our expectations for students are high but the students keep meeting our expectations." His students fondly remember him for his three favorite criticisms of their work: "Use more yellow. Get more detail. Increase the contrast." Mr. Warner was a champion of the Congressional Art Competition. A working artist himself, Mr. Warner specialized in acrylics and won numerous awards for his creations. He was a respected leader in his area of expertise—commercial art.

Mr. Speaker, Charles Warner dedicated more than three decades to teaching art. He influenced generations of students, some who have gone on to become well-known artists. He has been twice nominated to receive the National Medal of Arts award from the National Endowment for the Arts. It is appropriate therefore that today we honor his life, his passion for art and his outstanding dedication to his students.

CELEBRATING 50 YEARS AT COPPELL, TEXAS

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. BURGESS. Mr. Speaker, I rise today to honor the City of Coppell, Texas for its 50th anniversary. This is a great accomplishment, and I am proud to represent this city and the surrounding areas in the 26th Congressional District of Texas.

The area, known today as Coppell, lies on the Elm Fork of the Trinity River in Dallas County. The site was first settled in the mid-1800s, and was originally named Gibbs Station, after Texas lieutenant governor Barnett Gibbs. However, in 1890 the community was renamed Coppell, in honor of the engineer credited with bringing the railroad to the community, George A. Coppell.

Since the city's official incorporation in 1955, Coppell has maintained a strong community in North Texas. Programs such as "Keep Coppell Beautiful" and the annual "Family Fish" promote the spirit of community and family. Coppell also continues to strive for excellence in public education. This year, to honor these efforts, the city will host an anniversary celebration at the Andy Brown Community Park East.

Coppell is a beautiful city and one which I have visited many times during my time in Congress. I wanted to extend my sincerest congratulations to the citizens of Coppell and to Mayor Doug Stover.

Mr. Speaker, it is with great honor today that I congratulate the City of Coppell on their 50 year anniversary.

50TH ANNIVERSARY OF NATIONAL REVIEW

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. STEARNS. Mr. Speaker, 50 years ago next month, a new periodical entered the marketplace and American history.

That publication was National Review, its founder and editor was 29-year-old William F. Buckley.

From the beginning, Buckley's magazine stood "athwart history, yelling 'Stop,' at a time when no one is inclined to do so, or to have much patience with those who so urge it."

And for five decades, it has bravely and effectively espoused conservative values and ideas, with both humor and intelligence.

Mr. Speaker, I would like to submit the inaugural Publisher's Statement of November 19, 1955, for the RECORD.

It is no surprise that since its inception, we've witnessed Republican victories in eight of eleven Presidential elections, the revolutionary Republican Class of 1994, America's victory in the Cold War, and widespread acceptance of conservative positions like economic freedom, limited government, individual responsibility and traditional values.

Obviously, Bill Buckley and National Review did much more than stand athwart history—they helped shape it. America and the world are the better for it.

There is no more influential and popular opinion journal in the United States than National Review, with 155,000 paid subscribers and a readership of over 310,000. The Internet version of National Review, NRO, is just as popular and well written.

It is well known that Ronald Reagan—who was a Democrat in 1955—started to read National Review when it first came out, and it played a significant role in his personal and political development.

This publication has influenced at least two generations of young conservatives, and will assuredly have a positive impact on many more lives in the future.

No doubt there are young men and women here on the Hill, and all across America, who are reading National Review, perhaps for the very first time, and whose lives will be transformed.

In addition to the 50th anniversary of National Review, William F. Buckley will also soon be celebrating his 80th birthday.

Buckley, who served in the U.S. Army, worked for the CIA, and graduated from Yale, has had a very busy and productive life.

In addition to editing National Review up until last year, he has written 47 books, including 18 novels, some 900 editorials or other articles in National Review, 350 articles in other periodicals, more than 4,000 newspaper columns, and for 34 years he hosted the tremendous talk-show "Firing Line," where he had over 1,400 televised debates with people ranging from Muhammed Ali to Margaret Thatcher to Noam Chomsky to Mother Theresa.

He famously ran for Mayor of New York City in 1965 as the Conservative Party candidate.

Although he predicted be would receive only one vote, Buckley in fact won 13 percent, and to this day his race is considered one of the City's most rollicking and interesting campaigns ever.

Buckley counted as his friends conservative and intellectual giants such as Russell Kirk, Whittaker Chambers, L. Brent Bozell and Claire Luce Booth. The conservative movement he helped nurture and flourish gave us Barry Goldwater and President Ronald Reagan.

Mr. Speaker, it was Buckley's younger brother Reid, I believe, who best summed up the philosophy that guided William F. Buckley and his life's work. He noted that:

"We learned from our parents to prefer the good man to the brilliant man. It is a sacred humanity in people we respect. Our compassion is earned in the quality of the human condition. People are surprised to realize that we, princelings of Dame Fortune, as they feel us to be, tread the same hard interior landscape. And it may be this that comes through, that fascinates, because we do not presume, 'Come, let us lead you,' but, instead, petition, 'Come, our philosophy is your way, the human way, and it is you who will and must lead yourselves. . .'"

I offer a most sincere "happy birthday" to Bill Buckley, and "thank you" for his wonderful creation, and I congratulate the family at National Review for 50 years of fine work, with hopefully many more yet to come.

[From National Review, January 03, 2005]

STANDING ATHWART HISTORY, YELLING STOP

(By William F. Buckley, Jr.)

There is, we like to think, solid reason for rejoicing. Prodigious efforts, by many people, are responsible for National Review. But since it will be the policy of this magazine to reject the hypodermic approach to world affairs, we may as well start out at once, and admit that the joy is not unconfined.

Let's face it: Unlike Vienna, it seems altogether possible that did National Review not exist, no one would have invented it. The launching of a conservative weekly journal of opinion in a country widely assumed to be a bastion of conservatism at first glance looks like a work of supererogation, rather like publishing a royalist weekly within the walls of Buckingham Palace. It is not that, of course; if National Review is superfluous, it is so for very different reasons: It stands athwart history, yelling Stop, at a time when no one is inclined to do so, or to have much patience with those who so urge it.

National Review is out of place, in the sense that the United Nations and the League of Women Voters and the New York Times and Henry Steele Commager are in place. It is out of place because, in its maturity, literate America rejected conservatism in favor of radical social experimentation. Instead of covetously consolidating its premises, the United States seems tormented by its tradition of fixed postulates having to do with the meaning of existence, with the relationship of the state to the individual, of the individual to his neighbor, so clearly enunciated in the enabling documents of our Republic.

''I happen to prefer champagne to ditchwater,'' said the benign old wrecker of the ordered society, Oliver Wendell Holmes, ''but there is no reason to suppose that the cosmos does.'' We have come around to Mr. Holmes' view, so much that we feel gentlemanly doubts when asserting the superiority of capitalism to socialism, of republicanism to centralism, of champagne to ditchwater—of anything to anything. (How curious that one of the doubts one is not permitted is whether, at the margin, Mr. Holmes was a useful citizen!) The inroads that relativism has made on the American soul are not so easily evident. One must recently have lived on or close to a college campus to have a vivid intimation of what has happened. It is there that we see how a number of energetic social innovators, plugging their grand designs, succeeded over the years in capturing the liberal intellectual imagination. And since ideas rule the world, the ideologues, having won over the intellectual class, simply walked in and started to run things.

Run just about everything. There never was an age of conformity quite like this one, or a camaraderie quite like the Liberals'. Drop a little itching powder in Jimmy Wechsler's bath and before he has scratched himself for the third time, Arthur Schlesinger will have denounced you in a dozen books and speeches, Archibald MacLeish will have written ten heroic cantos about our age of terror. Harper's will have published them, and everyone in sight will have been nominated for a Freedom Award. Conservatives in this country—at least those who have not made their peace with the New Deal, and there is a serious question of whether there are others—are non-licensed nonconformists; and this is a dangerous business in a Liberal world, as every editor of this magazine can readily show by pointing to his scars. Radical conservatives in this country have an interesting time of it, for when they are not being suppressed or mutilated by Liberals, they are being ignored or humiliated by a great many of those of the well-fed Right, whose ignorance and amorality of never been exaggerated for the same reason that one cannot exaggerate infinity.

There are, thank Heaven, the exceptions. There are those of generous impulse and a sincere desire to encourage a responsible dissent from the Liberal orthodoxy. And there are those who recognize that when all is said and done, the market place depends for a license to operate freely on the men who issue licenses—on the politicians. They recognize, therefore, that efficient getting and spending is itself impossible except in an atmosphere that encourages efficient getting and spending. And back of all political institutions there are moral and philosophical concepts, implicit or defined. Our political economy and our high-energy industry run on large, general principles, on ideas—not by day-to-day guess work, expedients and improvisations. Ideas have to go into exchange to become or remain operative; and the medium of such exchange is the printed word. A vigorous and incorruptible journal of conservative opinion is—dare we say it?—as necessary to better living as Chemistry.

We begin publishing, then, with a considerable stock of experience with the irresponsible Right, and a despair of the intransigence of the Liberals, who run this country; and all this in a world dominated by the jubilant single-mindedness of the practicing Communist, with his inside track to History. All this would not appear to augur well for National Review. Yet we start with a considerable—and considered—optimism.

After all, we crashed through. More than one hundred and twenty investors made this magazine possible, and over 50 men and women of small means invested less than one thousand dollars apiece in it. Two men and one woman, all three with overwhelming personal and public commitments, worked round the clock to make publication possible. A score of professional writers pledged their devoted attention to its needs, and hundreds of thoughtful men and women gave evidence that the appearance of such a journal as we have in mind would profoundly affect their lives.

Our own views, as expressed in a memorandum drafted a year ago, and directed to our investors, are set forth in an adjacent column. We have nothing to offer but the best that is in us. That, a thousand Liberals who read this sentiment will say with relief, is clearly not enough! It isn't enough. But it is at this point that we steal the march. For we offer, besides ourselves, a position that has not grown old under the weight of a gigantic, parasitic bureaucracy, a position untempered by the doctoral dissertations of a generation of Ph.D's in social architecture, unattenuated by a thousand vulgar promises to a thousand different pressure groups uncorroded by a cynical contempt for human freedom. And that, ladies and gentlemen, leaves us just about the hottest thing in town.

PERSONAL EXPLANATION

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. GALLEGLY. Mr. Speaker, on Monday, September 11, 2005, I was unable to vote on the motion to approve the journal (rollcall No. 521); the motion to suspend the rules and agree to H. Res. 457, Recognizing the importance and positive contributions of chemistry to our everyday lives and supporting the goals and ideals of National Chemistry Week (rollcall No. 522); and the motion to suspend the rules and agree to H. Res. 491, Expressing the sense of the House with respect to raising awareness and enhancing the state of computer security in the U.S. and supporting the goals of National Cyber Security Awareness Month (rollcall No. 523). Had I been present, I would have voted "yea" on all three measures.

COMMEMORATING SPINA BIFIDA MONTH

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today to commemorate National Spina Bifida Awareness Month and to pay tribute to the more than 250,000 Americans in the Spina Bifida Community. There are an estimated 70,000 people in the United States who are currently living with Spina Bifida, the most common permanently disabling birth defect.

The Spina Bifida Association of America (SBAA) is an organization that has helped those affected by this debilitating disease for over 30 years and is the Nation's only organization solely dedicated to advocating on behalf of the Spina Bifida community. With almost 60 chapters in more than 125 communities, the SBAA brings families together to answer questions, voice concerns, and lend support to one another.

Together the SBAA and various local SBA Florida chapters work tirelessly to help the families of those living with Spina Bifida meet the challenges and enjoy the rewards of raising their children. I would like to thank the local chapters of SBAA in my State of Florida for all they have done and all that they will continue to do. The chapters in my State are a partner in the SB Hurricane Emergency Life Support Program established by the SBAA to distribute vitally needed supplies and assistance to Spina Bifida victims of the hurricanes in the Gulf Coast.

The exact cause of Spina Bifida is not known, but research has shown that if a woman takes 400 mcg of folic acid every day before she becomes pregnant, she reduces her risk of having a baby with Spina Bifida or another neural tube defect by as much as 70%. Although the exact cause remains unknown, genetics and environment are believed to play a role. Spina Bifida is a neural tube defect that happens in the first month of pregnancy when the spinal column doesn't close completely. Every day, an average of 8 babies are affected by Spina Bifida or a similar birth defect of the brain and spine, contributing to the 3,000 babies born annually with the disease.

With proper medical and family care people affected by Spina Bifida can live productive lives with the help of braces and/or a wheelchair. The key to a better life for Americans who live with Spina Bifida is research. Our goals are to develop new mechanisms for treatment, understanding and the prevention of Spina Bifida.

I am proud to be a member of the Congressional Spina Bifida Caucus and hope that all of my colleagues will join me in working to

spread awareness about this disease. I encourage you all to join the caucus so that together we can improve the quality of life of those living with Spina Bifida.

I again wish to thank the SBAA and its chapters for all of their hard work to prevent and reduce suffering for those individuals living with Spina Bifida throughout this Nation. We all owe a great debt to the SBAA for what they have done.

PERSONAL EXPLANATION

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. BECERRA. Mr. Speaker, on Monday, October 17, 2005, I was unable to cast my floor vote on rollcall Nos. 521, 522 and 523. The rollcalls I missed included a vote on approving the journal, a vote recognizing the importance and positive contributions of chemistry to our everyday lives and supporting the goals and ideals of National Chemistry Week, and a vote expressing the sense of the House of Representatives 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.

Had I been present for the votes, I would have voted ''aye'' on rollcall votes 521, 522 and 523.

PERSONAL EXPANATION

HON. PATRICK J. KENNEDY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. KENNEDY of Rhode Island. Mr. Speaker, on the evening of October 17, I missed three Rollcall votes. It was my intention to vote:

''Yes'' on Recorded Vote 521 Journal Vote.

''Yes'' on Recorded Vote 522 H. Res. 457. Recognizing the importance and positive contributions of chemistry to our everyday lives and supporting the goals and ideals of National Chemistry Week (Rep. HOLT—Science).

''Yes'' on Recorded Vote 523 H. Res. 491. 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.

BELLOWS FALLS ACADEMY CELEBRATES 75 YEARS OF ACCOMPLISHMENT

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. SANDERS. Mr. Speaker, I wish to extend congratulations to Bellows Free Academy of St. Albans, Vermont, on its 75th anniversary. Our democratic society depends for its very existence on an educated and informed population. In that respect, there is no task in our society more important than educating our youth. For three-quarters of a century, BFA has been doing just that for students in St. Albans and surrounding towns in Franklin County: educating area students academically and preparing them to fully participate in our American democracy.

So it is a particular pleasure for me to recognize the magnitude of this achievement: for 75 years Bellows Free Academy has taught the young citizens of St. Albans and its neighboring towns. Those seven and a half decades have seen the high school serve as a binding force in the community, bringing it together behind sports and drama and whole variety of activities. They have seen generation after generation of young people fully prepared by BFA for the challenges of the adult world, young people whom BFA has taught and trained so they can find satisfying work and take their place as active and concerned members of their communities.

Of course, any institution is really only a reflection of the dedication and commitment of all the people involved with it. So recognition of BFA's 75-year history is really a recognition of the administrators, teachers, and, of course, students—present and former—who themselves are a living testament to the important role that BFA has played and continues to play in the lives of so many since its founding.

At time of this celebration, let me offer the wish that many, many more decades of rich and productive accomplishment lay ahead for Bellows Free Academy, its students, its teachers and its support community.

PERSONAL EXPLANATION

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. GRAVES. Mr. Speaker, on Friday, October 7, 2005, I was unavoidably detained and thus missed rollcall vote No. 520. Had I been present, I would have voted ''yea'' on rollcall vote No. 520, 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.

IN MEMORY OF OUR FALLEN DALLAS FIRE FIGHTERS

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. SESSIONS. Mr. Speaker, I rise today to honor the memory of the Dallas Fire Fighters who have laid down their lives in the line of duty while serving the citizens of the City of Dallas. They will be remembered at the Dallas Fire-Rescue Department Memorial Service at the Dodd J. Miller, Jr. Training Center on October 22. In addition, I honor the family, friends and fellow fire fighters who grieve their loss and carry out their legacies.

Many times it is only the fire fighters that stand between our communities and countless dangers. In times of need, they are the first to arrive and remain vigilant on the front lines. We have come to depend on their heroism, fortitude and bravery and they never falter.

I encourage the loved ones of these fallen heroes to reflect on the selflessness of their sacrifice and the glory of their actions. In the face of great danger, they did not waver in their commitment to help those who could not help themselves.

I am privileged to represent these true American heroes. They served with pride and died with honor and we will forever be grateful for their selfless service. May their loved ones and colleagues accept the many thanks of our grateful nation.

HONORING JACK C. SMITH AND FOOD CITY'S 50 YEARS OF BUSINESS

HON. WILLIAM L. JENKINS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. JENKINS. Mr. Speaker, I rise today to honor the contributions of a man who has made a significant presence on the business landscape of Tennessee, Virginia, and Kentucky. In 1954, Jack C. Smith made a decision to get into the grocery business in his hometown of Grundy, Virginia. It is a simple story of a man at the age of 29 who saw a need for his community, worked with his family to find the necessary startup capital, and started a grocery store that has not only survived, but thrived and has become a fixture in the region. The following excerpt from the book The Grocer and his Dream—The Story of Jack Smith and KVAT Foods tells the story:

Jack Curtis Smith was born August 21, 1925 in Grundy, VA, deep in the coal mining region of Buchanan County. He was the only child of Curtis and Elizabeth Belcher Smith.

The nation was on the verge of World War II when Jack graduated from Grundy High School in 1942 and set his sights on a military career. Specifically, he wanted to be in the Navy and he wanted to become an officer.

On Flag Day, June 14, 1944, Jack Smith was sworn in as a midshipman at the U.S. Naval Academy in Annapolis, Maryland. Jack graduated in June, 1947 as an electrical engineer.

Jack and Judy Smith were married in a formal military ceremony at the Naval Academy Chapel, September 20, 1947. ''We had the crossed swords, everything,'' Jack recalls.

In Spring, 1954, Jack Smith was back in his picturesque hometown of Grundy, VA after 10 years in the Navy. Jack and his young family had just finished an exhausting trek from California to the mountains of southwest Virginia where he expected to help his cousin Ernest Smith open several new Ben Franklin variety stores.

''When I got back to Grundy I went to see my cousin Ernest and said, ''Well, I'm ready to go to work,'' Jack explains. ''Then Ernest told me he didn't think his planned expansion was going to work out.''

Ernest Smith had operated a successful Ben Franklin store in Grundy for several years and was in the market to purchase several additional stores in the area. The deal, however, didn't pan out and Jack Smith suddenly found himself with a wife, two young daughters and no job.

''As luck would have it, mother sent me to the store one day. It was just a little A&P with two checkouts and one of those never

opened. I got the groceries I needed, and then had to stand in line for 45 minutes. I got back home and told my family, 'I think I've found me something to do. What this town needs is a good supermarket.' ''

The idea was sound. Grundy did, indeed, need a good supermarket. The question was how Jack could pull it off.

He talked with his father, Curtis Smith, a successful local businessman; his uncle Earl Smith, who was Buchanan County treasurer; and his cousin Ernest and they agreed that opening a modern supermarket in Grundy made a lot of sense from a business standpoint.

Earl Smith put up some land he owned as his part of the deal and the other three agreed to borrow $60,000 each to match the value of the land. Thus the original four stockholders of the budding grocery business were Jack Smith, his father, Curtis; his uncle, Earl Smith; and his cousin, Ernest.

''So, here I am, 29 years old. I don't know a thing about the grocery business and we've all borrowed money to open a supermarket that I don't know a thing about running,'' Jack says.

''Course, Ernest was thinking all the time,'' Jack continues. ''He's heard of a company called Piggly Wiggly because there were Piggly Wiggly stores all around southwest Virginia. So he contacted the Piggly Wiggly Corporation while we started ground preparation on our store site. In a few days two representatives from Piggly Wiggly, field representative George Fox and Tommy Thompson, vice president in charge of the Piggly Wiggly factory that made store fixtures, came to Grundy and we showed them what we had in mind.''

''They said, 'This looks good. It looks real good. Now what we need is to have you fellows come down to our factory in Jackson, Tennessee and we'll design you a store.' ''

The partners quickly hammered out a franchise agreement with Piggly Wiggly and the grocery chain's design division laid out the new supermarket and supplied the fixtures. ''Our fixtures were a little different,'' Jack recalls. ''Everyone else had white in those days but ours were color coded for different departments. I had the most beautiful store anybody ever saw.''

The Grundy Piggly Wiggly, with 8,800 square feet of space, opened for business on November 17, 1955. It was located on Route 83 North.

Although he had never dreamed of becoming a grocer, Jack Smith was now in the grocery business, an enterprise that would consume his energies for the next half century.

Mr. Speaker, KVAT Food Stores, Inc. will soon be opening its 92nd store in Vansant, Virginia. The date of the opening will be November 17, 2005, 50 years to the day of the opening of its store in Grundy. With 92 stores in Southeast Kentucky, Southwest Virginia, and Northeast Tennessee, the KVAT stores, operating under the name Food City, are pillars of their local communities. In addition, their success has been shared back with the communities they serve. Food City is well known with its programs like Apples for the Students, in which the company has donated over seven million dollars in equipment to schools in their three state service region. In addition, Food City also partners with farmers in Southwest VA and Northeast TN to bring local produce to its customers which helps local farmers and satisfies customer demand.

Finally, Food City shares its success with its employees. In fact, the company now has 16 percent of its ownership held by its associates, a number expected to continually rise with its profit sharing plans.

KVAT and Food City deserve recognition at their 50 years of service and success, and I know that the congressional delegation of this region join me in honoring the vision of Jack Smith and celebrating all of those who have worked so hard to see its success over the last 50 years.

IN MEMORIAM OF ROBERT HANSON, LAST ''MEMPHIS BELLE'' CREW MEMBER

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to mourn the passing of Sergeant Robert J. Hanson, the last surviving crew member of the famed *Memphis Belle* B–17 that flew combat missions during World War II. Mr. Hanson was a man of character, capacity, compassion and courage. We are all saddened by his loss.

Robert was born in Walla Walla, WA, joined the military in 1941, and was assigned to the crew of the *Memphis Belle.*

Early in World War II, the United States 8th Air Force decided to use its heavy bombers in daytime attacks against occupied Europe. The British predicted horrible losses during daylight raids. It was not surprising that the first bomber crew to complete 25 missions would be regarded as heroes.

The crew of the *Memphis Belle* was the first to complete a combat tour. Between November 7, 1942 and May 17, 1943, the crew flew missions ranging from 4 to almost 10 hours in duration. For these missions Robert Hanson and his fellow airmen were awarded the Air Medal with three Oak Leaf Clusters and the Distinguished Flying Cross. The *Memphis Belle* and its crew were then returned to the United States on a morale-building tour of aircraft plants.

Sergeant Hanson served as the radio operator on the *Memphis Belle.* He put the name of his sweetheart, Irene, next to the window where he sat just in case someone needed to know who to contact if he died in combat.

During its missions, the *Memphis Belle* was hit by flak, cannon shells and machine gun bullets. The plane's major parts were replaced at least once, and four crew members died during combat.

Sergeant Hanson himself narrowly escaped serious injury or even death. He was writing in a log book one day and had to sneeze. As his head moved, a bullet missed him and put a hole through the book.

He regaled family and friends with his experiences about a chase involving several German planes, the bomber's tail being shot off and a nose dive that left the crew wondering if they should use their parachutes.

Upon leaving the service, he went on to work as a salesman for Nalley Fine Foods in Walla Walla, WA, and became a regional manager. He later worked for a candy company in Spokane, Wash. He and Irene recently moved to Albuquerque, NM, to be near their daughter.

In his later years, he enjoyed spending time with his grandchildren, and when he was able, he toured the country speaking about his experiences aboard the Memphis Belle.

Sergeant Hanson was a loving husband and father and a loyal friend. I extend my deepest sympathy during this time of bereavement to his wife of 63 years, Irene; his daughter, Mary Black; his son, Rick Hanson; and his six grandchildren.

Not only was Robert Hanson part of our Greatest Generation, he was a true hero, aptly defined as one who inspires through manners and actions, who leads through personal example and accomplishments requiring bravery, skill, and determination.

Mr. Speaker, when radio operators signed off using Morse code, they keyed Dit–Dit–Dit–Dah–Dit–Dah. And, Robert was fond of ending his phone conversations in this way. In honor to him, I ask my colleagues to rise with me and say Dit–Dit–Dit–Dah–Dit–Dah.

PERSONAL EXPLANATION

HON. HAROLD ROGERS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. ROGERS of Kentucky. Mr. Speaker, on Monday, October 17, I was unavoidably detained in Kentucky and was not present for rollcall votes No. 521, 522 and 523. The votes were on approving the Journal, and House Resolutions 457 and 491. Had I been present, I would have voted ''yea'' on all measures.

HONORING NATIONAL HISPANIC HERITAGE MONTH

HON. MARTIN T. MEEHAN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. MEEHAN. Mr. Speaker, I rise today to honor National Hispanic Heritage Month. Our nation's greatest strength is its heritage of diversity and this month is a tribute to the more than 35 million Americans who identify themselves as Hispanic or Latino and the many millions who came before them. We thank them for their contributions to America, from protecting the nation from its enemies, to representing it abroad and strengthening it from within.

Hispanic Americans have flourished in every field, from politics to business to academia to entertainment. From the first Hispanic U.S. Congressman in 1822 to David Farragut, the first four-star Navy Admiral and famed Civil War leader, Hispanic Americans have played an integral part of our nation's history at every turn.

That history of service and patriotism continues today with the more than 200,000 Hispanics currently in the Armed Services. We thank them, for every time they don the uniform they do it with honor. They have fought proudly and bravely and 41 men of Hispanic heritage have been honored with the Congressional Medal of Honor. There are countless more that go unthanked. They face danger every day in our streets and in our homes as first responders; as policemen, as firemen and as paramedics.

I was proud to join the Immigration Sub-Committee of the House Judiciary Committee earlier this year. I will continue to fight for the

rights of America's newest residents as they make the transition to citizens. America's immigrants become many of its most active participants in civic life and contributors to our vibrant culture.

Over the last decade, I have been privileged to work with the Latino community, particularly on immigration issues and voter registration with Isabel Melendez. Her hard work organizing the Latino community to register and to get out and vote exemplifies the political activism thriving in the community.

I am proud to say that Latinos in Lawrence are continually achieving a higher socioeconomic status and improving the quality of life for their families. As a natural result, more and more Latino candidates are running for, and being elected to, public office. In my own district, I am proud to honor Julia Silverio who became the first Dominican woman to win public office in New England when she was elected to the Lawrence City Council. She is a member of the Dominican American National Roundtable will receive its Leadership Award tomorrow on October 8th.

Mr. Speaker and Colleagues, please join me in celebrating National Hispanic Heritage Month. It honors a powerful and patriotic heritage that has made our nation stronger through its inclusion. Hispanic Americans have profoundly changed and improved this nation in every facet, from the international to the national to the local level. All Americans owe this group their gratitude and honor.

HONORING MERCER COUNTY

HON. NICK J. RAHALL, II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. RAHALL. Mr. Speaker, today, I honor Mercer County, West Virginia, for being recognized by the America's Promise Organization as one of the best communities in the Nation for our youth. This is because of their successful efforts to provide a healthy, safe and caring environment. As Mercer County was the only county in West Virginia to be named in the report, their efforts set the benchmark very high for all of WV and beyond. Mercer County is also taking great strides to become an even better community with its innovative Mercer Drug Treatment Program. This innovative program provides services to nonviolent offenders with a history of drug use and minor possession.

The Mercer County Drug Treatment Program was recently awarded a grant of $27,282 from the Edward Byrne Memorial Justice Assistance Grant Program; I have seen the program in action first hand and my visit easily convinced me of the meritorious value inherent in this exemplary program. Treatment Programs such as the one in Mercer County play an important role in our community and their financial support certainly has merit, especially with the ongoing problems of methamphetamines throughout our state and nation. This funding is crucial in helping people get back on their feet and helping them to rectify past mistakes they have made. By providing cost-effective, pro-active, community-inclusive and community building solutions such as this, we show the compassion of our Nation, and live up to our West Virginia heritage of brotherhood and dedication to our fellow man. I am proud to have a county in my State and specifically my district that is taking such positive steps to actively engage all of its citizens, young and old, in working for a greater community.

PERSONAL EXPLANATION

HON. JIM RYUN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. RYUN of Kansas. On Monday, October 17, 2005, I was unable to be present for the following rollcall votes: Journal vote (rollcall 521), H. Res. 457 (rollcall 522), H. Res. 491 (rollcall 523).

Had I been present, I would have voted ''yea'' on rollcall 521.

Had I been present, I would have voted ''yea'' on rollcall 522.

Had I been present, I would have voted ''yea'' on rollcall 523.

TRIBUTE TO ROY FRIEDERSDORF

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. PENCE. Mr. Speaker, I rise today to ask that the members of the House of Representatives allow me to bring to their attention the good works of a man who has long been active in the rural electrification program in Indiana, and who is now approaching his well-deserved opportunity to step down from the pinnacle of his field. The end of his term will leave a void for rural electrics in Indiana that will not be easy to replace. Today's comments are meant to remind us all of the many people around our Nation whose unceasing efforts contribute to the betterment of our quality of life.

Indiana's rural electric cooperatives have been enhanced over the past two years by the leadership and commitment of Mr. Roy Friedersdorf. In December, Mr. Friedersdorf will complete his term as president of Indiana Statewide Association of Rural Electric Cooperatives, Inc., the service association for 37 of the State's electric cooperatives.

His dedication to the betterment of rural Indiana, and his efforts to make a difference in the lives of those in his community and throughout the State, make him an example of the American virtues that we should extol in this august body.

Mr. Friedersdorf, a Westport, Indiana native, is a second-generation electric cooperative leader. His father, Robert, was a member of the Decatur County REMC board of directors for 35 years, and he also served as board chairman from 1975 to 1981 and as the REMC's representative on the Hoosier Energy REC board.

In 1994, Mr. Friedersdorf was elected by REMC members in a six-county area to join the Decatur County REMC board. Just a few years later, his fellow REMC board members elected him to the Indiana Statewide REC board. From 2002 to 2004, he served as vice president of Indiana Statewide. Mr. Friedersdorf juggles his administrative duties on the statewide level with his responsibilities as president of the Decatur County REMC board.

Not only has Mr. Friedersdorf made his mark in the electric cooperative industry with his integrity and sense of purpose, he has been a leader in his community as well. A corn, soybean and wheat farmer and Pioneer sales representative, Mr. Friedersdorf is a former president of the county grain growers association. He supports the Westport Kiwanis and previously was a county fair board member.

As active as he is in setting policies that impact thousands in rural and suburban Indiana, Mr. Friedersdorf maintains a down-to-earth and altruistic attitude. ''I don't have a desire just to build up my resume,'' he has said. ''I'm here to do the job . . . I like giving back and helping others.''

Mr. Friedersdorf keeps his perspective on the values that are important, as he devotes much of his time to his family roles. He and his wife Denise have been married for 24 years, and they keep busy actively raising their 3 sons, Anthony, Wyatt, and Jared, who are in college, middle school, and elementary school.

Roy Friedersdorf is the type of person who works hard every day at improving the basic foundations of American life: family, business, and civic. His term of office as president of Indiana Statewide has been evidence of that, and for his devotion, I salute him today.

ST. MARY'S CATHOLIC ELEMENTARY SCHOOL

HON. C. L. ''BUTCH'' OTTER

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. OTTER. Mr. Speaker, I rise today to draw the attention of the House to a school from my district that has received the No Child Left Behind-Blue Ribbon Schools award from the United States Department of Education.

St. Mary's Catholic Elementary School, in Moscow, Idaho, stands as the only school in the State of Idaho to receive this prestigious and important educational award. This award honors public and private K–12 schools that are either academically superior in their states or that demonstrate dramatic gains in student achievement.

St. Mary's School strives to encourage its students to grow spiritually; to develop a lifelong love of learning and to achieve their highest personal and academic potential. This mission represents and promotes the State of Idaho and the enormous potential of its people.

The children of America are our most valuable asset. St. Mary's school provides a successful K–6 academic program and exemplifies the high quality of education and emphasis on learning in my great State. I hope the House will join me in acknowledging St. Mary's Catholic Elementary School's achievement.

IN HONOR OF THE REVEREND JAY SCRIBNER

HON. ROY BLUNT

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. BLUNT. Mr. Speaker, I rise today to honor the career of Jay Scribner, who distinguished himself by his 28 years of service and commitment to the people of Southwest Missouri.

After receiving his Master of Divinity from Southwestern Baptist Theological Seminary in 1977, Reverend Scribner began his service at the First Baptist Church in Branson, Missouri. This year, Jay and his wife Kay leave a much larger church at a different location and with an outreach around the world after 28 years of dedicated service.

During this time, Reverend Scribner has acted as a Guest Chaplain for this body, participated in the Presidential Prayer Breakfast, and was honored with an Honorary Doctorate of Theology.

Pastor Scribner has not only touched lives in Southwest Missouri, but has also served as President of the Missouri Baptist Convention and has been a leader in religious broadcasting and Christian education. His work has taken both he and his ministry to places such as Israel, Jordan, Egypt, Australia, Taiwan, and Iraq.

The contributions of Reverend Jay Scribner during his years of service have impacted thousands of people in Southwest Missouri and throughout the world.

WELCOMING FORMER TAIWANESE PRESIDENT LEE TENG-HUI TO WASHINGTON, DC

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. TOWNS. Mr. Speaker, I rise today to welcome former Taiwanese President Lee Teng-Hui to Washington, DC this week.

President Lee was born on January 15, 1923, in Sanchih, a rural community on the outskirts of Taipei. After graduating from Taipei High School, he was admitted into Kyoto Imperial University in Japan. After World War II, he returned home to continue his studies at National Taiwan University (NTU) , majoring in agricultural economics.

After being elected vice president in 1984, he helped engineer various political and economic reforms. On the sudden death of President Chiang Ching-kuo on January 13, 1988, Dr. Lee became President and completed the remainder of Chiang's. During his 2 years in office he greatly impressed the people of Taiwan with his able leadership. And, on March 21, 1990, Dr. Lee was elected in his own right by the National Assembly as president of Taiwan.

President Lee Teng-hui can rightfully called the founding father of Taiwan's democratic system. ''The George Washington of Taiwan.''

At the age of 82 today, he still seeks to learn and educate himself about our American democracy. He visited the National Archives to see the Constitution and the U.S. Declaration of Independence. He received a tour at the Jefferson Memorial; no doubt prompted by the fact that he himself stood at the cradle of democracy in Taiwan.

Mr. Speaker: We have an opportunity to meet with President Lee in person this Wednesday afternoon. I urge all my colleagues to participate in this historic occasion and join me in welcoming President Lee to Washington, DC.

We need more friends like President Lee. Yes, we need more friends like Taiwan.

I hope that soon all restrictions on high-level visits from Taiwan will be lifted including the President, the vice-President, the foreign minister and the defense minister. So that a balanced understanding of both sides of the Taiwan Strait will be directly available to Congress, the Administration and the American public.

After President Lee's visit, I look forward to welcoming Taiwan's current President—Mr. Chen Shui-bian—to Washington, DC as well. Sooner rather than later.

IN RECOGNITION OF THE MEADOWLANDS HOSPITAL MEDICAL CENTER

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. ROTHMAN. Mr. Speaker, I rise today in recognition of the Meadowlands Hospital Medical Center in Secaucus, New Jersey. I take great pride in knowing that my constituents have access to some of the best hospitals and health care in the country. I am delighted to announce that the Joint Commission on the Accreditation of Health Care Organizations has recently inspected the Meadowlands Hospital and found it to be in superb condition and in need of no improvements. This is an incredible accomplishment in the current age of medicine. This great achievement gives validation to what we in Northern New Jersey have always known—that the Meadowlands Hospital is in the top tier of hospitals nationally.

The Meadowlands Hospital has also received a ''Five Star'' rating for its Obstetrical Services from Health Grades, an independent agency that rates the quality of programs in hospitals around the country. Health Grades shows that the obstetrical services at the Meadowlands Hospital ranks in the top 5 percent of programs nationally, when it comes to positive outcomes and lower complication rates. In addition, the hospital's acute inpatient rehabilitation unit, the Liberty Rehabilitation Institute, is rated among the highest in patient satisfaction in the Northeast, based on surveys of its patients performed by Press Ganey, Inc.

The Meadowlands Hospital will soon be celebrating its 30th anniversary. I'm sure that all of my constituents will join me in recognizing the great services that the hospital provides to our community and congratulating them on their recent accomplishments. We all look forward to celebrating their third decade of service and working to expand the hospital so it can continue providing superior health care to Secaucus and all of Northern New Jersey.

EXPRESSING SENSE OF HOUSE OF REPRESENTATIVES THAT CENTERS FOR MEDICARE & MEDICAID SERVICES BE COMMENDED FOR IMPLEMENTING MEDICARE DEMONSTRATION PROJECT

SPEECH OF

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Mr. BARTON of Texas. Mr. Speaker, the Chairman of the Ways and Means Committee, Chairman THOMAS, requested that the attached exchange of letters be submitted during the floor debate on H. Res. 261.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, Oct. 17, 2005.

The Hon. BILL THOMAS,
Chairman, Committee on Ways and Means, Washington, DC.

DEAR CHAIRMAN THOMAS: Thank you for your letter in regards to H. Res. 261, a resolution ''[e]xpressing the sense of the House of Representatives that the Centers for Medicare and 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 the Committee on Ways and Means was named as an additional Committee of jurisdiction upon the resolution's introduction, I acknowledge and appreciate your willingness to not exercise your full referral on the resolution. In doing so, I agree that your decision to forgo further action on the resolution will not prejudice the Committee on Ways and Means with respect to its jurisdictional prerogatives on this legislation or similar legislation.

I look forward to working with you on this resolution.

Sincerely,

JOE BARTON,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, Oct. 11, 2005.

The Hon. JOE BARTON,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN BARTON: I am writing concerning H. Res. 261, a resolution ''[e]xpressing the sense of the House of Representatives that the Centers for Medicare and 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,'' which was ordered reported by the Committee on Energy and Commerce on Wednesday, July 20, 2005.

As you know, the Committee on Ways and Means has jurisdiction over matters concerning Medicare. This resolution calls for the extension of the Medicare demonstration project to assess the quality of care for patients undergoing chemotherapy, and thus falls within the jurisdiction of the Committee on Ways and Means. However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this resolution. This is being done with the understanding that it does not in any way prejudice the Committee with respect to the appointment of conferees or its jurisdictional prerogatives on this or similar legislation.

I would appreciate your response to this letter, confirming this understanding with respect to H. Res. 261, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration.

Best regards,

BILL THOMAS,
Chairman.

HONORING ALBERT GONZALEZ

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor a leader in Colorado's Latino community, Albert Gonzales. Mr. Gonzales is the president of Gonzales Consulting Services which he founded in 1990. After 15 years in business, Gonzales Consulting Services has 250 employees who provide financial management, support services, information technology, and emergency security communications to clients in nine States. Having realized extraordinary success in his own business endeavors, Albert finds time now to mentor small businesses with their growth and development.

By any measure, Albert Gonzales is a true American success story. He is not only a leading entrepreneur in Colorado, he is raising his family and contributing to the larger community.

In fact, he has focused much of his life to giving back to his community—particularly to the Latino community. In 1992, Albert Gonzales founded the Colorado Democratic Latino Initiative, the first initiative of its kind in Colorado. The Latino Initiative has given many Hispanic Coloradans a means for more effective participation in politics within the Democratic Party. The initiative has provided training and information on issues that affect the community and has been a model for political involvement across our region, including similar efforts by the Republican Party. As a result, there has been a tangible increase in the participation in the political process by Colorado Latinos. That participation shows itself in more than just Latinos exercising their right to vote. Many have been given the tools and encouragement necessary to run for public office.

Although Albert is a committed Democrat, his partisan affiliation is not why I rise to acknowledge his leadership. Albert's real contribution to Colorado is in his work as a businessman, as a mentor, and as a person of conscience and good will.

As a decision maker and political leader, Albert Gonzales has shown how important it is for Latinos to occupy positions of power in policy making—particularly as this community continues to grow and influence the culture, politics and economy of the West. Although Albert will retire from the Colorado Democratic Initiative Board this year, I have no doubt that he will continue to work in other ways and with the same passion, intelligence and commitment for this community.

Mr. Speaker, I ask my colleagues to join me in honoring Albert Gonzales for his commitment toward elevating the Latino community's influence in the public arena—a worthy objective that cuts across partisan lines and serves to strengthen our democratic process.

RECOGNIZING MASTER JOHN BACHKOSKY FOR HIS ACT OF HEROISM

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to acknowledge the act of heroism displayed by Master John Bachkosky on August 18, 2004. John, a Weblos Scout of Cub Scout Pack 688, demonstrated both determination and heroism by saving the lives of his sister Robin, and friend, Morgan at minimum risk to himself.

The 6-year-old girls were playing in the waves of Ocean City, Maryland, when they became caught in a riptide. John was nearby and had an opportunity to swim to shallow water. However, as a genuine Scout would, he acted courageously by swimming to where the girls were. He then held them up until help arrived.

John's vigilance and instincts prevented the girls from any serious injury. The Boy Scouts of America upon recommendation of the National Court of Honor presented John with a Heroism Award.

Mr. Speaker, I ask that you join with me today in commending Master John Bachkosky for adhering to the Core Values of Cub Scouting, displayed through his Courage, Perseverance, and Responsibility. His actions are evidence of the principles of the Boy Scouts of America.

CALLING ATTENTION TO CUSHING'S DISEASE

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. PASCRELL. Mr. Speaker, I rise today to draw both the House and the Nation's attention to Cushing's disease: a disease that debilitates, degenerates, and devastates the lives of 10 to 15 million people a year.

Yet despite the grievous nature of this disease, it has gained little attention from the general public as well as medical advocates across the country.

Cushing's disease is caused by the body's overproduction of cortisol, the hormone that serves a number of imperative functions such as sugar break down, metabolism regulation, inflammation reduction, maintenance of blood pressure and cardiovascular function, and regulation of the body's response to stress.

Unfortunately, the severity of the disease is also coupled with a high degree of unfamiliarity with its symptoms among victims and doctors alike. These circumstances prove highly dangerous as it is frequently misdiagnosed.

This illness comes in various yet equally grievous forms in which its myriad of symptoms are easily confused with other diseases, conditions, and disorders. Some of the most commonly experienced symptoms include rapid weight gain, central obesity, moon face, weakness, fatigue, backache, headache, increased urination, impotence, neuropsychological disorders, muscle atrophy, stretch marks, osteoporosis, high blood pressure, and uncontrolled diabetes.

Failure to properly and aggressively treat Cushing's disease quickly can lead to fatal consequences.

Recently, Ms. Stephanie Womack-Gilchrist, my constituent in the 8th District of New Jersey, shared with me the story of her excruciating battle with this rare and relatively unknown disease. She has endured a 7-year battle with the illness in which she subsequently experienced sporadic hospitalization, comas, seizures, and a miscarriage.

Additionally, she was diagnosed with diabetes, suffered from depression, broke both feet due to the severity of her osteoporosis, developed a tumor on her pituitary, and had to endure radiation treatment. Her symptoms baffled various doctors and specialists for 3 years before her original internist identified her affliction as Cushing's disease. Yet, despite this horrific ordeal, Stephanie has persevered.

This resilient woman contacted me in an effort to raise awareness about Cushing's Disease. And I stand here today to educate my colleagues on the severity of this disease in order to help her and others suffering from this disease to promote a wide-spread understanding of it.

After enduring the absolute havoc that Cushing's wreaked on her life, Ms. Womack-Gilchrest has allied herself with the organization, Cushing's Understanding Support Help (CUSH). This organization is leading the charge in raising the level of public awareness about this debilitating disease.

Their website provides comprehensive information about the causes, symptoms, and consequences of Cushing's Disease, and strives to promote a wide understanding of all the elements of this illness. It also provides information on ways to reach out to patients and their families and offers a Chat Night every Wednesday.

In addition, CUSH posts opportunities to participate in symptoms studies and various other medical research. They also have an interactive message board on which they post international events, recent news, biographies of CUSH founders and patients, and relevant web casts and video footage, among other things. Such efforts work to not only inform and support those with the affliction, but to globally implement a much needed, education campaign.

It is our duty as the legislative leaders of this Nation to respond to all those who are and who will be affected by Cushing's.

I urge Congress to recognize the detrimental effects of this agonizing illness and emphatically encourage my colleagues to help promote awareness and understanding of Cushing's Disease.

RECOGNIZING THE UNITED NATIONS ASSOCIATION-EAST BAY CHAPTER TRIBUTE CELEBRATION

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. STARK. Mr. Speaker, I rise with my colleague and neighbor Ms. BARBARA LEE to pay tribute to the celebrations planned by the

United Nations Association, East Bay Chapter to commemorate the 60th Anniversary of the United Nations. Events have been planned in the city of Alameda, California and Jack London Square in Oakland, California.

At Jack London Square, there will be a Parade of Nations, a 60th Anniversary Ceremony, International Food Festival, Multi-Cultural Musical and Dance Performance as well as children's and family activities.

United Nations celebratory activities in Alameda will be held in Kofman Auditorium and will feature a participatory experience of song, dance and inspiration for Alameda's children, families and all who, as global citizens, dream of a better and united world. The event will be a springboard to think globally and act locally in the spirit of the United Nations.

The United Nations Association-East Bay Chapter describes membership in their organization as a personal investment in the world's future. Their members stay involved in some of the most important issues facing our world today.

We applaud these committed members as they plan and participate in the activities to celebrate the United Nations' 60th Anniversary in the East Bay. Their engagement and involvement to educate and involve the public in UN activities and their promotion of UN principles are exemplary.

HONORING MR. NORM SOOY

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. ANDREWS. Mr. Speaker, I rise today to commend and honor Norm Sooy, this year's recipient of the Excellence in Customer Service Award given by the New Jersey Department of Labor and Workforce Development. This award is given to providers of great customer service for veterans. Moreover, it identifies individuals who go above and beyond the scope of their normal duties. For sixteen years, Norm has managed a tremendous caseload as Director of the Camden County Department of Veterans Affairs, and repeatedly volunteers his own time on nights and weekends in order to better serve Camden County veterans.

Norm Sooy is a pillar in my community, an esteemed colleague, and above all a close friend. New Jersey is blessed to have such a selfless and hard working champion for veterans. I offer my sincere gratitude to him for his dedication, as I am sure veterans across Camden County do as well.

PERSONAL EXPLANATION

HON. MICHAEL G. OXLEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. OXLEY. Mr. Speaker, I was absent from the floor during yesterday's rollcall votes on House Resolution 457, recognizing National Chemistry Week, and House Resolution 491, supporting National Cyber Security Awareness Month.

Had I been present, I would have voted in favor of both resolutions.

HONORING THE LIFE AND WORK OF SIMON WIESENTHAL

SPEECH OF

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, I rise today in strong support of H. Con. Res. 248, a resolution to honor the life and work of Simon Wiesenthal and reaffirm the commitment of Congress to fight against anti-Semitism and intolerance in all forms, in all forums, and in all nations.

On September 20, 2005, the world lost a true hero—a voice for those souls who could not speak and a witness against those criminals who sought to go unnoticed.

After surviving the Holocaust himself, Simon Wiesenthal devoted his life to seeking justice for the six million Jews who were systematically murdered at the hands of the Nazis, including 89 members of his family.

Through sheer perseverance and determination, he hunted those who committed the most heinous acts—helping capture and ultimately convict more than 1,000 war criminals, including Adolf Eichman. He found the killers who ruined his youth, exterminated his people and displayed their evils before the eyes of the world.

Simon Wiesenthal did not ask that the world never forget the Holocaust; he demanded it. And we, as leaders of the most powerful and just nation in the world, have an obligation to carry out Simon Wiesenthal's legacy.

We must continue to investigate and bring to justice perpetrators of the Holocaust, as well as those who have engaged in acts of genocide in Rwanda, the former Yugoslavia and the Sudan, to show the world that those guilty cannot hide in the shadows.

We must work to end anti-Semitism and intolerance in the United States to prevent the spread of hatred that has led to so much undue evil.

And we must educate our children about the Holocaust to ensure that future generations understand the evils that can befall humanity and appreciate the righteous figures who can emerge from it, like Simon Wiesenthal.

THE KEYCORP CAMPUS OF BROOKLYN, OHIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the staff members of the KeyCorp Campus, located on Tiedeman Road in Brooklyn, Ohio, upon their recent designation as a certified Green Building by the U.S. Green Building Council, USGBC. KeyCorp is the first financial service institution in the Midwest to earn this prestigious certification.

KeyCorp has joined the ranks of premier corporations and manufacturers across the Nation that have invested their own resources to elevate the structural, operational and performance components of their facilities to the highest levels of environmental standards. The 2,000 plus staff at KeyCorp has worked diligently within the USGBC's new rating system, the Leadership in Energy and Environmental Design for Existing Buildings, LEED, to become an officially designated Green Building.

By adhering to LEED systems and standards, KeyCorp has restored their 750,000-square-foot technology and operations buildings and adjacent property to an environmentally sound haven for employees and surrounding flora and fauna. The campus was built on a brownfield site, which has been renewed with water-efficient, native landscaping. KeyCorp made the commitment to implement environmentally smart procedures which served as economically smart moves for the company. By installing low-mercury light bulbs, recycling paper and cardboard, greater usage of natural light, and using green-friendly housekeeping and maintenance products, the company is protecting their bottom line and protecting the environment as well.

Mr. Speaker and Colleagues, please join me in honor and recognition of the leadership and staff members of the KeyCorp Tiedeman Campus in Brooklyn, Ohio, whose united efforts in raising the entire Campus into the light of environmental restoration and protection has earned them the official designation as a Green Building. KeyCorp's unified mission has made a positive impact on our community and serves as a vital reminder and example of the ability of the human race to coexist in harmony with our natural world.

COURAGEOUS LEADERSHIP OF KYRGYZ PRESIDENT BAKIYEV IN EFFORTS TO FIGHT TERRORISM

HON. DANA ROHRABACHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. ROHRABACHER. Mr. Speaker, I wish to bring to the attention of my colleagues the important contribution Kyrgyz Republic President Kurmanbek Bakiyev is making in supporting United States and Coalition Forces in our mission to fight terrorism in Afghanistan.

U.S. Secretary of State Condoleezza Rice has just concluded a visit with President Bakiyev in the Kyrgyz Republic's capitol of Bishkek. On October 11, 2005, Secretary Rice and President Bakiyev issued a "Joint Statement of the United States of America and the Kyrgyz Republic on the Presence of the U.S. Military in the Region." I ask that the full statement be placed in the CONGRESSIONAL RECORD.

Mr. Speaker, I applaud President Bakiyev's leadership in making this courageous commitment to provide the United States and Coalition Forces access to the Manas air base. This agreement provides certainty at a time when there is great uncertainty in the region. This new U.S.-Kyrgyz agreement follows a statement released July 5, 2005, by the Shanghai Cooperation Organization comprised of China, Russia, Kazakhstan, Kyrgyzstan, Uzbekistan and Tajikistan, requesting a timetable for U.S. troop withdrawal in the region due to the lessening of operations in Afghanistan. The U.S.-Kyrgyz agreement also comes at a critical time for our military presence in the region, in light of neighboring Uzbekistan's decision to deny the U.S. access to a key military base which has been used for

counterterrorism, military and humanitarian missions.

The United States has a very real and expanding interest in Central Asia. The United States looks forward to working closely with our partner The Kyrgyz Republic to successfully eliminate global terrorism and bring peace and stability to the region.

DEPARTMENT OF STATE,
Washington, DC, October 11, 2005.

JOINT STATEMENT OF THE UNITED STATES OF AMERICA AND THE KYRGYZ REPUBLIC ON THE PRESENCE OF THE U.S. MILITARY IN THE REGION

Following is the text of a joint statement issued by the United States of America and the Kyrgyz Republic on the Presence of the U.S. Military in the Region.

Kyrgyzstan understands the need to resolve urgently the military and political situation in Afghanistan, to contain the sources of terrorism and to create peaceful conditions for the social, economic and democratic development of the country.

in this regard, the Government of the Kyrgyz Republic recognizes the important contribution of the international anti-terrorist Coalition, located at the Ganci Airbase, in strengthening regional stability. The Kyrgyz side will continue to take part in these and other joint efforts of the international community to contend with modern-day challenges and threats to security.

We support the presence of Coalition Forces in the Kyrgyz Republic until the mission of fighting terrorism in Afghanistan is completed, a mission supported by the United Nations.

The governments of the United States and the Kyrgyz Republic express their readiness to review the transparency of investments made for the use of the Manas Airport and at the same time to discuss other organizational and technical questions.

Regarding its domestic policy, Kyrgyzstan intends to continue its orientation toward strengthening democratic principles and carrying out a decisive battle against corruption in order to create the necessary conditions for sustainable development.

ADAM ERELI,
Deputy Spokesman.

FREEDOM FOR ORLANDO ZAPATA TAMAYO

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Orlando Zapata Tamayo, a political prisoner in totalitarian Cuba.

Mr. Zapata Tamayo is a member of the Alternative Republican Movement as well as a member of the National Civic Resistance Committee. Because of his belief in freedom and democracy, Mr. Zapata Tamayo has been a constant target of the tyrant's machinery of repression. According to Amnesty International, he was detained and harassed by the dictatorship's thugs on July 3, 2002 and October 28, 2002. In November 2002, after taking part in a workshop on human rights in the central Havana park, he and eight other dictatorship opponents were arrested again. He was also arrested and thrown into the totalitarian gulag in December 2002.

Mr. Zapata Tamayo, knowing full well the heinous repression that awaited him if he continued to advocate for freedom for the people of Cuba, never wavered in his convictions. Unfortunately, on May 20, 2003, he was arrested again for taking part in a hunger strike to demand the release of Dr. Oscar Elias Biscet. According to Information Bridge Cuba-Miami, in a sham trial, Mr. Zapata Tamayo was sentenced to 3 years in the totalitarian gulag for the supposed crimes of ''public disorder, disobedience and resisting authority.''

Brave men and women like Mr. Zapata Tamayo represent the best of mankind. He and other pro-democracy activists languish in abhorrent dungeons, defy the dictator's machinery of repression and, despite every threat and obstacle, relentlessly demand liberty for the people of Cuba. Because of their unwavering dedication and the hard work and commitment of countless other patriots, Cuba will be free again.

Mr. Speaker, it is categorically unacceptable that, while the world stands by in silence and acquiescence, Mr. Zapata Tamayo languishes in a grotesque gulag because of his belief in freedom, democracy, human rights and the rule of law. We cannot permit the brutal treatment by a demented and murderous tyrant of a man like Mr. Zapato Tamayo for simply supporting freedom for his people. My colleagues, we must demand the immediate and unconditional release of Orlando Zapato Tamayo and every political prisoner in totalitarian Cuba.

CONFERENCE REPORT ON H.R. 2360, DEPARTMENT OF HOMELAND SECURITY APPROPRIATIONS ACT, 2006

SPEECH OF

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 6, 2005

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, the 2006 homeland security spending plan is something we must enact to sustain our ongoing efforts to protect the American people from harm. For that reason, I will support it. However, I have strong reservations with the bill.

First, the Republican majority has attached a plan to fundamentally reorganize the Department of Homeland Security to this must-pass bill—effectively forfeiting the oversight responsibility of the Congress. They are willingly making these sweeping changes, despite the fact that no meaningful hearings, discussions, or analyses have taken place on this proposal.

My colleagues, there are many lessons to be learned from Hurricane Katrina that ought to be incorporated into any restructuring plan of our Department of Homeland Security. Yet, the Republican majority has not only failed to undertake a full investigation of what went wrong in the Gulf Region, but it is now denying Congress the opportunity to appropriately study or amend Secretary Chertoffs proposed changes—which were submitted one month prior to the hurricane. This is wrong, and denies us the opportunity to learn from the mistakes of the last few months so that we might do better in the future.

Moreover, Mr. Speaker, while this bill represents an attempt to make up for some of the funding shortfalls in the President's fiscal year 2006 homeland security budget—allocating $1.3 billion more for homeland security efforts this year than proposed by the Administration—it still does not adequately fund essential security initiatives that are needed to protect our citizens.

Specifically, the measure cuts by $60 million funding for Firefighter Grants. It also fails to provide the level of funding needed to fully protect our Nation's ports which, according to the Coast Guard, will cost $4.8 billion.

Our constituents are depending on us to keep them safe from harm and the nation free from terror. This bill fails to live up to our promise—and this Administration's promise—to provide real leadership in the face of real threats.

Mr. Speaker, I will reluctantly vote for this measure because it would be irresponsible to cut off funding for our homeland security efforts altogether. But, from my seat on the Budget Committee, I will continue to work to ensure that Congress lives up to its responsibility to provide strong leadership and to meet the Nation's security needs.

IN HONOR OF THE 2ND ANNUAL RAMADAN IFTAR DINNER IN CLEVELAND, OHIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the 2nd Annual Ramadan Iftar Dinner, hosted once again by the Cleveland Office of the Ohio Chapter of the Council on American-Islamic Relations (CAIR). This joyous celebration reflects the significance of the Muslim holy month of Ramadan, a sacred event reflecting the core values of the Islamic religion: a steadfast devotion to faith, peace, family and heritage.

Ramadan is one of the Five Pillars of the religion of Islam and one of the central forms of Islamic worship. Throughout the entire ninth month of the Islamic Calendar year, Muslims show their devotion to God by fasting daily from daybreak until sundown. The sacred month of Ramadan is a time of giving, gratitude to God and sacrifice, which serves to unify Muslims around the world with a great sense of connection to all humanity.

Muslim Americans comprise a significant number of citizens in Greater Cleveland and across America. Moreover, the Muslim community greatly enriches the diverse fabric of our culture. Muslim Americans contribute immensely within all aspects of society, including premier achievements in science, medicine, business, religion, government service, education and art. The leaders and members of the Cleveland Office of the Ohio Chapter of CAIR remain focused on their vital mission: to enhance understanding of Islam, protect civil liberties and establish community coalitions to promote justice and mutual respect.

Mr. Speaker and Colleagues, please join me in honor and recognition of American Muslims of Greater Cleveland and Muslims around the world. We also stand in tribute to the leaders and members of CAIR, for celebrating the sacred month of Ramadan with our community, at the 2nd Annual Ramadan Iftar Dinner. This interfaith gathering is reflective of the freedoms of our democratic society and underscores a deep and abiding honor and respect

for individuals of all cultures and faiths, thereby strengthening our entire Nation.

GASOLINE FOR AMERICA'S SECURITY ACT OF 2005

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 7, 2005

Ms. MCCOLLUM of Minnesota. Mr. Speaker, as our nation continues to reel from the tragic effects of Hurricanes Katrina and Rita, we need to have an honest debate about our nation's energy policy and dependency on foreign sources of oil. The recent natural disasters along the Gulf Coast not only revealed the failures of our federal emergency plans, they also exposed the vulnerability of our nation's refineries and oil and gas pipelines. A comprehensive energy policy that promotes efficiency and invests in alternative energy is desperately needed. The proof is at the pump—consumers are facing soaring prices on the road, and record heating costs will await them at home this winter. The U.S. Department of Energy estimates that home heating prices will experience the biggest annual increase in three decades. In my state of Minnesota, the largest natural gas utility is projected to charge 77 percent more than last year.

Unfortunately, the bill before us today appears to reflect the wishes of special interests, not the reality facing ordinary Americans. This Republican bill promotes consumption and increases pollution but does nothing to lower the cost of gasoline, reduce our dependency on foreign oil, or keep our environment clean.

It was very disappointing that the Rules Committee rejected a very important amendment, which I would have supported, offered by Rep. GUTKNECHT of Minnesota. This amendment would have added a 10 percent ethanol requirement for all gasoline sold in the United States by the year 2010. Minnesota is a leader in renewable fuels, having enacted a 10 percent ethanol requirement in 1997. Unfortunately, the House was denied the opportunity to consider this worthy amendment.

This bill severely limits the use of ethanol and homegrown fuels by creating a federal fuels list limited to two diesel and four gasoline fuel blends for the entire nation. If a state or local program wished to promote a cleaner-burning fuel, the EPA could deny the plan on the grounds that it would interrupt the fuel supply in surrounding states.

This bill also fails to protect the American consumer from price gouging. As prices soared in the wake of Hurricane Katrina, refineries cashed in. The industry reported a 255 percent increase in profits from just one year prior. Provisions in this bill, however, target only retailers, many who show only marginal gains during price hikes. These anti-gouging measures are also limited to disaster zones, leaving consumers in the rest of the country at the industry's mercy.

H.R. 3893 further exploits these natural disasters by rolling back basic environmental and public health protections. Cities with the most persistent smog problems would be allowed to delay their cleanup deadlines for many years. The bill also requires the president to designate sites for new refineries on federal land, with no exemptions for national wildlife refuges and national forests.

When it comes to our energy policy, Americans can no longer afford business as usual. The Democratic energy plan offered by Representatives BART STUPAK and RICK BOUCHER, which I support, is a reality-based solution to our energy needs. This package provides meaningful relief to American consumers and small businesses by promoting efficiency and investing in alternative sources of power.

The Stupak-Boucher bill establishes a Strategic Refinery Reserve to allow for the release of refined product during energy emergencies. This reserve would maintain a capacity of five percent of the total U.S. daily demand for gasoline and home heating oil. This would double the spare capacity that currently exists and would help curb the skyrocketing prices that disproportionately affect seniors and low-income households.

The Democratic plan provides real protection from price gouging by covering the entire production and supply chain. In addition to gasoline, it would protect against price gouging of propane, natural gas, and home heating oil. It would extend beyond disaster zones to anywhere in the country price gouging occurs.

The Republican-controlled Rules Committee demonstrated their intolerance for energy efficiency by rejecting the Boehler/Markey amendment. This amendment would have increased the fuel efficiency standards of cars and trucks from twenty-five to thirty-three miles per gallon by 2016. By reducing our consumption of gasoline we could have relieved market pressure and decreased our dependency on foreign oil.

Now is the time to invest in the next generation of efficient technologies and to move our nation toward a sustainable and energy-independent future. I urge my colleagues to oppose H.R. 3893 and support the Democratic substitute.

IN HONOR OF DOLORES ALFANO

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Dolores Alfano upon her receipt of the Sister Ann Marguerite Gildea Award given by the Ministry of Caring, Inc. Mrs. Alfano's dedication to community and charitable giving make her a more than worthy honoree.

Mrs. Alfano's community service and fund raising career stretches well over 30 years. She has managed the finances of presidential candidate, former congressman and governor Pete DuPont and directed charitable giving at MBNA of America, the largest independent credit card issuer in the United States. Additionally, Mrs. Alfano served as the head of the Republican State Committee throughout the 1980s. In addition to her meaningful contributions to the Delaware political system, Mrs. Alfano is on the United Way of Delaware Board.

Tonight, Mrs. Alfano will be honored by many distinguished friends and family at a function honoring her contributions to the city of Wilmington and the State of Delaware. Mrs. Alfano has served Delaware skillfully and diligently. Throughout her career, Mrs. Alfano has raised well over one-hundred million dollars for various Delaware charities.

Mrs. Alfano recently founded DV Alfano Consulting. Mrs. Alfano will continue to work in her field of expertise, raising money for worthwhile causes. It is truly a pleasure to know that such a motivated and altruistic individual calls Delaware her home.

I congratulate and thank Mrs. Alfano for all she has contributed to the City of Wilmington and the State of Delaware.

FOLLOW BLACK VOTERS TO NATIONAL SALVATION

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. OWENS. Mr. Speaker, the recently reported unprecedented two percent approval rating of President Bush's overall performance shows that the wisdom of African American voters is escalating. To save our republic, mainstream American voters should follow this enlightened leadership. The smoke and mirrors, Disney World fantasy of Bush policies is hypnotizing only two percent of the Black voters. This emperor has no clothes on and we'll all catch pneumonia if we follow him. Where, in domestic or international history, has any group reached more insightful political conclusions and made more sophisticated democratic choices?

In the street language of my youth, the ''trick bags'' and ''okie doke'' of every day living causes a lot of suffering in Black communities. Forced to be perpetual victims African Americans have developed a greater immunity to the glitter of the phony and the fraudulent. Lessons like New Orleans are not forgotten after the media grows weary of spotlighting the truth. Blacks understand why Bush and the American majority that elected him refused to acknowledge the heroism of the thousands who spent several nights smothering under a blanket of heat and darkness in the dome and the convention center. To make the world understand better the credit these evacuees deserve for not going mad under those conditions, every basketball game this season should begin with a few minutes of silence after all of the lights in the arena have been shut off.

''Shoot to kill'' was the earliest and strongest clear message to emerge ftom the babbling public officials responsible for the New Orleans debacle. Branding the hero victims as undesirable, provided the perfect setup for their later mistreatment by a ''reformed'' FEMA. The presidential executive order suspending the Davis-Bacon law and the nullification of all affirmative action regulations sent further messages informing the storm wracked Blacks that they had been permanently profiled as unworthy of the regular protections and benefits of their government.

Ninety-eight percent of Blacks understand what most Americans refuse to acknowledge: That the truly dangerous and costly corruption was not exposed by the looting of the New Orleans supermarkets. No, the massive, systematic no bidding contract process now underway on the Gulf Coast for Halliburton and

other Bush crony entrepreneurs is crime running rampant. Third World citizens are not the only populations endangered by the corrupt behavior of their leaders. Decision making, driven by the criminal upward distribution of wealth by our greedy Republican rulers has made America a nation at great risk.

Massacres from General Nathan Bedford Forrest at Fort Pillow, to New York's ''Black Monday,'' to the Charleston, South Carolina and the Tulsa, Oklahoma violent Black community destructions combined with the petty racism of everyday life; all of this never ending pressure has probably permanently altered the group political consciousness DNA of African-Americans. The new 98 percent disapproval rate for George Bush is a high point for a trend of consistent African-American voting for Presidents. Why can't more gullible mainstream Americans acquire similar insights? Why does the average American still want a President that they can feel comfortable with schmoozing over a beer in a bar? African-Americans want a President who through his policies will guarantee that they can afford to purchase that bottle of beer.

Using a label that is meant to be a demeaning slur, the media frequently refers to Blacks as ''bread and butter voters''. But in truth most voters are concerned first about economic issues. Certainly, the most influential and richest Republicans are concerned about tax cuts, insider trading opportunities, no bid contracts, earmarked legislative favors, etc. Concern for individual or group economic well-being is an appropriate position. But it is the obsession with maximizing advantages and the perks of ''white privilege'' that creates the venomous political poison threatening the survival of American democracy as it should be.

African Americans see a White House regime which maximizes already excessive ''white privileges'' at their expense. To force taxes lower the privileged have abandoned urban public schools all over America. The revenue starved New Orleans has produced the worst school system in America. The lack of arrangements for the transport of the poor out of the flood was just one of many examples of deadly public sector neglect. Is it absurd to ask the question; are we the only developed nation without a publicly financed universal health care program because whites don't want to see minorities getting more free services?

Is it possible that this drop of the President's approval among African Americans rating to two percent will become a bonus for the Republican Southern strategy advocates who have been recently overshadowed by moderate ''apologizing'' Republicans? Will there be a new right-wing battle cry to just write off the African American vote? This 98 percent disapproval rate is a landmark in polling statistics. Democrats must monitor the fallout diligently.

DISASTER RECOVERY ACT OF 2005

HON. DON YOUNG

OF ALASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. YOUNG of Alaska. Mr. Speaker, I rise today to offer legislation to help our nation and this body address the important task of disaster recovery.

We are engaged in significant efforts to mitigate future disasters like Hurricane Katrina, and efforts to improve the way in which the aftermath of such disasters are handled. The Committee I Chair, Transportation and Infrastructure, held a hearing today on rebuilding efforts in New Orleans. Other Committees are investigating and exploring other aspects of the situation. But we will never legislate disasters away, and we will never improve recovery to the point where disasters are painless. Or inexpensive.

Now, we can argue for months—and we probably will—about what causes the disasters this country faces regularly. Wild fires, hurricanes, floods, earthquakes: They all have some human component that does at least contribute to the scope of the damage, if not the cause. But here now I would like to move beyond that discussion, and instead focus on what we know that we must do in the aftermath: raise and distribute funds to rebuild lives, repair infrastructure, and reforge communities.

We have so far appropriated $62.3 billion for recovery efforts in the Gulf region. There was another $8.5 appropriated for the Disaster Relief Fund for Fiscal Year 2005. Hurricane Katrina was a major disaster, but we have had others—there have been 1,572 major disaster declarations in the last 50 years, an average of 31 a year—and there will be more.

We must find a way to meet the inevitable needs that will arise after future disasters. We cannot continue deficit spending. After numerous discussions with others, and based upon the successful program during WWII, I would today like to introduce legislation to begin a ''Disaster Recovery Bond'' program, similar to Savings Bonds, but with the income from the bonds dedicated to disaster recovery. This money would supplement funds in the Disaster Recovery Fund, providing an additional pool of funds to be used during large scale disasters like Hurricane Katrina.

When a natural disaster—be it a hurricane, earthquake, tornado, or flood—hits a particular region or State, the rest of us can often feel disconnected because it's happening to ''them'' and not ''us.'' Buying bonds that are specifically designated for these types of disasters can help bring together Americans and create a sense of patriotism. This idea of individual Americans pitching in for the good of the Nation was instrumental in the success of the War Bonds during WWII.

As a Nation, we are great at reacting. This was evident in the days and weeks after Hurricanes Katrina and Rita when the American people contributed millions of dollars to countless nonprofit organizations to assist their efforts in the affected Gulf Coast region. However, we need to think of the future and be more proactive. Purchasing Disaster Recovery Bonds will offer Americans an opportunity to contribute towards recovery and reconstruction efforts for natural disasters that have not yet occurred but are inevitable.

BILL PERMITTING EACH OF THE TERRITORIES OF THE UNITED STATES TO PROVIDE A STATUE TO BE PLACED IN STATUARY HALL

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. FALEOMAVAEGA. Mr. Speaker, I am proud today to introduce legislation to permit American Samoa, the Virgin Islands, Guam, and Puerto Rico to provide one statue to be placed with the state statues in the Statuary Hall collection here in the Capitol Building. I want to thank my colleagues, Mrs. CHRISTENSEN, Ms. BORDALLO, and Mr. FORTUÑO for joining me as original co-sponsors of this legislation.

On July 2, 1864, Congress enacted a law creating the National Statuary Hall. In the debate over what to do with the old House Chamber, Mr. Morrill in the House of Representatives proposed, ''To what end more useful or grand, and at the same time simple and inexpensive, can we devote the Chamber than to ordain that it shall be set apart for the reception of such statuary as each State shall elect to be deserving of in this lasting commemoration?''

At the time of enactment, American Samoa, the Virgin Islands, Guam, and Puerto Rico were not a part of the U.S. and were not included in Mr. Morrill's proposal. For this reason we come before you today to introduce legislation that would extend this same courtesy to Americans who live in the outlying areas of our great country. Each of our outlying areas has a unique history and a unique relationship to the United States. The annals of our territorial histories are replete with examples of outstanding leaders. To allow this legislation would be to honor these great citizens' contributions.

Also, this legislation would symbolically acknowledge that our U.S. Territories are an important, integral part of our national heritage. Imagine the pride a young person would feel, traveling here to our nation's capital from American Samoa, or the Virgin Islands, or Guam, or Puerto Rico, and seeing a statue of a person from their own territory's history, side by side with many of America's other significant historical figures.

Mr. Speaker, the funding for the commissioning and transportation of the statues would be borne by the territories themselves in the same manner as the statues from the states, meaning there would be no cost to the American taxpayer. Because this legislation provides a simple and inexpensive method for us here in Congress to educate Capitol visitors about the contributions of our outlying areas to our great nation, I urge my colleagues to support this bill.

CRISTA LEWIS MEMORIAL

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Ms. SCHWARTZ of Pennsylvania. Mr. Speaker, on May 3, 1996, 16-year-old Christa

Lewis's life was cut tragically short after she was stabbed while attending a local carnival with her friends in the Philadelphia neighborhood of Tacony. The death of Christa Lewis stunned her family, friends and community.

At the time of her death, Christa Lewis was a sophomore honors student at St. Hubert's Catholic High School who excelled at soccer and lacrosse. Friends described Christa as fun-loving, popular and vivacious. Christa is survived by her parents, Joan and Greg Lewis, as well as two younger brothers, Bud and Evan and her younger sister, Cory.

Her sudden death shocked the close-knit community and shed light on the growing problem of youth violence. We all know how important it is that we address the overwhelming pressures that teenagers face during their developmental years. It is imperative that we do all we can to address violence done to and by teens that can lead to the tragic and untimely death of a young person.

In the aftermath of her murder Christa's entire community rallied around the Lewis family as well as worked to ensure the safety of area residents. Since her death nearly 10 years ago, many people have worked hard to keep Christa's memory alive. Members of the community organized sports tournaments and local dinners to benefit the Christa Lewis Memorial Fund, a non-profit organization that supports local children and schools. On October 3, 1997, the Historical Society of Tacony also dedicated the Christa Lewis Memorial Arboretum in Disson Park.

On October 15, I joined Christa's family at the unveiling of the seventh series of memorial stones at the Christa Lewis Memorial Arboretum. Christa's father said at the initial dedication of the arboretum that it was to be used by the community—including the Tacony and Mayfair sections of Northeast Philadelphia—to honor and reflect on the memory of their loved ones. It is now filled with stones and trees memorializing friends, family and loved ones from throughout the community.

Although Christa sadly lost her life at such a young age, the park serves as a place of love and remembrance. This past weekend, I was honored to join Christa's family in celebrating her life, spirit and the memory of so many others at the arboretum.

PERSONAL EXPLANATION

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 2005

Mr. GERLACH. Mr. Speaker, on Monday, October 17, 2005, I was unable to be present on the floor to vote on rollcall votes Nos. 521, 522 and 523. If I had been present, on rollcall vote 521 I would have voted ''yea,'' on rollcall vote 522 I would have voted ''yea,'' and on rollcall vote 523 I would have voted ''yea.''

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11449–S11501

Measures Introduced: Six bills and five resolutions were introduced, as follows: S. 1881–1886, and S. Res. 275–279. **Pages S11476–77**

Measures Reported:

S. 1516, to reauthorize Amtrak, with an amendment in the nature of a substitute. (S. Rept. No. 109–143) **Page S11476**

Measures Passed:

Rebirthing Therapy: Senate agreed to S. Res. 276, expressing the sense of the Senate that the attachment therapy technique known as rebirthing is a dangerous practice and should be prohibited. **Pages S11499–S11501**

Red Ribbon Week: Senate agreed to S. Res. 277, supporting the goals of Red Ribbon Week. **Pages S11497–98**

National Childhood Lead Poisoning Prevention Week: Senate agreed to S. Res. 278, designating the week of October 23, 2005, through October 29, 2005, as ''National Childhood Lead Poisoning Prevention Week''. **Pages S11498–99**

Authorizing Testimony: Senate agreed to S. Res. 279, to authorize testimony in State of Mississippi v. Edward Statecum. **Page S11499**

Naval Vessels Transfer: Senate passed S. 1886, to authorize the transfer of naval vessels to certain foreign recipients. **Page S11499**

Month of Global Health: Committee on the Judiciary was discharged from further consideration of S. Res. 225, designating the month of November 2005 as the ''Month of Global Health'', and the resolution was then agreed to. **Page S11499**

Transportation/Treasury/HUD Appropriations: Senate continued consideration of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, taking action on the following amendments proposed thereto: **Pages S11453–72**

Adopted:

Brownback/Landrieu Amendment No. 2071, to make appropriations for the government of the District of Columbia for the fiscal year ending September 30, 2006. **Pages S11453–58**

By 92 yeas to 6 nays (Vote No. 256), Kyl Amendment No. 2062, to provide that Members of Congress shall not receive a cost-of-living adjustment in pay during fiscal year 2006. **Pages S11458–60**

Bond Amendment No. 2079, to ensure that public housing agencies will receive adequate funding for section 8 project-based vouchers. **Page S11461**

Bond Amendment No. 2109, to provide the Judicial Branch with certain procurement authorities. **Pages S11471–72**

Pending:

Kennedy Modified Amendment No. 2063, to provide for an increase in the Federal minimum wage. **Pages S11453, S11469–71**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Wednesday, October 19, 2005. **Page S11501**

Messages From the House: **Page S11475**

Executive Communications: **Page S11476**

Executive Reports of Committees: **Page S11476**

Additional Cosponsors: **Pages S11477–78**

Statements on Introduced Bills/Resolutions: **Pages S11478–83**

Additional Statements: **Pages S11474–75**

Amendments Submitted: **Pages S11483–96**

Notices of Hearings/Meetings: **Page S11496**

Authority for Committees to Meet: **Pages S11496–97**

Privilege of the Floor: **Page S11497**

Record Votes: One record vote was taken today. (Total—256) **Page S11460**

Adjournment: Senate convened at 9:46 a.m., and adjourned at 7:16 p.m., until 9:30 a.m., on Wednesday, October 19, 2005. (For Senate's program, see

the remarks of the Majority Leader in today's Record on page S11501.)

Committee Meetings

(Committees not listed did not meet)

CAPITOL VISITOR CENTER

Committee on Appropriations: Subcommittee on Legislative Branch resumed hearings to examine the progress of Capitol Visitor Center construction, focusing on the Architect of the Capitol's progress in managing the project's schedule since the Subcommittee's last hearing, the status of an integrated schedule, fire protection, and cost, receiving testimony from Alan Hartman, Architect, and Bob Hickson, Capitol Visitor Center Project Manager, both of the Office of the Architect of the Capitol; Bernard L. Ungar, Director, and Terrell Dorn, Assistant Director, both of Physical Infrastructure Issues, Government Accountability Office.

Hearings continue on Tuesday, November 15.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably the following bills:

S. 1562, to provide for the merger of the bank and savings association deposit insurance funds, to modernize and improve the safety and fairness of the Federal deposit insurance system, with an amendment in the nature of a substitute; and

An original bill to require the use of appropriated funds when the Secretary of Housing and Urban Development disposes of certain properties or loans in a discount transaction.

Also, Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on recommendations which it will make to the Committee on the Budget thereon.

NATIONAL FLOOD INSURANCE PROGRAM

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the future of the National Flood Insurance Program, focusing on reducing losses to the Program resulting from policy subsidies and repetitive loss properties, and developing accurate digital flood maps, after receiving testimony from David I. Maurstad, Acting Director, Federal Insurance Administrator, Mitigation Division, Federal Emergency Management Agency, Emergency Preparedness and Response Directorate, Department of Homeland Security; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, Government Accountability Office; Chris Landsea, Tropical Prediction Center, National Hurricane Center, National Weather Service, National Oceanic and Atmospheric Administration, Department of Commerce; J. Robert Hunter, Consumer Federation of America, and Douglas J. Elliott, Center on Federal Financial Institutions, both of Washington, D.C.; Robert P. Hartwig, Insurance Information Institute, New York, New York; and Chad Berginnis, Association of State Floodplain Managers, Inc., and Mark J. Browne, University of Wisconsin—Madison School of Business, both of Madison, Wisconsin.

DERIVATIVES MARKET

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance concluded a hearing to examine growth and development of the derivatives market, focusing on the role of derivatives as a part of risk management for corporations and financial entities, after receiving testimony from James Newsome, New York Mercantile Exchange, Inc., Joseph P. Bauman, JB Risk Consulting, LLC, on behalf of the International Swaps and Derivatives Association, Inc., Paul Bennett, New York Stock Exchange, Inc., and Charles Smithson, Rutter Associates, LLC, all of New York, New York.

WINTER FUELS OUTLOOK

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the winter fuels outlook and the effect of high prices this coming winter, focusing on the Energy Information Administration Short-Term Energy Outlook and Winter Fuels Outlook which provides energy supply, demand and price projections and winter fuel expenditure expectations, after receiving testimony from Guy Caruso, Administrator, Energy Information Administration, Department of Energy; Tom Kuhn, Edison Electric Institute, Washington, D.C.; Laurence M. Downes, New Jersey Resources, Wall, on behalf of the American Gas Association; Peter R. Smith, New York State Energy Research and Development Authority, Albany, on behalf of the National Association of State Energy Officials; and Jack Sullivan, New England Fuel Institute, Watertown, Massachusetts.

ENERGY POLICY

Committee on Energy and Natural Resources: Committee concluded a hearing to examine the national capacity for producing innovation in energy technologies and the importance of this innovation to our global economic competitiveness, including the results of a recent related National Academy of Sciences report,

after receiving testimony from Ralph Cicerone, National Academy of Sciences and National Research Council, Washington, D.C.; and Norman R. Augustine, Lockheed Martin Corporation, Bethesda, Maryland.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, to make technical corrections.

GAS PETROLEUM REFINER IMPROVEMENT AND COMMUNITY EMPOWERMENT ACT

Committee on Environment and Public Works: Committee concluded a hearing to examine S. 1772, to streamline the refinery permitting process, after receiving testimony from Brian Mannix, Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency; Colorado State Senator Shawn Mitchell, Broomfield; Eric Shaeffer, Environmental Integrity Project, Washington, D.C.; and Jonathan H. Adler, Case Western Reserve University School of Law, Cleveland, Ohio.

NOMINATIONS

Committee on Finance: Committee concluded a hearing to examine the nominations of James S. Halpern, of the District of Columbia, to be a Judge of the United States Tax Court, Susan C. Schwab, of Maryland, who was introduced by Representative Hoyer, and Karan K. Bhatia, of Maryland, each to be Deputy United States Trade Representative, with the Rank of Ambassador, Franklin L. Lavin, of Ohio, to be Under Secretary of Commerce for International Trade, who was introduced by Senator DeWine, and Clay Lowery, of Virginia, to be a Deputy Under Secretary of the Treasury, after the nominees testified and answered questions in their own behalf.

UNITED NATIONS REFORM

Committee on Foreign Relations: Committee concluded a briefing and hearing to examine prospects for United Nations reform, focusing on improving the management structure and oversight capacity of the United Nations, and challenges and opportunities in moving ahead on United Nations reform, after receiving testimony from Paul A. Volcker, Chairman, Independent Inquiry Committee into the United Nations Oil-For-Food Program, United Nations; and John R. Bolton, U.S. Permanent Representative to the United Nations, Department of State.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the business items:

S. 1873, to prepare and strengthen the biodefenses of the United States against deliberate, accidental, and natural outbreaks of illness, with an amendment in the nature of a substitute; and

The nominations of Mark Hofflund, of Idaho, to be a Member of the National Council on the Arts, Naomi Churchill Earp, of Virginia, and Christine M. Griffin, of Massachusetts, each to be a Member of the Equal Employment Opportunity Commission, Jan Cellucci, of Massachusetts, Sandra Frances Ashworth, of Idaho, and Diane Rivers, of Arkansas, each to be a Member of the National Commission on Libraries and Information Science, Bertha K. Madras, of Massachusetts, to be Deputy Director for Demand Reduction, Office of National Drug Control Policy, Mark S. Schneider, of the District of Columbia, to be Commissioner of Education Statistics, Department of Education, Bruce Cole, of Indiana, to be Chairperson of the National Endowment for the Humanities, and John O. Agwunobi, of Florida, to be Assistant Secretary of Health and Human Services for Health.

Also, Committee completed its review of certain spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, and agreed on recommendations which it will make to the Committee on the Budget thereon.

IMMIGRATION REFORM

Committee on the Judiciary: Committee concluded a hearing to examine comprehensive immigration reform, focusing on border security, interior enforcement and immigration reform, after receiving testimony from Michael Chertoff, Secretary of Homeland Security; Elaine L. Chao, Secretary of Labor; Frank Sharry, National Immigration Forum, and Mark Krikorian, Center for Immigration Studies, both of Washington, D.C.; and Douglas S. Massey, Princeton University, Princeton, New Jersey.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of James F.X. O'Gara, of Pennsylvania, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy, and Julie L. Myers, of Kansas, to be Assistant Secretary for Immigration and Customs Enforcement,

and Emilio T. Gonzalez, of Florida, to be Director of the Bureau of Citizenship and Immigration Services, who was introduced by Senator Martinez and Representative Ros-Lehtinen, both of the Department of Homeland Security, after the nominees testified and answered questions in their own behalf.

BUSINESS MEETING

Committee on Veterans' Affairs: Committee ordered favorably reported the nominations of William F. Tuerk, of Virginia, to be Under Secretary for Memorial Affairs, Robert Joseph Henke, of Virginia, to be an Assistant Secretary for Management, John M. Molino, of Virginia, to be an Assistant Secretary for Policy and Planning, Lisette M. Mondello, of Texas, to be an Assistant Secretary for Public and Intergovernmental Affairs, and George J. Opfer, of Virginia, to be Inspector General, all of the Department of Veterans Affairs.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 7 public bills, H.R. 4070–4076; and 4 resolutions, H. Con. Res. 268; and H. Res. 498–500 were introduced.

Pages H8918–19

Additional Cosponsors: **Pages H8919–20**

Reports Filed: Reports were filed today as follows:

H.R. 1400, to amend title 18, United States Code, to provide penalties for aiming laser pointers at airplanes, with an amendment (H. Rept. 109–250); and

H.R. 3647, to render nationals of Denmark eligible to enter the United States as nonimmigrant traders and investors, with an amendment (Rept. 109–251). **Page H8918**

Speaker: Read a letter from the Speaker wherein he appointed Representative Price of Georgia to act as Speaker pro tempore for today. **Page H8849**

Recess: The House recessed at 11:17 a.m. and reconvened at 12 noon. **Page H8854**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005: H.R. 1409, amended, to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries, by a yea-and-nay vote of 415 yeas to 9 nays, Roll No. 525; **Pages H8857–64, H8889**

Mourning the loss of life caused by the earthquake that occurred on October 8, 2005, in Pakistan and India, expressing the condolences of the American people to the families of the victims, and urging assistance to those affected: H. Res. 492, to mourn the loss of life caused by the earthquake that occurred on October 8, 2005, in Pakistan and India, expressing the condolences of the American people to the families of the victims, and urging assistance to those affected, by a yea-and-nay vote of 423 yeas with none voting "nay", Roll No. 526;

Pages H8864–68, H8889–90

Santa Ana River Water Supply Enhancement Act of 2005: H.R. 177, amended, to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Prado Basin Natural Treatment System Project, to authorize the Secretary to carry out a program to assist agencies in projects to construct regional brine lines in California, to authorize the Secretary to participate in the Lower Chino Dairy Area desalination demonstration and reclamation project; **Pages H8868–69**

Rocky Mountain National Park Boundary Adjustment Act of 2005: S. 55, to adjust the boundary of Rocky Mountain National Park in the State of Colorado—clearing the measure for the President;

Pages H8869–71

Ojito Wilderness Act: S. 156, to designate the Ojito Wilderness Study Area as wilderness, to take certain land into trust for the Pueblo of Zia—clearing the measure for the President; **Pages H8871–73**

Extending through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits: H.R. 3765, amended by the Senate, to extend through March 31, 2006, the authority of the Secretary of the Army to accept and expend funds contributed by non-Federal public entities and to expedite the processing of permits; **Pages H8873–74**

William F. Clinger, Jr. Post Office Building Designation Act: H.R. 3549, to designate the facility of the United States Postal Service located at 210 West 3rd Avenue in Warren, Pennsylvania, as the

"William F. Clinger, Jr. Post Office Building", by a yea-and-nay vote of 422 yeas to 1 nay, Roll No. 527; **Pages H8874–76, H8890–91**

U.S. Cleveland Post Office Building Designation Act: H.R. 3830, to designate the facility of the United States Postal Service located at 130 East Marion Avenue in Punta Gorda, Florida, as the "U.S. Cleveland Post Office Building"; **Pages H8876–77**

Willie Vaughn Post Office Designation Act: H.R. 3853, to designate the facility of the United States Postal Service located at 208 South Main Street in Parkdale, Arkansas, as the "Willie Vaughn Post Office Building", by a yea-and-nay vote of 421 yeas with none voting "nay", Roll No. 528; and **Pages H8877–79, H8891**

Recognizing the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and saluting the outstanding service of the Company to the people of South Carolina: H. Res. 300, to recognize the South Carolina Farm Bureau Mutual Insurance Company on the occasion of its 50th anniversary and saluting the outstanding service of the Company to the people of South Carolina. **Pages H8879–81**

Protection of Lawful Commerce in Arms Act: The House agreed to H. Res. 493, the rule that is providing for consideration of S. 397, to prohibit civil liability actions from being brought or continued against manufacturers, distributors, dealers, or importers of firearms or ammunition for damages, injunctive or other relief resulting from the misuse of their products by others, by a voice vote, after agreeing to order the previous question. **Pages H8881–85**

Personal Responsibility in Food Consumption Act of 2005: The House agreed to H. Res. 494, the rule that is providing for consideration of H.R. 554, to prevent legislative and regulatory functions from being usurped by civil liability actions brought or continued against food manufacturers, marketers, distributors, advertisers, sellers, and trade associations for claims of injury relating to a person's weight gain, obesity, or any health condition associated with weight gain or obesity, by a yea-and-nay vote of 310 yeas to 114 nays, Roll No. 524, after agreeing to order the previous question. **Pages H8885–89**

Recess: The House recessed at 3:54 p.m. and reconvened at 5:30 p.m. **Page H8888**

Quorum Calls—Votes: Five yea-and-nay votes developed during the proceedings today and appear on pages H8888–89, H8889, H8889–90, H8890–91 and H8891. There were no quorum calls.

Adjournment: The House met at 10:30 a.m. and adjourned at 10:35 p.m.

Committee Meetings

THOROUGHBRED HORSE RACING JOCKEYS AND WORKERS

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled "Thoroughbred Horse Racing Jockeys and Workers: Examining On-Track Injury Insurance and Other Health and Welfare Issues." Testimony was heard from public witnesses.

FINANCIAL SERVICES REGULATORY RELIEF ACT OF 2005

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 3505, Financial Services Regulatory Relief Act of 2005. Testimony was heard from public witnesses.

IRAQ: PERCEPTIONS, REALITIES AND COST TO COMPLETE

Committee on Government Reform: Subcommittee on National Security, Emerging Threats, and International Relations held a hearing entitled "Iraq: Perceptions, Realities and Cost to Complete." Testimony was heard from the following officials of the Department of State: Howard J. Krongard, Inspector General; and Joseph Farinella, Acting Inspector General, Audit, U.S. Agency for International Development; the following officials of the Department of Defense: Stuart W. Bowen, Jr., Special Inspector General for Iraq Reconstruction; Thomas Gimble, Acting Inspector General; and Joyce Morrow, U.S. Army Auditor General; Joseph Christoff, Director, International Trade, GAO; and public witnesses.

BRIEFING—RECENT SUBWAY TERROR THREAT WARNINGS

Committee on Homeland Security: Met in executive session to receive a briefing on the recent subway terror threat warnings and related actions. The Committee was briefed by departmental witnesses.

SCADA AND THE TERRORIST THREAT

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity and the Subcommittee on Emergency Preparedness, Science, and Technology held a joint hearing entitled "SCADA and the Terrorist Threat: Protecting the Nation's Critical Control Systems." Testimony was heard from Donald Purdy, Acting Director, National Cyber Security Division, Department of Homeland Security; Larry Todd, Director, Security, Safety and Law Enforcement, Bureau of

Reclamation, Department of the Interior; Sam Varnado, Director, Information Operations Center, Sandia National Laboratory; K. P. Ananth, Associate Laboratory Director, National and Homeland Security, Idaho National Laboratory; and public witnesses.

BRIEFING—BIODEFENSE FOR THE 21ST CENTURY

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack met in executive session to receive a briefing on Homeland Security Presidential Directive-10, ''Biodefense for the 21st Century.'' The Committee was briefed by departmental witnesses.

OVERSIGHT—VOTING RIGHTS ACT—EXAMINE IMPACT AND EFFECTIVENESS

Committee on the Judiciary: Subcommittee on the Constitution held an oversight hearing entitled ''To Examine the Impact and Effectiveness of the Voting Rights Act.'' Testimony was heard from Jack Kemp, former Secretary of Housing and Urban Development; Joe Rogers, former Lieutenant Governor, State of Colorado; and public witnesses.

REBUILDING NEW ORLEANS—VISION AND STRATEGY

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment and the Subcommittee on Economic Development, Public Buildings and Emergency Management held a joint hearing entitled ''A Vision and Strategy for Rebuilding New Orleans.'' Testimony was heard from Representatives Baker and Jefferson; the following officials of the State of Louisiana: Kathleen Babineaux Blanco, Governor; Mitchell J. Landrieu, Lieutenant Governor; and C. Ray Nagin, Mayor, New Orleans; and public witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, OCTOBER 19, 2005

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: business meeting to consider recommendations which it will make to the Committee on the Budget with respect to spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res. 95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, 10 a.m., SR–328A.

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine the potential of stem cell and nuclear transplantation research, 9:30 a.m., SD–138.

Committee on Energy and Natural Resources: business meeting to consider pending calendar business, 10 a.m., SD–366.

Committee on Foreign Relations: to hold hearings to examine United States foreign policy relating to Iraq, 10 a.m., SD–106.

Full Committee, to hold hearings to examine the nomination of David M. Hale, of New Jersey, to be Ambassador to the Hashemite Kingdom of Jordan, 2:30 p.m., SD–419.

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment and Workplace Safety, to hold hearings to examine enhancing cooperation between employers and guardsmen/reservists, 2 p.m., SD–430.

Committee on the Judiciary: to hold hearings to examine issues and implications regarding reporters' privilege legislation, 10:30 a.m., SD–226.

Subcommittee on Antitrust, Competition Policy and Consumer Rights, to hold hearings to examine video competition in 2005, 2 p.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing regarding certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Armed Services, Subcommittee on Military Personnel, hearing on the defense health program overview, 2 p.m., 2118 Rayburn.

Committee on Education and the Workforce, to mark up amendments to the Social Security Act, Welfare Reform regarding the Committee's Instructions pursuant to the Conference Report on H. Con. Res. 95, Establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, H.R. 240, Personal Responsibility, Work, and Family Promotion Act of 2005 and H. Res. 467, Requesting that the President transmit to the House of Representatives information in his possession relating to contracts for services or construction related to Hurricane Katrina recovery that relate to wages and benefits to be paid to workers, 10:30 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Commerce, Trade, and Consumer Protection, hearing entitled ''Protecting Property Rights After Kelo,'' 2 p.m., 2123 Rayburn.

Subcommittee on Energy and Air Quality, hearing entitled ''EIA's Report on Short-term Energy Outlook and Winter Fuels Outlook,'' 10 a.m., 2123 Rayburn.

Committee on Government Reform, Subcommittee on Energy and Resources, hearing entitled ''Petroleum Refineries: Will Record Profits Spur Investment in New Capacity?'' 2 p.m., 2203 Rayburn.

Committee on Homeland Security, hearing entitled ''Federalism and Disaster: Response: Examining the Rules and Responsibilities of Local, State, and Federal Agencies,'' 10 a.m., 311 Cannon.

Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment and the Subcommittee on Terrorism, Human Intelligence, Analysis and Counterintelligence of the Permanent Select Committee on Intelligence, joint hearing entitled ''The Department of Homeland Security Second Stage Review: The Role of the Chief Intelligence Officer,'' 3 p.m., 311 Cannon.

Committee on International Relations, Subcommittee on the Western Hemisphere, hearing on Policy Overview of the Caribbean Region, 10:30 a.m., 2172 Rayburn.

Committee on Resources, to mark up the following: a resolution Expressing the sense of the Congress upholding the Makah Tribe treaty rights; H.R. 323, To redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the ''Bob Hope Memorial Library;'' H.R. 326, To amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area and to extend the authority of the Secretary of the Interior to provide assistance under that Act; H.R. 679, To direct the Secretary of the Interior to convey a parcel of real property to Beaver Count, Utah; H.R. 1096, Act Commemorating the LITE;'' H.R. 1183, To require the Secretary of the Interior to provide public access to Navassa National Wildlife Refuge and Desecheo National Wildlife Refuge; H.R. 1436, To remove certain use restrictions on property located in Navajo County, Arizona; H.R. 1564, Yakima-Tieton Irrigation District Conveyance Act of 2005; H.R. 1972, Franklin National Battlefield Study Act; H.R. 3443, To direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District; H.R. 3818, Forest Service Partnership Enhancement Act of 2005; and S. 229, Albuquerque Biological Park Title Clarification Act, 10 a.m., 1324 Longworth.

Permanent Select Committee on Intelligence, Subcommittee on Oversight, hearing entitled ''Status of the Office of the Director of National Intelligence,'' 9 a.m., 2322 Rayburn.

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina, to continue hearings on Hurricane Katrina, 10 a.m., 2154 Rayburn.

Next Meeting of the SENATE

9:30 a.m., Wednesday, October 19

Senate Chamber

Program for Wednesday: After the transaction of any morning business (not to extend beyond 60 minutes), Senate will continue consideration of H.R. 3058, Transportation, Treasury, HUD, Judiciary, DC Appropriations.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, October 19

House Chamber

Program for Wednesday: Consideration of (1) S. 397—Protection of Lawful Commerce in Arms Act and (2) H.R. 554—Personal Responsibility in Food Consumption Act of 2005.

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