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House of Representatives

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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
November 9, 2005.

I hereby appoint the Honorable CANDICE S. MILLER to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Mac Hammond, Living Word Christian Center, Brooklyn Park, MN, offered the following prayer:

Heavenly Father, as we gather together in this historic place, we ask Your continued blessing on our country. Thank You for our divine heritage of being one Nation under God and for the liberty we enjoy as a result. We look to Your word for guidance and grace as we pray for each Member of this House. I ask You to give them wisdom and understanding in every decision they face, so that Your truth will continue to be reflected in our laws. During this session, may they be responsive to Your direction, aware of Your grace, and guided by Your precepts.

We also ask You to protect, strengthen and encourage our troops in Iraq, Afghanistan, and the myriad of other places around the world where they are courageously protecting and promoting our liberty. Lead each Member in Your ways, and bless their families as You do.

May Your grace abound to all and continually remind each citizen of this great country that we are loved by You. This we pray in the name which is above all names. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Tennessee (Mrs. BLACKBURN) come forward and lead the House in the Pledge of Allegiance.

Mrs. BLACKBURN 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 PASTOR MAC HAMMOND

The SPEAKER pro tempore. Without objection, the gentleman from Minnesota (Mr. RAMSTAD) is recognized for 1 minute.

There was no objection.

Mr. RAMSTAD. Madam Speaker, it is my great honor to welcome this morning's guest chaplain, Pastor Mac Hammond. Pastor Hammond and his wife, Pastor Lynne, who is with us in the gallery, are pastors of the Living Word Christian Center, a vibrant church in the Third Congressional District located in Brooklyn Park, MN.

This is an incredible story. On November 12, 1980, Mac and Lynne Hammond stood before a gathering of 12 people in a small meeting room at a hotel in Plymouth, Minnesota. On that day, Living Word Christian Center was born. Today, 25 years later, Living Word has grown to an active congregation of more than 10,000 members.

Pastor Mac Hammond's inspiring life has spanned several careers, from Air Force captain, where he served as a pilot, to owner of an air cargo business, to gifted minister of the gospel. The people of our area, of our State are so grateful for Pastor Mac Hammond and his ministry to the community.

The Living Word Christian Center is home to a number of important ministries that are truly doing the Lord's work here on Earth. Close to my heart, the Living Free Recovery Services program provides treatment to families struggling with the ravages of drug and alcohol addiction. Living Word also operates Maranatha Christian Academy and Maranatha College, two highly respected, God-centered academic institutions in our area.

The church's Compassion Center ministers to inner-city residents, and CFAITH provides online missionary outreach.

We are all very grateful, Madam Speaker, for these wonderful ministries and for the faith, hope, and love brought to so many by Pastors Mac and Lynne Hammond. As you heard in his moving prayer, Pastor Hammond is a tremendously gifted speaker and a true man of God.

I knew Mac would offer a truly inspirational prayer this morning, and God knows we needed it. Many thanks, Pastor Hammond, for your moving and thoughtful prayer and for serving the House of Representatives as our guest chaplain.

FISCAL MISMANAGEMENT

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

Mr. BLUMENAUER. Madam Speaker, the Republican fiscal mismanagement is so bad, and their budget proposals so dreadful, that even the Republican Caucus is having difficulty swallowing it. Mainstream Republicans do not

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agree with K Street Republicans, who do not agree with Wall Street Republicans; but they are hopelessly out of touch with the street where most Americans live.

The Republican Congress seeks to mask their fiscal irresponsibility with cuts for millions of poor, the sick, for students and their families, literally taking food from the mouths of poor children to pay for more tax cuts for people who need them the least.

There is much talk of scandal here in Washington D.C., but to have a proposal offered up that would actually increase the deficit more than if they just gave up and went home is a scandal. It is a scandal how tragically out of touch my Republican colleagues are from the needs and desires of the average American.

HONORING VETERANS

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

Mrs. KELLY. Madam Speaker, I urge my colleagues to honor the sacrifices of their local veterans by cosponsoring H.R. 1951, which would mint a coin for America's disabled veterans. The proceeds would be used for a Disabled Veterans Memorial on the National Mall. The Paralyzed Veterans of America, the Disabled American Veterans, and the Military Order of the Purple Heart all support our bill for a first-of-its-kind tribute to America's disabled veterans.

This Congress needs to remember the sacrifices of veterans not only on Veterans Day, but throughout the year. For that purpose, we also must pass the SAVE U.S. VETS Act to restore the equitable VA funding to veterans health care facilities in the Northeast. The VERA formula is unfair and ineffective. A GAO study found that through 2002, VERA misallocated nearly $1 billion in funds that should have gone to the Northeast veterans hospitals like Montrose and Castle Point in New York's Hudson Valley.

New York veterans served our country in areas throughout the world. They should not be punished now for living in the northeast area of our country that is being neglected by bad funding through the VERA formula. VA funds must reach these areas where veterans' needs are the greatest. The health care needs of all northeast veterans must be met, as they count on us to protect them with the same loyalty with which they protected our country.

REPUBLICAN BUDGET DOES NOT REFLECT AMERICA'S PRIORITIES

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

Mr. EMANUEL. Madam Speaker, tomorrow the House is planning to vote on America's future. The budget vote will decide who wins, who loses. The Republican budget does not reflect America's priorities. Where else would you protect corporate welfare like $16.5 billion in handouts, taxpayer handouts to oil and gas companies, and all the while throwing America's children over the side. A Republican Congress, of course.

Where else would you cut $9.5 billion from children's health care affecting 6 million children, while helping protect big oil and gas companies. Where else would you cut 330,000 children from child care assistance while protecting big HMOs. Where else would you cut 40,000 children from nutrition programs while protecting America's polluters. Where else would you cut $14.3 billion in student college aid, the single largest cut in the history of the student aid program. A Republican Congress, but of course.

These are not the right priorities for America. They are not America's priorities for its future. Madam Speaker, we should cut spending, but we should not jeopardize our future by cutting programs for our children. It is time we made a change. It is time that we choose our priorities. We can do better, not protecting Big Oil at the expense of taking America's children and throwing them over the side.

RESTRICTIONS ON PARENTING

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

Mr. POE. Madam Speaker, the out-of-touch notorious Ninth Circuit Court of Appeals has struck again. They have created their own version of restrictions on parenting. These wayward judges rule that parents do not have a constitutional right to prevent a public school from teaching students whatever it wishes, including sexual information.

Instead, they say that the State has ultimate power over the education of our children. This ruling stems from a case filed by parents whose children, ages 7 through 10, were given a survey that asks questions pertaining to sex that are even too expressive to repeat on this House floor.

According to the education police judges, when parents decide to send their child to a public school, the parents lose authority and control over what the child is taught. The State decides.

This ruling violates the Constitution. The Supreme Court long ago ruled that parents do have the fundamental right to make decisions about the care, custody, education, and control of their children. This is just another example of elite judges trying to replace parents with bureaucrats. Out-of-control judges are taking away property rights, our pledge rights, and now they are after our parenting rights. This ought not to be.

STATE OF THE UNION

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

Mr. ROSS. Madam Speaker, for the first time in about 50 years, the Republicans control the White House, the House, and the Senate. So let us look at the real state of the union and what they have given us:

$8 trillion in debt. In fact, this Nation is borrowing $907 million a day, $188 million a day going to Iraq, $33 million a day going to Afghanistan. In fact, this President and this Republican Congress have borrowed more money from foreigners in the past 5 years than the previous 42 Presidents combined. And all this before the hurricane season. Now they are proposing in tomorrow's budget reconciliation cutting Medicaid $12 billion, cutting food stamps and farm programs $3.7 billion, cutting student loans $14.3 billion. And for what? To pay for another $70 billion in tax cuts for those earning over $400,000 a year.

Madam Speaker, these are not my priorities. These are not America's priorities. These are not the kinds of conservative, small-town values that I was raised on and still believe in.

RENEWABLE DOMESTIC FUELS

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

Mr. SHIMKUS. Madam Speaker, in July of this year, the President signed into law the Energy Policy Act of 2005, which enacted the first-ever renewable fuel standard in order for a portion of our Nation's fuel supply to be provided by renewable domestic fuels like ethanol from corn and biodiesel made from soybeans. This provision is an example of public policy that is moving in the right direction. For example, E–85, a blend of 85 percent ethanol fuel, is becoming more and more available in the Midwest and it costs less at the pump. Just this week in my southern Illinois district, E–85 was on average 22 cents cheaper than regular gasoline at the pump. In some cases, E–85 stayed below $2 per gallon.

The expanded use of renewable fuels like E–85 helps stretch domestic oil supply and decrease our reliance on foreign imports of oil. As we all know, no crude oil refineries have been built in the United States since 1976. During that time, close to 100 ethanol refineries have been built. It is my hope that this growth continues to happen. Renewable fuels are an environmentally friendly, domestic alternative fuel source that we can utilize to increase U.S. supply and decrease our reliance on foreign imports of oil.

CUTS TO STUDENT AID

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to address the House for 1 minute.)

Ms. LINDA T. SÁNCHEZ of California. Madam Speaker, when I was

elected to Congress, I never thought I would be asked to participate in crushing the dreams of American children. But that is exactly what the House majority is asking me to do. The House budget reconciliation bill includes $14.3 billion in overall cuts to Federal student aid programs over the next 5 years. This cut will be the single largest cut in the entire history of the student aid program. I thought the majority did not want to leave any child behind. But obviously what this cut means is they do not want to leave you behind, until you want to go to college.

I know firsthand the importance of student aid. I would not be standing on the floor of this House if it were not for student aid programs. These loans made my education dreams a reality. I am the only member of the California congressional delegation still paying off her student loans. Each month I proudly write that check because I know the best investment I and my seven brothers and sisters could have made was our investment in our own education.

Can you imagine where we will be in 20 years when we lack the professionals that we need in this country? Make no mistake, these proposed cuts to student aid programs will negatively impact the future of our workforce and our economy.

THE MAINSTREAM

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

Mr. PITTS. Madam Speaker, some liberals opposed to the nomination of Judge Samuel Alito to the Supreme Court claim that Judge Alito is ''outside the mainstream'' because he supported the spousal notice provision of the Pennsylvania Abortion Control Act. Mind you, this was not paternal notice; it was spousal notice. This was not spousal consent. It was spousal notice. Polling showed nearly 75 percent of the Americans support this provision.

So what is the mainstream in America today? In 2004, 13 States included on their ballot a constitutional amendment defining marriage as the union between a man and a woman. All 13 States passed the measure by wide margins. Today, it is up to 19 States. The polls overwhelmingly support this definition.

A Zogby poll showed 77 percent of Americans support a law requiring a pregnant woman be given information about fetal pain prior to an abortion. Other polls show nearly 90 percent support including the phrase ''under God'' in the Pledge of Allegiance. A 2005 Gallup poll shows 75 percent of Americans think that State government entities should be allowed to display the 10 Commandments.

Let us not allow liberal interest groups to arbitrarily define the mainstream for us.

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BUDGET RECONCILIATION

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

Mr. HINOJOSA. Madam Speaker, tomorrow the leadership of this House will bring up a budget reconciliation bill which makes cuts to Medicaid, food stamp programs for children, student loan aid programs that will force thousands of college students to leave school and prevent thousands more from even beginning higher education at the community college or university of their choice.

At a time when we are importing scientists, engineers, doctors, nurses and other highly trained workers to keep our economy running, this House is going to siphon off student aid dollars to provide $70 billion of tax cuts for the rich. According to the Congressional Budget Office, there will be nearly $8 billion in new charges to students and families that will raise the cost of their college loans at a time when the cost of higher education is rising much faster than the rate of inflation.

This reconciliation bill is not about controlling runaway Federal spending. It is about destroying our future for the short-term benefit of a privileged few. I urge my colleagues to oppose this shortsighted budget reconciliation bill.

MEDICAID

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

Mrs. BLACKBURN. Madam Speaker, in the midst of our effort to rein in Federal spending, you have Members of this body and special interest groups telling the American people that we are slashing Medicaid. They are saying that our Deficit Reduction Act will actually cut Medicaid.

Madam Speaker, our plan does not cut. Since when does slowing the growth, and tremendous growth at that, from 7.3 percent to 7 percent a year constitute a cut? The left needs to stop playing games. If they want us to keep spending and spending until there is nothing left, until we cannot spend any more, then they need to be honest about it and they need to say that. But don't call a 0.3 percent reduction in growth a cut. It is dishonest and our constituents deserve better.

BUDGET RECONCILIATION

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

Mr. SALAZAR. Madam Speaker, I stand united with my fellow Blue Dogs in protest of this reckless budget vote that we will be taking this week. I have said time and time again that our budget is a moral document and it is about our priorities and values as a nation.

Let us be clear about this budget reconciliation and what it will do for America.

It will pay for tax cuts for the rich on the backs of our Nation's poorest, including low-income seniors who receive help from Medicaid.

It abandons rural America by proposing $1 billion in cuts to ag commodity programs.

It takes aim at valuable research and conservation programs that will help farmers to stay on the land.

And in a time when everyone is concerned about rising energy prices, this bill cuts funds for renewable energy programs. Yet none of these savings will go towards balancing the budget.

Together we can do better. We need to return to responsible budget principles that include pay-as-you-go spending. We need a balanced budget amendment. And we need a Federal budget that is honest with the American people.

I urge my colleagues to vote ''no'' on this budget reconciliation.

PRESERVING OUR SYSTEM OF JUSTICE

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

Mr. PRICE of Georgia. Madam Speaker, last March Atlanta experienced one of the worst instances of courthouse violence on record. A defendant overpowered a courthouse security guard, grabbed her weapon and shot a judge dead in his own courtroom. The defendant then escaped, setting off a massive manhunt until he was captured a short while later.

Incidents of courthouse violence are spreading. Chicago, Illinois, and Tyler, Texas, have also experienced vicious crimes against our judicial system. Many States are working to prevent this from happening again by improving courthouse security. This is a step in the right direction. But we must do more to protect judges, attorneys, jurors, and other courthouse employees from ever having to confront this kind of danger. We must not allow criminals to compromise our judicial system.

Today we have an opportunity to act to strengthen penalties against those who commit courthouse violence and protect Federal judiciary employees from falling prey to criminals attacking their personal finances.

Madam Speaker, the Secure Access to Justice and Court Protection Act is before us today, and I urge my colleagues to support this important initiative to preserve and protect our system of justice.

CRUEL REPUBLICAN MEDICAID CUTS AND MISGUIDED PRIORITIES—AMERICA CAN DO BETTER

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

Mr. STUPAK. Madam Speaker, tomorrow House Republicans will show

America their misguided priorities. In order to once again provide the wealthiest few in our Nation with tax breaks adding up to $70 billion, House Republicans will cut $54 billion from needed programs, including $12 billion to Medicaid.

America can do better than slashing health care for low-income children, seniors, and people with disabilities to pay for additional tax breaks for millionaires.

America can do better than slashing a program that provides insurance to one of every seven Americans, at a time when the number of the uninsured has risen by 6 million under this President.

America can do better than increasing costs for essential health care services for the poorest Americans, including for the first time ever even the poorest children, which will reduce their access to needed health care.

America can do better than a budget package where $3 out every $4 in Medicaid cuts are borne directly by individuals who are poor or disabled.

When are the House Republicans going to realize a stronger America is one where we all work together?

Together, America can do better.

IRAQI SPECIAL TRIBUNAL HOUSE RESOLUTION

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

Mr. BURGESS. Madam Speaker, the path to a free and democratic Iraq has been dangerous and protracted. Yet, after years of oppression, the Iraqis are closer than ever to having a nation ruled by their people instead of a tyrant.

For the safety of our Nation, I believe we must continue to support the sovereign actions of this developing nation.

Current news headlines are showcasing the trial of Saddam Hussein and what danger accompanies that activity. His trial is important, but a strong, independent Iraqi judicial system is of greater importance.

As Members of Congress, we have an obligation to uphold and support this principle, especially in a land that has been so tormented. The Iraqi Special Tribunal has been impaneled to bring swift and impartial justice to both the victims and the nation of Iraq. I urge Members to support H.R. 534, recognizing the importance and credibility of an independent Iraqi judiciary.

NATIONAL DEBT SURPASSES $8 TRILLION

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

Mr. CARDOZA. Madam Speaker, just 2 weeks ago, the national debt passed the $8 trillion mark.

This unfortunate milestone was the direct result of policies put in place by the leadership of this Congress and the Bush White House. Now our friends on the other side of the aisle want the Members of the Blue Dog Coalition to endorse their latest push to run the debt even higher.

This budget package should be called the ''Deficit Expansion Act.'' It would continue drowning America in red ink in order to finance new tax cuts for the wealthy and privileged. It is time for a real strategy for fiscal responsibility, not more of the same.

The Blue Dog Coalition has put forward a comprehensive, 12-step plan that would dig America out of this fiscal mess. Our proposal includes commonsense reforms such as reinstating PAYGO rules and discretionary spending caps.

I strongly urge my colleagues in Congress to take immediate action on the debt by embracing real bipartisan reform.

A SALUTE TO VETERANS

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

Mr. STEARNS. Madam Speaker, this Friday, Americans will observe Veterans Day, a special day of national observance that we have set aside to remember our veterans and their sacrifices.

The 50 million Americans who have served our country since the American Revolution have done more than just protect our national security. They fought for our freedom, and in so doing, our veterans have provided a shining example for the millions of Americans who followed in their footsteps.

In my own family, my father served in the Navy during World War II in the Pacific theater. He was in the Iwo Jima campaign and was awarded the Bronze Star.

Nearly 2 million veterans live in my home State of Florida. Thousands of my fellow Floridians have served or are on active duty in Afghanistan and Iraq. Some of these soldiers have made the ultimate sacrifice and many have suffered grievous wounds. I salute these brave men and women.

Madam Speaker, may God bless our veterans, their families, and this great Nation.

REPUBLICAN CUTS TO FOOD STAMP AND OTHER AGRICULTURAL PROGRAMS

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

Ms. WATSON. Madam Speaker, this week, Republicans will bring a budget reconciliation bill up that cuts critical Federal programs that directly affect the lives of everyday Americans, all so they can turn around and cut taxes that primarily benefit America's millionaires.

Among the proposals they will bring and will try to force through are dramatic cuts in food assistance programs to our most vulnerable. According to the CBO, the Republican food stamp cuts would knock nearly 300,000 Americans off nutritional assistance programs. Included in that number are 40,000 children who would no longer receive either free or reduced-price school lunches.

No other group has benefited more from 5 years of Republican domination in Washington than those who are the wealthiest in our Nation, and now Republicans want to take school lunches away from 40,000 children so they can provide America's millionaires another tax break.

These children desperately need the nutrition provided in school lunches. It is cruel, and this bill must be defeated.

HONORING OUR VETERANS

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

Mr. GINGREY. Madam Speaker, I also rise today to pay tribute to America's veterans, whose brave efforts have safeguarded those values we hold dear: freedom, liberty, democracy, and the American way of life.

This week, as we celebrate Veterans Day, I hope all Americans will take the time to thank a veteran for his or her service to our country.

From our Nation's founding days, we have appreciated and recognized the sacrifices and valor of our veterans. General George Washington noted in 1776 that American soldiers ''have done all I have asked you to do, and more than can be reasonably expected.'' Our veterans today rise to this same challenge.

America's veterans fought to preserve our great Nation, to liberate the oppressed, and to hold fast to the idea that freedom and liberty are universal rights worth fighting and, yes, sometimes dying for.

I want to thank all of our veterans for their selfless service. From Omaha Beach and the Pacific seas, to the jungles of Vietnam and the sands of the Middle East, we live every day with the gift of liberty because you secured our freedom and the freedom of generations to come.

BLUE DOGS STAND FIRM AGAINST REPUBLICAN BUDGET CUTS

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

Ms. HERSETH. Madam Speaker, I too stand united today with my fellow Blue Dog Democrats in opposition to the majority's budget reconciliation decisions. Blue Dogs have consistently stood for fiscal responsibility, balanced budgets, and an honest, open, and accountable budget process.

So why would Blue Dogs support a proposal that is part of a budget reconciliation package that will increase the deficit, not lower it? Why would we

be in support of a budget reconciliation package that is part of a broken budget process in need of serious reform? And why would we support a budget reconciliation process that is part of an overtly partisan failed strategy, a strategy that will fail the House majority leadership and would fail the American people if Blue Dogs did not stand firmly against it.

I encourage my colleagues on both sides of the aisle to stand firmly against it as well and vote ''no'' on the budget reconciliation bill.

DEFICIT REDUCTION ACT A GOOD FIRST STEP FOR AMERICA

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

Mr. PENCE. Madam Speaker, earlier today, my good friend RAHM EMANUEL, a Democrat from Illinois, said, ''Tomorrow the House will vote on America's future, with an $8 trillion national debt and with a Congress that spent $60 billion in 6 days without a thought as to how we were going to pay for it.'' I could not agree more.

The gentleman from Illinois went on to say, ''Where else could we cut food stamps and Medicaid?'' and he answered, ''With a Republican Congress'' and a lament.

And I would ask, where else but in Washington, DC could a deficit reduction act that actually increases entitlements by 6.3 percent, instead of the planned 6.4 percent, be called a cut? The budget cuts we will pass tomorrow, let me say again, will still increase spending in Medicaid student loans and aid to dependent families. As a conservative, as some of my Blue Dog colleagues have said, I do not think this deficit reduction act goes nearly far enough to do right by those children and grandchildren that we raise. But it is a good first step. It is a modest start in the direction of putting our fiscal house in order. I urge my Republican and Democrat colleagues of goodwill to support it.

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BUDGET RECONCILIATION

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

Ms. WOOLSEY. Madam Speaker, the Federal budget is about priorities. And with this budget, Republicans have their priorities all wrong. As an example, The Washington Post reports that young people from rural America are shouldering a disproportionate burden of the war in Iraq. Why? Rural Americans are increasingly willing to risk dying in this Iraqi quagmire to improve their chances of paying for college and getting a decent paying job.

More than 44 percent of military recruits now come from rural areas. Only 14 percent come from American cities. Also, many military recruits are financially strapped. Nearly 50 percent of them come from lower-middle-class to poor households. In 2004, nearly two-thirds of Army recruits came from counties in which median household income is below the U.S. median.

Why do I tell you this? Because the response of this Republican-led Congress is to impose $14.5 billion in deeper budget cuts in student aid. How does that add up?

REPUBLICAN PRIORITIES DEMAND SACRIFICE OF THE MANY, PROVIDE ENRICHMENT OF THE FEW

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

Mr. PALLONE. Madam Speaker, the Republican budget bill is not a document of our Nation's priorities. The Republicans are not listening to the needs of average Americans who want a fair budget and lower deficits.

Here are 10 quick reasons why this mean-spirited bill should be defeated this week. First, it takes from the poor and middle class to make the rich richer. Second, it includes the largest cuts in student loans in history. Third, it provides a $24 billion windfall to delinquent dads. Fourth, it destroys the pristine Arctic refuge and endangers our coastline.

Fifth, it worsens America's health status by cutting Medicaid by $12 billion. Sixth, it cuts safety-net funding for our most vulnerable children. Seventh, it takes school lunches away from 40,000 kids who desperately need the nutritional content that those lunches provide. Eighth, it fails to adequately fund vital support services for workers. Ninth, it adds insult to injury for farmers in the form of commodity cuts. And tenth, despite all these cuts, it still swells the deficit. And I stress, it still swells the deficit.

FISCAL FANTASY

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

Mr. KINGSTON. Madam Speaker, I was listening to some of this hysteria and rhetoric from the Democrat Party, and I wonder sometimes if they actually believe what their speech writers apparently give them. Obviously, they do not read it before they start giving the speech because they know food stamps are going up $250 million. It is not a cut. Medicaid is going up $66 billion. That is not a cut. Medicaid goes up 7 percent instead of 7.3 percent. That is what you need to be saying; we think it should be going up more than you guys, but admit, as we all know, Medicaid is going up 7 percent, $66 billion.

Yet in Washington, D.C., just like Disney World, there is a lot of fantasy around us. And the fantasy is that if you do not get the increase that you want, you can go out and have the New York Times and Washington Post say, yes, he is right, that is a cut because they are not going up 7.3 percent, they are going up 7 percent. We have a plan to reform government and create savings. Yesterday, the Democrat Party announced they would have no agenda for 2005. Well, surprise, surprise. It is only November. But when is the Democrat Party going to announce its alternative? I will ask that question. I hope somebody will answer.

A ROSE BY ANY OTHER NAME

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

Mr. BISHOP of Georgia. Madam Speaker, a rose by any other name smells just as sweet. And dung by any other name stinks just as much. A stinking bill that cuts spending for Medicaid, food stamps, student loans, foster care, child support, school lunches, and senior care by $54 billion and then cuts revenue taxes for folks earning $300,000 or more by $70 billion still leaves a stinking deficit of $16 billion. Add $7.1 billion for the cost of the President's flu initiative and $200 billion for gulf coast reconstruction and that grows to $223 billion.

This Republican reconciliation package is misnamed. It is actually a sham. Republicans have rejected the Blue Dog 12-point plan to cut deficit spending and now want to fool the American people. Madam Speaker, you can dress up a pig and call it a lady, but it is still a stinking pig. You can dress up a sham and call it deficit reduction; but it still says oink, oink, still stinks and is still a lie.

REPUBLICAN CUTS TO FOOD STAMPS

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

Mr. CROWLEY. Madam Speaker, I rise in opposition to the Republican cuts to food stamps under this reconciliation budget, an incredible total loss of $844 million, $844 million that comes directly from people in this country who are struggling to feed themselves and their families; $844 million from people who can least afford such a drastic cut. And once again, immigrant families are being treated particularly inhumanely by this Republican plan.

And let me be clear. We are talking about denying assistance to legal permanent residents, immigrants who play by the rules, support our communities, and serve in our military; immigrants who sacrifice so much to come here; immigrants who are frequently among the most vocal supporters of America and the American Dream. Under the Republican plan, 70,000 legal immigrant households will be denied food stamps for an extra 5 years.

But if the argument for supporting humane treatment of our immigrant population does not sway you, consider that many of these legal immigrant families include children, kids who are American citizens, kids who will be denied food stamps for an extra 5 years. If you do not see this as unconscionable, I do not know what you see as unconscionable. If you do not think this is un-American, I do not believe there is anything that is un-American more than this.

WHAT RECONCILIATION MEANS

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

Mr. BOYD. Madam Speaker, the Republican leadership has announced earlier that tomorrow we will vote on budget reconciliation. I wanted to understand better what reconciliation meant, so I went to Webster. And let me read to you what it means to reconcile: to restore to friendship or harmony; secondly, to make consistent or congruous; thirdly, to check a financial account against another for accuracy. That is Webster. The Republican budget reconciliation certainly does not restore friendship and harmony since they have been unwilling to include any Democrats, including our Blue Dog Coalition, in the discussion of this huge deficit problem. And it certainly does not make our financial accounts balance since it will increase our annual deficit by more than $16 billion. Under this administration and Republican leadership in Congress, our national debt has shot through the $8 trillion mark and continues to rise.

PAYGO PROPOSAL

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

Mr. COOPER. Madam Speaker, I think most folks back home want us to get along with each other in order to strengthen our Nation. Well, how can we best do that, especially at a time of contentious budget reconciliation? There is a simple proposal called PAYGO that is not theory; it has worked incredibly well. It worked from the year 1990 to the year 2002 when our friends on the other side of the aisle allowed it to expire.

How well did it work? Well, Alan Greenspan, the Chairman of the Federal Reserve, said it is the single most important thing we can do to right our fiscal ship. Pay-as-you-go means that if you want to spend more money, you have to find offsetting cuts somewhere before you can think about spending the new money. And it also means if you want to offer someone a tax cut, that is fine. Just figure out a way to pay for it. It is a simple and clear rule, and it guided our Nation into prosperity from 1990 to 2002.

Why can we not readopt that? It has proven to work and work well for all Americans and to strengthen our Nation. The Blue Dog Coalition has been more consistent in its support for the PAYGO provisions than any other group in Congress. Support PAYGO.

FISCAL RESPONSIBILITY

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

Mr. BERRY. Madam Speaker, I love coming down here and listening to these whiz bangs on the other side talk about their fiscal responsibility and all of this foolishness that they have put forth to the American people. It makes me want a dip of snuff. It is almost like they cannot add and subtract. I know they cannot multiply and divide. But the great mystery to me will always remain why in 5 years' time when they have increased the national debt by $3 trillion and demonstrated beyond a shadow of a doubt that they have absolutely no interest in being responsible, they would come here, present a budget that increases the debt by tens of billions of dollars more and try to tell the American people this is what you need; this is what we are going to do for you. You are going to have to answer to your children and grandchildren. And I would love to be there when they walk up to you and say, Grandmother, Grandfather, why did you do this to us?

RECONCILIATION PLAN

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

Mr. MELANCON. Madam Speaker, I cannot vote for this reconciliation plan for one very simple reason: Now is not the time to be cutting taxes for the wealthy in our country when the people of the ravaged gulf coast region receive silence and burdensome loans. I join my fellow Blue Dogs in opposition to this plan. Do the math: $54 billion in spending cuts minus $70 billion in tax cuts equals a $16 billion increase in the deficit. We give tax cuts to the rich and continue to run up the deficit, but continue to send loans to the people who need their government the most in the gulf coast region.

Our government must do just as President Bush said in Jackson Square, whatever it takes to rebuild. I agree with the President on rebuilding. But let me be clear. Cutting taxes for the wealthy while loaning money to the devastated communities along the gulf coast is the wrong course of action. Let us start sending real help to the people in need and stop sending millionaires refund checks.

STUDENT AID IN RECONCILIATION BILL

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

Mr. OLVER. Madam Speaker, tomorrow's reconciliation bill is a reckless attack on students attending college. Basically, the bill burdens students from low- and middle-income families with 33 percent higher debt to pay for tax cuts that benefit almost exclusively those whose income is over $200,000 a year. This bill cuts $14 billion from student aid by increasing interest rates and taxes on loans and charging students new fees.

The cost of college is skyrocketing, and it already leaves the average student $17,000 in debt. This bill would increase that debt by 33 percent. Many low- and middle-income students will no longer be able to afford college and their lifetime earning power will be reduced. Under the reconciliation bill, at least four students are going to start their careers burdened with added debt to pay for each millionaire's tax cut. And all this is being done so that the wealthiest 3 percent of Americans can have another huge tax cut.

REPUBLICAN RECONCILIATION BILL

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

Mr. DEFAZIO. The Republican reconciliation bill, pretending to finally bring a sense of fiscal responsibility to that side of the aisle, having increased our debt by 62 percent in 5 years, actually is bleeding middle-income families, kids who want to get a higher education, $14 billion out of student loans.

Those youngsters in the elementary schools are eating too much. Cut student lunches for those kids. Foster care, the family values side, long-term care for seniors. Why are they cutting all that? So they can bleed the poor and the middle class in this country. And then as they create this giant sea of red ink, they will float the yachts of the wealthy on it by giving them $70 billion in tax breaks, actually increasing the deficit, having already stuck it to the middle class and struggling families.

They are going to increase the deficit in order to finance tax cuts for people who earn over $300,000 a year so their yachts can be a little bigger and float a little higher. They should be ashamed of what they are doing to America and what they are doing to middle-income and struggling families.

□ 1045

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2419, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2006

Mr. HASTINGS of Washington. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 539 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 539

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2419) making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The gentleman from Washington (Mr. HASTINGS) is recognized for 1 hour.

Mr. HASTINGS of Washington. Madam Speaker, for the purpose of debate only, I yield the customary 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. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Madam Speaker, House Resolution 539 waives all points of order against the conference report and against its consideration.

The resolution also provides that the conference report shall be considered as read. The energy and water development appropriations conference report provides a total of $30.5 billion to fund the Army Corps of Engineers, Department of Energy, Department of Interior, the Bureau of Reclamation and several independent agencies for the current fiscal year.

The Bureau of Reclamation receives $1.1 billion to maintain and operate water infrastructure projects throughout the West.

The Department of Energy constitutes the bulk of the bill with funding of $24.3 billion. This represents a decrease of $129 million from fiscal year 2005.

Overall, the conference report represents a compromise between the House- and Senate-passed bills and deserves the support of my colleagues.

Madam Speaker, included in this bill are a number of projects and provisions of importance to my central Washington congressional district. The Bureau of Reclamation's budget provides $1.5 million to keep pace with a Federal study looking to add more water storage in the Yakima River basin and the potential of the Black Rock reservoir. Water storage is critical to the farmers and communities in this arid part of our Nation, and this year's drought made clear the importance of finding solutions for creating additional storage.

Funds were also provided for the Bureau of Reclamation to continue work to address the depletion of the Odessa Subaquifer on the Columbia Basin project, as well as needed improvements to the West Canal. Finding answers for farmers whose water supply is disappearing requires the active participation of the Bureau of Reclamation, and this bill continues the involvement that I was able to launch last year.

The final conference report also provides $18 million for the Department of Energy's budget for the transition of Pacific Northwest National Lab scientists and capabilities into new lab space. The buildings in which the scientists currently work are located in the Hanford site's 300 Area and will be torn down in the next few years to clean up this contaminated area.

The $18 million represents an increase of $10 million above DOE's budget request that I worked to add to make certain this effort remains on track and that construction activity can begin this year.

Ensuring the new lab space is ready and available before cleanup of Hanford requires the destruction of the scientists' current lab space is a top priority of mine, and I will continue to work hand-in-hand with the leaders of Pacific Northwest National Lab to make this happen.

This bill also funds the cleanup of the Hanford site. In February, I was disappointed with the Department of Energy's proposed funding for Hanford, and I have worked for months to restore some of that funding.

I am pleased that this bill provides increases above DOE's requested budget for several important cleanup projects in Hanford, including the River Corridor initiative, tank waste retrieval, groundwater protection, preserving the historic B Reactor, and continuing the important safety and training work of the Volpentest HAMMER facility.

There are very real cleanup successes being achieved at Hanford, and it is important to keep progress moving forward. This bill does, however, reduce funding for construction of the Waste Treatment Plant by $100 million, which is a reduction that DOE proposed. I have made my dissatisfaction with the situation created by the Department very clear, and I intend to keep pressing DOE to be open in providing answers on its plan for the Waste Treatment Plant.

DOE has repeatedly stated their commitment to building and completing the vitrification plant, and we simply cannot afford to have a lack of information from the Department create further challenges for this project.

Madam Speaker, this conference report comes to us with bipartisan support from the House-Senate conference committee, and I urge my colleagues to give bipartisan support for this rule and passage of the conference agreement.

Madam Speaker, I reserve the balance of my time.

Ms. MATSUI. Madam Speaker, I thank the gentleman from Washington 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. Madam Speaker, I look forward to today's consideration of H.R. 2419, which reflects much thought and long-term planning on behalf of the Committee on Appropriations. This year's energy and water bill means a great deal to my constituents in my hometown of Sacramento.

This year, we pointedly witnessed just how important the water funding included in the energy and water appropriations funding legislation is. And we must now embrace the lessons this year's unprecedented hurricane season have taught us about the essential need to invest in our Nation's flood control infrastructure, dollars that are necessary to examine, maintain and strengthen our levee and dam systems.

Federal officials must look expeditiously at the significant role infrastructure plays to reduce catastrophic loss in a flood event. I commend the committee for calling on the Corps of Engineers to identify and create a list of the Nation's 10 most critical water resource needs in the country.

While hurricane season has ended, the flooding season in Sacramento and all of California will begin shortly. And as I have consistently spoken about the unacceptable risk of flooding my constituents face, I am certain you understand the concern I have about this upcoming season. Despite years of dedicated efforts, Sacramento still remains one of the most flood-prone and threatened cities in the country, paling in comparison to the level of protection enjoyed by other river cities.

According to the U.S. Army Corps of Engineers, Sacramento's flood risk is among the highest of urban areas in the country. This bill makes a significant investment in Sacramento's flood reduction efforts. It keeps the region on track to achieve our short-term goal, through levee work, of reaching 100-year protection. Moreover, this legislation ensures our other projects move forward, through which Sacramento will more than double the current level of flood protection. This increased protection is essential.

With thousands of lives and the capital of the Nation's largest State at risk, the need for this critically important investment is clear. We cannot afford to delay this work. This legislation recognizes the immediate need for progress on our flood control by directing our Corps of Engineers and the Bureau of Reclamation to continue the collaborative work addressing improvements to Folsom Dam. On behalf of Sacramento, I appreciate their dedication to this goal.

Each of our flood control partners, the Sacramento Area Flood Control Agency, the Corps of Engineers, the Bureau of Reclamation, and the State of California, recognize the dire need for improved flood control and have personally invested in finding a solution; and I thank them for this. They, as I, who live in Sacramento, understand that lives are at risk and delays only add to our vulnerability.

I cannot proceed without also expressing my gratitude to the gentleman from Ohio (Mr. HOBSON), the gentleman from California (Mr. DOOLITTLE), and the gentleman from Indiana (Mr. VISCLOSKY). Their commitment to improving our Nation's water infrastructure is evident in this legislation. I thank both of California's Senators for their efforts on Sacramento and California's flood control needs. I appreciate Senator FEINSTEIN's leadership in the conference committee. To the energy and water appropriations staff, particularly Peder Maarbjerg and John Blazey, your long hours and hard work are much appreciated.

Their efforts reflect not only the incredible investments that must be made to improve our infrastructure across the Nation, but also an acknowledgment that we must wisely spend each dollar. This legislation adds new measures to ensure that the Corps manages each dollar efficiently.

To improve the execution of projects, the Corps is directed to develop a 5-year comprehensive budget plan and vision for water infrastructure in the country to comprehensively integrate financial planning and project management. Further, while the Corps will still have the flexibility to occasionally shift project funding as needed, the Corps will no longer be able to consistently use this practice.

By working together, the Congress, the administration, and the Corps of Engineers will be better prepared to ensured that limited Federal resources are spent efficiently, commitments to local sponsors are honored, and projects remain on schedule.

This bill moves our country forward on many levels, from improving local water infrastructure to bigger-picture Corps of Engineer financial management and efficiency issues.

In light of the realities our Nation faced this year, I hope Congress will continue this commitment to public safety and significantly invest in water infrastructure. I strongly support the underlying conference report and look forward to voting in support of the measure.

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

Mr. HASTINGS of Washington. Madam 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. The question is on the resolution.

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

Mr. HASTINGS of Washington. 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 question will be postponed.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. GINGREY. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 538 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 538

Resolved, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. GINGREY) is recognized for 1 hour.

Mr. GINGREY. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

House Resolution 538 waives all points of order against the conference report and against its consideration and provides that the conference report shall be considered as read.

Madam Speaker, I rise today in support of House Resolution 538 and the underlying conference report for H.R. 2862, the Science, State, Justice, Commerce and Related Agencies Appropriations Act of 2005. This conference report provides $57.85 billion, $2.5 billion less than the President requested, to fund the Departments of Justice, Commerce and State along with NASA, the National Science Foundation, the Federal Communication Commission, FCC, the Securities and Exchange Commission, SEC, the Legal Services Corporation, and the Small Business Administration, SBA.

□ 1100

In recognition of the continual requirement to reassess our security and law enforcement needs, this conference report establishes responsible priorities to enable law enforcement to meet threats abroad and at home in order to secure our communities.

Madam Speaker, this conference report provides $5.8 billion for the FBI, an increase of $547 million above fiscal year 2005 and $15 million above the President's request. It provides $1.7 billion for the Drug Enforcement Agency, the DEA, and this is a $48 million increase above fiscal 2005, and it is $8 million below the President's request.

It provides $802 million for the United States Marshals Service, and this is an increase of $42 million from fiscal year 2005 and actually $12 million above the President's request.

Additionally, included in the conference report is $924 million for the Bureau of Alcohol, Tobacco, Firearms and Explosives, an increase of $41 million above fiscal year 2005, and it is the same as the President's request.

Further, this conference report contains $2.7 billion for assistance to State and local law enforcement for crime-fighting initiatives, $1.1 billion above the President's request and actually $287 million below fiscal year 2005.

This amount includes $405 million to reimburse States for criminal alien detention costs, $387 million for violence against women prevention and prosecution programs, $416 million for the Edward Byrne Discretionary Grants program, $340 million for juvenile delinquency prevention and accountability programs. It includes $109 million to eliminate DNA analysis backlogs, $140 million for law enforcement technologies and interoperability, $64 million for methamphetamine hotspots, and $40 million to reduce gang violence.

Madam Speaker, this conference report appropriates $6.6 billion for the Department of Commerce, marking a decrease of $37 million from fiscal year 2005 and a $2.9 billion increase from the President's request.

Recognizing the importance of space exploration that has fascinated minds for generations and provided many breakthrough technologies, this conference report matches the President's request of $16.5 billion to NASA, the National Aeronautics and Space Agency, and this is $260 million above fiscal year 2005. The bill provides funding for space exploration and the space shuttle program, restoring the aeronautics research program. Additionally, the National Science Foundation would receive $5.65 million of much-needed funding to drive American research and education, thereby keeping this country on the cutting edge of advanced technology and research.

This conference report also provides $9.6 billion for the State Department and the Broadcasting Board of Governors, including $1.6 billion to continue worldwide security improvements and replacement of vulnerable embassies; $4.4 billion for diplomatic and consular programs; and $652 million for international broadcasting, including expanding broadcasting to the broader Middle East.

Finally, Mr. Speaker, this conference report includes $456 billion for the Small Business Administration, $290 million for the Federal Communications Commission, $888 million for the Securities and Exchange Commission, and $331 million for the Legal Services Corporation.

While this conference report is not perfect, all in all it adds up to better protection for our communities, stronger law enforcement at home, more vigorous diplomacy abroad, and improved scientific research and technology. This is the kind of fundamental

support that Americans expect from this Congress. These are true national priorities, balanced with our budgetary restrictions and with fiscal responsibility in mind.

Therefore, Mr. Speaker, I would like to ask my colleagues' support of the rule and the underlying conference report.

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

Mr. MCGOVERN. Mr. Speaker, I want to thank the gentleman from Georgia (Mr. GINGREY) for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Mr. MCGOVERN. Mr. Speaker, with the passage of this rule, this House will consider the Science, State, Justice, Commerce and related agencies appropriations conference report for fiscal year 2006. I want to begin by congratulating the gentleman from Virginia (Mr. WOLF), the chairman of the subcommittee, and the gentleman from West Virginia (Mr. MOLLOHAN), the ranking member, for working together to create a bill that seems to be a fair and responsible piece of legislation.

Mr. Speaker, I believe that budgets are moral documents, and where and how we decide to spend the taxpayers' money says more about our values as a society than any speech or political rhetoric possibly could.

This conference report, among other things, rightfully retains language included in the House-passed bill that prohibits funds being used to support or justify the use of torture by the United States Government. Despite the rhetoric coming from the White House, this language is both necessary and appropriate.

As the most powerful democracy in the history of the world, we have a moral responsibility not only to promote the expansion of our democratic values around the world, but perhaps most importantly, to demonstrate our commitment to them through our own practices and in the legislation we pass here in the Congress.

One of the most dramatic and significant tests of that commitment is before us today in the debate over our own use of the abhorrent practice of torture. The United States of America, as the leader of the free world, cannot and must not engage in a behavior which has been condemned around the world by the international community. To engage in such a heinous practice is a betrayal of our own values as defenders of freedom and liberty.

The fact that those who would seek to take away our freedom and the freedom of others utilize such techniques is in no way a justification here.

As a matter of the highest national security, we must openly and outright reject the use of torture as a means of achieving military victory in this or any other war. Our ideals as a Nation demand nothing less. Indeed, the fact that we must even engage in this debate on the House floor is indicative of the deep crisis of conscience which has embroiled the White House.

Senator JOHN MCCAIN is working hard to build on the language in this conference report with regard to torture and include language in the DOD authorization bill prohibiting the use of torture and to make real and meaningful policy changes. His amendment is important. It is broadly supported and should be signed into law as soon as possible.

It is disconcerting that, as we speak here today, the White House is fighting Senator MCCAIN and others who support his initiative every step of the way. Senator MCCAIN certainly knows a lot more about the reality of detention and torture and the ineffectiveness of torture than the President, the Vice President, or the Secretary of Defense.

The recent revelation that the United States has secret prisons around the world and that there is no accountability or there is no oversight of what goes on in those prisons, quite frankly, is a national scandal.

This is not what America is about. This is not what America stands for, and the sad reality is that the reckless behavior of this administration when it comes to torture has put our own soldiers in more jeopardy.

Mr. Speaker, America can do better; and once we pass this conference report, I hope we will all join in a bipartisan way to support Senator MCCAIN's effort to ban torture as a policy for this country once and for all.

Mr. Speaker, I am disappointed that the conferees once again stripped the Sanders provision from this bill that would have prevented funds in the bill from being used to implement provisions in section 215 of the PATRIOT Act. These provisions permit searches of library circulation records, library patron lists, book sales records, or book customer lists.

This amendment passed by a vote of 238–187, yet the Republican leadership has decided to strip it out of the bill. This is wrong and these provisions, like so many others in the PATRIOT Act, quite frankly should be stripped out of the bill as well.

Mr. Speaker, the American people do not want this provision. A majority in this Congress do not want this provision, and yet somehow it managed to basically be null and voided in the conference committee.

Finally, Mr. Speaker, this conference report includes language prohibiting the White House from blocking the importation of discount prescription drugs through trade agreements. That means that the White House cannot subvert the House's authority by preventing the American people from having access to life-saving, affordable prescription drugs. I strongly believe that access to affordable medication and health care should be a right in this country and not the fodder of a political power struggle. Health care should be a right in the United States of America and not a privilege.

I applaud my colleagues in both Houses for demonstrating the rare political will to constrain the power of this White House in the interest of protecting the American people.

Mr. Speaker, as I said before, budgets are moral documents, and this budget is a statement of America's principles. The level of funding the committee had to work with is woefully small because of the fiscal ineptitude of the Republican leadership in Congress and the Bush administration. Their policy of tax cuts for the rich and a continual growing of the Federal deficit has forced important programs like legal services for the poor and COPS funding to be cut. This is irresponsible, and this does not reflect the wishes and values of the American people.

With that, Mr. Speaker, let me once again commend Chairman WOLF and Ranking Member MOLLOHAN for making the best out of a bad situation. I appreciate their help and their hard work.

Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. DOGGETT).

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

Mr. Speaker, this bill fails the tens of thousands of Texans living along the Lower Rio Grande River Valley. It is difficult to fault the conferees for this failure since they approved every dollar requested by President Bush and his Administration for flood prevention, but this Administration appears to have learned absolutely nothing from the Hurricane Katrina disaster when it comes to protecting poor people from being inundated by the failure of defective levees.

Along the Rio Grande River in the Valley, we have some 270 miles of levees and numerous drainage structures and floodways that are meant to protect our citizens from flooding. All of this levee infrastructure, every bit of the levees, is not city, it is not county, it is Federal infrastructure.

The United States Section of the International Boundary and Water Commission (IBWC) is a tiny Federal agency based in El Paso, Texas, and it reports through the Department of State, through Secretary Condoleezza Rice here in Washington, to the President. Its director is appointed by the President. It was originally set up to define and protect the boundary between the United States and Mexico. Now it has responsibility for seeing that the levees under its jurisdiction protect the Valley's growing population, which includes one of the poorest populations in the United States.

Only the Federal Government can change, alter, or improve these levees. The dozens of local governments, the businesses, the homes of tens of thousands of American citizens are all at risk when the Federal administration shirks its responsibility to protect them as this one has done.

In New Orleans, we saw levees breached at a terrible cost, suffered by many, but a cost particularly borne by the poorest citizens of that city.

In the Valley, as in New Orleans, the Federal Government cannot justifiably claim that ''nobody anticipated a breach of the levees,'' as President Bush mistakenly declared on September 1 of this year, in offering his first of many excuses about the Katrina disaster.

In June of 2003, the IBWC itself, the Federal agency in the Bush Administration with the expertise and the sole responsibility for these levees along the Rio Grande, issued its report entitled ''Hydraulic Model of the Rio Grande and Floodways.''

□ 1115

It concluded that a 100-year flood, the type that could be produced by a hurricane with far less punch than Katrina, will result in the levee system being overwhelmed along many river miles at a variety of locations. This is the type of flooding that will shut down the McAllen-Miller International Airport, affect the international trade zone and bridges, and will inundate thousands of homes and businesses, endangering people across the Rio Grande Valley.

Nor do the similarities between the Rio Grande Valley and New Orleans end with the deficient preparation of the infrastructure that this bill fails to address. After Katrina, we learned that positions at the Federal Emergency Management Agency, FEMA, were filled with political cronies. Less well-known, but equally important, indeed more important to my constituents in Texas, are the findings that were made this year concerning President Bush's appointment of the Commissioner of the U.S. International Boundary and Water Commission, who recently departed. His appointee, who had responsibility for these levees and the protection of thousands of Texans, was criticized earlier this year by the General Accountability Office as ''rewarding long-time friends with ranking positions'' and ''provoking a hemorrhage of qualified personnel, personnel who protect against floods, monitor the safety of water, and assure back-up electrical power for Texas.''

Sounds a lot like the great job that Ol' Brownie did. And as the painful footage of Katrina shows, the price to be paid by Americans is grave indeed.

We know that sea levels are rising around the world, and the Gulf of Mexico has entered a cycle of intensified hurricane activity: Katrina, Wilma, Alpha, Beta, so many hurricanes we ran out of names for them. But for the grace of God, had they headed toward the mouth of the Rio Grande River, we would be seeing on the evening news flood victims in Hidalgo, in McAllen and in Mission being rescued. Yet, despite repeated calls for action, the Bush Administration did not add one thin dime to its construction budget in this bill to protect our Valley residents.

This is a chart right out of the IBWC's own report showing by color, 6 feet in purple, 6 feet over the top of the existing levees with a major flood. Five to 6 feet, all this red, 2 to 3 feet over the top of the levees. What is going to happen to the City of Hidalgo? What is going to happen to all the businesses and homes and tens of thousands of people who live in this area if we do not provide an adequate amount of funding to repair the levees?

This bill approves every dime the President asked for, but he is failing the Texas Valley. He is failing to learn the lessons of Katrina and protect the people of the Rio Grande Valley, who live in the poorest statistical metropolitan area, McAllen-Mission, in the entire United States. The Federal Government is failing to meet its responsibility to provide them the security that the people of New Orleans did not have.

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

Mr. MCGOVERN. Mr. Speaker, let me close as I began today by pointing out to my colleagues that this conference report prohibits funding from being used by the United States Government for torture. We need to make this the absolute policy of our country.

Friday is Veterans Day, and we need to do everything we can to honor our veterans, but we can honor our veterans in part by doing everything we can to protect the soldiers who are now on the field, and that must mean making torture something that this country will never be part of.

I am horrified, quite frankly, by the behavior of the White House on this issue. They attempted to try to undermine what Senator MCCAIN has tried to do in the Senate and what some of us have tried to do here in the House. Those who believe that torture should have no place in America or American society are frustrated by what the White House is trying to do. We are a much better country.

The U.S. Army Manual bans torture, prohibits it. And one of the reasons why is because those who are in the military understand that it jeopardizes the lives of Americans, of American soldiers. How do we demand that the international laws be respected and that if one of our citizens was taken as a prisoner that they not be abused or tortured if it is not the policy of this country to prohibit torture in any shape or form? We need to do better, Mr. Speaker.

I will just conclude by saying that I urge my colleagues to support this bill. We do not have any problem with the rule. But I would also urge my colleagues, once this bill is passed, to join with those in the Senate in a bipartisan way to prohibit torture once and for all. This should not be part of America. We are much better than this. We do not stand for that. And if the White House does not get the message, we need to force the issue and to send them a bill that in fact has this prohibition in it.

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

Mr. GINGREY. Mr. Speaker, I agree with my colleague, the gentleman from Massachusetts, regarding some of the statements he made about torture. Certainly the provision in this bill concerning that prohibits funds, as he pointed out, from being used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government. I know the gentleman was not suggesting that this President or any Member of this Congress condones torture.

Mr. Speaker, I had the opportunity, not once but twice, to visit the detention facility at Guantanamo Bay, and on each occasion I was accompanied by a Member from the other side of the aisle, a respected Democratic member on the Armed Services Committee. This was long before, Mr. Speaker, the occurrence at Abu Ghraib in Baghdad. Again, I say I went on two different occasions and at no time did I see any evidence whatsoever of torture.

What I did see was the International Committee of the Red Cross there interviewing the detainees in privacy, without any detention officers or any member of our military present. So these detainees had every opportunity to complain, and certainly complain they did.

I know as a matter of fact, Mr. Speaker, that a number of our troops were reprimanded because they overreacted on occasion when they were cursed and spat upon and had human excrement, feces, and urine tossed in their face. But this is not cruel and inhumane punishment.

I know the gentleman from Massachusetts is a great advocate of human rights, and I think he is right on what he is standing up for. And, again, the unfortunate occurrence at Abu Ghraib at Cellblock 1 on the night shift by a few miscreant Reservists is deplorable and intolerable, and it will not be tolerated. I know that our military responded and responded in the correct way. So, certainly, I just want to say I agree with the gentleman on his comment that we cannot tolerate that.

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

Mr. GINGREY. I yield to the gentleman from Massachusetts.

Mr. MCGOVERN. Mr. Speaker, I thank the gentleman for yielding. Again, my point is that if in fact we can all agree that torture is abhorrent and something that should not be part of this society, then I hope we can all in a bipartisan way support the effort of Senator MCCAIN, who wants to make it the policy of this land.

My problem with the White House, quite frankly, is that I am puzzled why they are trying to lobby to undermine what Senator MCCAIN is doing. I am also quite frankly shocked by the recent revelations in the Washington

Post about these secret prisons that we have all over the world where really, basically, there is no accountability.

So my point is, if we can all agree that this is wrong, let us make it the absolute law of this land and comply with what the U.S. Army Manual says and support Senator MCCAIN in his efforts. And I hope we can do that in a bipartisan way, and I thank the gentleman.

Mr. GINGREY. Reclaiming my time, Mr. Speaker, I will simply close by recognizing the hard work and the incredible effort of Subcommittee Chairman WOLF and all of the House and Senate conferees. Reconciling differences between the two Chambers is rarely a simple task, but I believe they have once again risen to the occasion and they have produced a conference report that may not please everybody with everything, but it gets the job done by appropriately balancing our spending needs with our budget.

Mr. Speaker, the American people demand and they expect responsible spending to support law enforcement, strengthened diplomacy which builds upon our competitive edge. Today, it is my hope that we have delivered. So I ask my colleagues for their full support of the rule and this underlying bill.

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. PETRI). 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, further proceedings on this question will be postponed.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, one of his secretaries.

PROVIDING FOR CONSIDERATION OF H.R. 1751, SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT of 2005

Mr. GINGREY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 540 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 540

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. 1751) to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes. 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. All points of order against the committee amendment in the nature of a substitute are waived. 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.

The SPEAKER pro tempore. 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 purposes of debate only.

Mr. Speaker, House Resolution 540 is a structured rule which provides 1 hour of general debate equally divided and controlled by the chairman and the 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 and shall be considered as read. It waives all points of order against the committee amendment in the nature of a substitute.

□ 1130

It makes in order only those amendments printed in the Rules Committee report accompanying this resolution. It provides that the amendments made in order 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. It shall not be subject to amendment or a demand for division of the question in the House or in the Committee of the Whole. It waives all points of order against the amendments printed in the report and provides one motion to recommit with or without instructions.

Mr. Speaker, I rise today to speak on behalf of House Resolution 540 and the underlying bill, H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005.

First, I want to extend my gratitude to the gentleman from Wisconsin (Chairman SENSENBRENNER) of the Committee on the Judiciary. I also would like to thank the ranking member, the gentleman from Michigan (Mr. CONYERS) as well as the gentleman from Texas (Mr. GOHMERT), the author of this important piece of legislation.

As I previously noted in my opening statement for the rule on H.R. 420, the Lawsuit Abuse Reduction Act of 2005, this past month has ushered in the passage of very meaningful and very significant legislation to reform and strengthen our courts both procedurally and substantively. Today we have an opportunity to strengthen our courts in a more literal sense by protecting them against a rising tide of violence that has harmed and claimed the lives of innocent individuals charged with enforcing and upholding our laws.

It was only a number of months ago that tragedy struck the Fulton County courthouse in Atlanta, my home State of Georgia. There, as most of America watched and sorrowfully remember, on March 13 a cold-blooded killer took the lives of four innocent people, forever robbing their families and depriving our legal system of the distinguished service of Fulton County Superior Court Judge Rowland Barnes, age 64; his court reporter, Julie Anne Brandau, age 46; Fulton County Sheriff Deputy Hoyt Teasley, age 43; and Federal agent David Wilhelm, age 40.

Mr. Speaker, law and order, not violence, should permeate our courts. Accordingly, H.R. 1751 would take important steps to deter and punish those who would exact revenge because they were caught in a criminal activity.

First, this bill will further punish any individual who would seek to influence, impede, or retaliate against a judge, a prosecutor, a law enforcement officer, or their families by increasing the penalties and providing new mandatory minimums such as 30-years-to-life mandatory minimum for kidnapping.

Additionally, each and every day men and women in law enforcement and public safety across this country proudly don their uniforms, fully recognizing that they represent their cities, States and their country; and they

proudly assume a substantial amount of personal risk to do so.

Therefore, H.R. 1751 would establish as a new category of criminal offense the killing, the attempted killing, or conspiracy to kill any public safety officer for a federally funded public agency. This legislation defines ''public safety officer'' as an employee or officer of the judiciary, a firefighter, a law enforcement officer, or any other State or local employee.

This bill would also crack down on the disclosure on the Internet of personal information of judges, court personnel, law enforcement and safety officers, jurors, and witnesses.

Mr. Speaker, I would also like to emphasize H.R. 1751's protections for jurors, witnesses, victims, and informants. The reality is that criminals or their associates can have the means to intimidate victims, and especially witnesses, essentially muscling them out of the courtroom. Accordingly, this bill goes a long way to ensuring the safety of witnesses and victims in order to keep their testimony in the court and keep the criminals behind bars.

This legislation expands the current framework between the United States Marshals Service and the Administrative Office of the United States Courts to facilitate consultation and cooperation in the development of security standards and requirements for our courthouses. It prohibits the possession of a dangerous weapon, including a firearm, in a Federal court facility; and it creates opportunities for State courts to improve security through discretionary Byrne grants.

Mr. Speaker, in recent debates, some of my colleagues have unfortunately called into question the importance of legal reform in this country to the point of insinuating that such reforms are not worth this House's time for consideration.

Well, Mr. Speaker, the judicial branch affects the lives of every single American and almost every aspect of American life from conception to natural death, and sometimes even after death. Therefore, I think legal reform has and will continue to be a very appropriate matter for consideration and a good use of this Congress' time, especially when we are dealing with the safety of those men and women involved with our all-important third branch of government.

Again, Mr. Speaker, I look forward to the consideration of this rule. I ask my colleagues to support it and the underlying bill.

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

Ms. MATSUI. Mr. Speaker, 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, I thank the gentleman from Georgia (Mr. GINGREY) for yielding me this time.

Mr. Speaker, the rule, H. Res. 540, will allow the House to take up legislation to protect Federal judges, court employees, safety officers, jurors, and witnesses.

Unfortunately, we are all aware of the tragic violence committed against judges and their families this year. In one case this past February, Judge Joan Lefkow, a Federal judge from Chicago, returned home to find her husband and her mother murdered. We later learned it had been a retaliation for a earlier court ruling. It is hard to comprehend such a senseless loss.

Clearly, the additional steps we are taking today are important to protect judges and their family members. H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005, increases the penalty for assaulting, kidnapping or murdering a Federal judge, other public officials, and their immediate family members. Further, the bill extends these protections to jurors and witnesses.

For our judicial system to function, the authority and safety of our Federal judges must be ensured. Judges, as well as jurors, should know they are free to make unbiased and sound decisions based on the facts and the rule of law and not on the fear that they may face retaliation for a decision they hand down.

It is equally important witnesses know they will also be secure when testifying. They must know that it is safe to do the right thing and testify before a court of law. For this reason, I appreciate that the Committee on the Judiciary included grants to assist States in operating the witness protection programs.

However, I do have some significant reservations about this legislation. Included in H.R. 1751 are over a dozen new mandatory minimum penalties.

Mr. Speaker, we must protect our judges from harm without impeding their judicial independence. It is the judges and juries who have the facts of each case before them, not Congress. And it is judges and juries who should be determining the proper and appropriate punishment.

Therefore, it should not surprise Members that the Judicial Conference of the United States, the body Congress turns to for nonpartisan recommendations on our Federal judiciary, has expressed a deep opposition to mandatory minimums on more than a dozen occasions in its communications to Congress.

Mr. Speaker, mandatory minimums simply do not work. Rather, they tie the hands of our judges, not allowing them to fit the best punishment to the crime.

I look forward to the debate on these amendments and the underlying legislation.

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

Mr. GINGREY. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Rules Committee.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule and the underlying legislation. I want to congratulate my friend from Georgia and my friend from California for their management of this issue.

I would like to say that the rule itself provides by a 2–1 ratio more amendments offered by Democrats than Republicans. Not every single amendment was made in order, as I see my friend, Mrs. MCCARTHY, here. I will say, as we regularly hear people say that the amendments the Democrats proposed are not given an opportunity to be heard on the floor, by a 2–1 margin, Mr. Speaker, we are seeing amendments made in order by Democrats over Republicans.

Specifically to the concern I know will be raised by the gentlewoman from New York (Mrs. MCCARTHY), we frankly upstairs had been under the impression that the language that she and the gentleman from Michigan (Mr. DINGELL) had proceeded through consideration, and I was wrong on that. I had gotten some incorrect information.

But I have talked with staff members of the Judiciary Committee; and I have an assurance, and while I know this amendment will not be made in order today, when it comes to looking at background checks and the history of individuals, this is a priority that the committee will put forward. They have assured me that they will proceed with hearings on this issue. I would like to say to my friend from New York who will raise concerns about this that is a priority that we have and we hope very much to address it.

Mr. Speaker, I would like to take a few minutes to talk about the legislation itself. I would like to begin by congratulating Chairman SENSENBRENNER and the gentleman from Texas (Mr. GOHMERT), who as a former judge is obviously concerned about the threats that have been out there for his former colleagues. I believe it is very important, when we think about the importance of the rule of law, which is absolutely essential, absolutely essential for the success of liberty, ensuring the safety of these judges who have continued to face threats, is very, very important for us to do.

Last night in the Rules Committee, our colleague from Texas (Mr. SESSIONS) referred to his father who was a judge, and as we all know, former director of the Federal Bureau of Investigation. He talked about those threats. He told me repeatedly about the threats that existed. This legislation, I believe, that Mr. GOHMERT has put together will go a long way towards addressing that concern.

I would like to talk about a very important provision that is included in this bill that enjoys strong bipartisan support. One of the serious problems with which we are all dealing is the issue of illegal immigration and the

problem we have of people who are in this country. We know 98 percent of them are here to simply feed their families, but we know there are people here in this country who perpetrate crime against our fellow citizens. We know there continues to be the existence of a threat that a terrorist could come here. We know that Mohammed Atta, one of those who flew a plane into the World Trade Center Tower on September 11, 2001, was, in fact, here illegally. So as we look at the issue of illegal immigration, focusing on criminals and potential terrorists is a very high priority.

One of the worst days for law enforcement in the Los Angeles County Sheriff's Department was April 29, 2002. That is 3½ years ago. On that day, Deputy Sheriff David March was on patrol. He pulled over for a traffic violation an individual who ended up putting a gun to Deputy March's head and brutally killing him.

□ 1145

The alleged killer, Armando Garcia, fled to Mexico, and it has been 3½ years, and we have not resolved that case.

Within just a few weeks of that April 29 killing in 2002, upstairs in the Rules Committee I convened a meeting of my colleagues, BUCK MCKEON, who represented the March family; KEN CALVERT, who was very involved in this issue and concerned about it. On the other side of the aisle, HOWARD BERMAN and ADAM SCHIFF, and we also had at that meeting, Mr. Speaker, representatives from the Mexican Embassy's judicial department within the embassy here; and we also had representatives from our Department of Justice.

Now, our concern has been a terrible provision that exists in Mexican law. It is actually constitutional, saying that the Mexican Government refuses to extradite a criminal who potentially could face the death penalty, and this is something that has existed for a long period of time. Something that was very unfortunate was that in September of 2001, the Mexican Supreme Court took steps to say that they refused to extradite an alleged criminal to a country or a state or a jurisdiction that had life imprisonment as the punishment because they considered that to be cruel and unusual punishment.

Mr. Speaker, it is horrible that they have that policy, and we need to do everything we can to change that policy. We need to encourage the Mexican Government to change that policy. Why? This does not have to do with something that took place in their country. It has to do with a crime perpetrated on U.S. soil. So I believe the Mexican Government should, in fact, extradite an alleged criminal who has perpetrated a crime here in the United States to face the punishment in the jurisdiction where the crime was perpetrated.

So what has happened here, Mr. Speaker, is that we want to ensure that we never see happen again what happened on April 29, 2002. And I should add that is not the only instance. We all know of many other instances where law enforcement officers have been killed and people have fled the country. But this case has become a very prominent one.

So I was approached by Los Angeles County Sheriff Lee Baca, and I was joined by my colleague Mr. SCHIFF, who serves on the Judiciary Committee; and we were asked to introduce legislation that would make it a Federal crime to kill a law enforcement officer and flee the country. We spent a great deal of time working with a wide range of organizations, and we have put together a package which I believe can allow us to do that without impinging on the local jurisdiction that we believe district attorneys should have in dealing with this issue. It does not in any way diminish the level of punishment. But what it does do, Mr. Speaker, is it puts the full force of the Federal Government behind an effort to ensure that we do not have happen again what happened on April 29 of 2002.

One of the things that I believe is important is to recognize that there are families that have suffered, and I have had the opportunity, through Sheriff Baca and through others, to get to know the family members of Deputy Sheriff David March. So, Mr. Speaker, H.R. 3900 is the legislation that ADAM SCHIFF and I introduced, and it is included as part of this very important court security measure that Mr. GOHMERT has offered, and I would like to name the provisions that are included calling for making it a Federal crime to kill a law enforcement officer in the name of Deputy Sheriff David March. And I spoke with Sheriff Lee Baca this morning about that, and I really feel that we are doing this in the name of David March to keep the memory of his life alive, the memory alive so that we can send a signal that we are not going to tolerate this kind of act in the future.

So, Mr. Speaker, we have here, again, a very important measure included in critical must-pass legislation, and I hope that my colleagues will join in providing bipartisan support for this measure.

Ms. MATSUI. Mr. Speaker, I yield 3 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY. Mr. Speaker, I thank the gentlewoman for yielding me this time.

I am very happy to hear from my colleague from California explaining the move last night on not allowing my amendment to be put forth; and I hope that, working with him and certainly Mr. SENSENBRENNER on the Judiciary Committee, we can move this bill forward.

H.R. 1751 goes to great lengths to punish those who commit violence in our courthouses, and rightly so. However, this bill falls short when it comes to preventative measures that would stop these senseless attacks from happening in the first place.

As was mentioned, last night I offered such an amendment in the Rules Committee. It would automate the court records into the National Institute Background Check System so recently convicted individuals could not buy a gun. The reason we want to do that, basically, is if a person is convicted and still not going straight to jail to prevent them from going out and buying a gun and coming back and doing harm, whether it is to a judge, a family, or a court officer.

Many State courts fail to enter this data into the NICS System in a timely manner, if at all. For example, the subject of a restraining order stemming from spousal abuse can leave the courthouse, go to a gun store, make a purchase, and seek revenge on the court officers.

My amendment would require that court rulings be immediately entered into the NICS System. It would provide grants to State courts that do not have the resources to comply. But my amendment was the only amendment not to be accepted by the Rules Committee, and we heard that wrong information had been given to Mr. DREIER, and I accept that. Those things happen.

All of us here want to save lives. I mean, that is what we want to do. We want to protect our men and women in uniform. We want to protect our court officers, our judges. This amendment certainly could have helped that. It would have made a good bill, in my opinion, a better bill.

So with that I hope that we will be here down the road soon, be able to offer my full bill because, again, this does not infringe on second amendment rights. It is there to protect people. It is there to save lives, and that is my goal.

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

Mr. GINGREY. Mr. Speaker, I would like to close in celebration of the men and women who put their lives on the line every day, whether by working the beat, extinguishing a four-alarm fire, or ensuring equal justice under the law by means of the gavel.

As I mentioned earlier, when these individuals put on their uniforms, they become representatives of the community in service of the community. They are not enforcing their own will; but they are, rather, seeking guidance from and working to uphold the laws of the land.

Mr. Speaker, while there are some individuals who are occasionally accused of abusing their power, the vast majority, the vast majority, of these civil servants are only doing their job admirably; and, therefore, there is absolutely no justification for an accused or guilty individual to ever attach their anger to or seek revenge against these individuals who are only doing their duty.

Unfortunately, the increase of violent activities against judges, and we talked about that here during this hour, court officers, witnesses, victims, and law enforcement has made this bill not only necessary but also a top priority in the preservation of our system of law and justice.

Mr. Speaker, I look forward to the discussion of H.R. 1751 and the numerous amendments this rule has made in order. As always, I urge my colleagues to support the rule and the underlying bill.

Mr. Speaker, I have no further requests for time, 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. PETRI). 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, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

House Resolution 539, by the yeas and nays;

House Resolution 538, by the yeas and nays;

House Resolution 540, 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.

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2419, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. The pending business is the vote on adoption of House Resolution 539 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 412, nays 2, not voting 19, as follows:

[Roll No. 577]

YEAS—412

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
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)
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, 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
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
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
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
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
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
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
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)

NAYS—2

Berkley
Porter

NOT VOTING—19

Berman
Blumenauer
Boswell
Brown-Waite, Ginny
Conaway
Davis (FL)
Diaz-Balart, L.
Fossella
Hastings (FL)
Jones (OH)
Kilpatrick (MI)
Millender-McDonald
Norwood
Solis
Strickland
Sweeney
Turner
Walsh
Young (FL)

□ 1220

Ms. VELÁZQUEZ changed her 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.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 577 on H. Res. 539 I was unavoidably detained. Had I been present, I would have voted "yea."

WAIVING POINTS OF ORDER AGAINST CONFERENCE REPORT ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore (Mr. ISSA). The pending business is the vote on adoption of House Resolution 538 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.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 23, as follows:

[Roll No. 578]

YEAS—410

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)

Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
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)
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, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
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
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
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
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
Souder
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
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)

NOT VOTING—23

Berman
Boswell
Brown-Waite, Ginny
Conaway
Davis (FL)
Diaz-Balart, L.
Emanuel
Fossella
Gonzalez
Hastings (FL)
Jefferson
Jenkins
Jones (OH)
Kilpatrick (MI)
Millender-McDonald
Norwood
Solis
Stark
Strickland
Sweeney
Turner
Walsh
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1229

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 578 on H. Res. 538, I was unavoidably detained. Had I been present, I would have voted "yea."

PROVIDING FOR CONSIDERATION OF H.R. 1751, SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT OF 2005

The SPEAKER pro tempore (Mr. ISSA). The pending business is the vote on the adoption of House Resolution 540 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.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 412, nays 0, not voting 21, as follows:

[Roll No. 579]

YEAS—412

Abercrombie
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
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)
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
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
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
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
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
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
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)

NOT VOTING—21

Ackerman
Berman
Boswell
Brown-Waite, Ginny
Conaway
Davis (FL)
Davis, Jo Ann
Emanuel
Fossella
Gonzalez
Hastings (FL)
Jones (OH)
Kilpatrick (MI)
Millender-McDonald
Norwood
Solis
Strickland
Sweeney
Turner
Walsh
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1238

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.

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 579 on H. Res. 540 I was unavoidably detained. Had I been present, I would have voted "yea."

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 2490. An act to designate the facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, as the ''Mayor Joseph S. Daddona Memorial Post Office''.

H.R. 3339. An act to designate the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the ''James T. Molloy Post Office Building''.

The message also announced that the Senate has passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 797. An act to amend the Native American Housing Assistance and Self-Determination Act of 1996 and other Acts to improve housing programs for Indians.

The message also announced that the Senate concurs in the amendments of the House to the text and title of the bill (S. 1713) ''An Act to make amendments to the Iran Nonproliferation Act of 2000 related to International Space Station payments.''.

GENERAL LEAVE

Mr. HOBSON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 2419.

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

There was no objection.

CONFERENCE REPORT ON H.R. 2419, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2006

Mr. HOBSON. Mr. Speaker, pursuant to House Resolution 539, I call up the conference report on the bill (H.R. 2419) making appropriations for energy and water development for the fiscal year ending September 30, 2006, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 539, the conference report is considered read.

(For conference report and statement, see proceedings of the House of November 7, 2005, at page H9813.)

The SPEAKER pro tempore. The gentleman from Ohio (Mr. HOBSON) and the gentleman from Indiana (Mr. VISCLOSKY) each will control 30 minutes.

The Chair recognizes the gentleman from Ohio (Mr. HOBSON).

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

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

Mr. HOBSON. Mr. Speaker, I am pleased to present to the House today the conference report on H.R. 2419, the Energy and Water Development Appropriations Act for Fiscal Year 2006.

The amount of funding included in the Energy and Water conference agreement is $30.5 billion. This represents an increase of $663 million over the enacted level for fiscal year 2005, including supplementals and approximately $748 million over the budget requests. Much of this increase is dedicated to the Civil Works program of the Corps of Engineers with the Corps receiving approximately $1 billion over the budget request.

The recent hurricanes have taught us a hard lesson about the dangers of neglecting the water resources infrastructure in this country. We have to make sure we provide sufficient funds to address the most pressing water resource needs in this country, and we have to make sure that the Corps follows the spending guides provided by Congress in executing those projects.

We have focused on funding on the most important flood control, navigation and dam safety projects and on completing projects that are already under way. That means that our conference report includes only a limited number of new starts and project authorizations.

Our conference agreement imposes stricter controls on the Corps over reprogrammings and continuing contracts. Within the Department of Energy, our conference agreement provides health funding levels for the major DOE programs. We advance initiatives on the recycling of spent nuclear fuel and on the Reliable Replacement Warhead, and we keep critical projects such as the Yucca Mountain Repository and the National Ignition Facility and the Mixed Oxide Fuel Fabrication Facility moving forward.

I really want to thank all my colleagues on the Energy and Water Subcommittee and in the Senate. I especially want to extend my appreciation to my ranking member and partner in this venture, the gentleman from Indiana (Mr. VISCLOSKY). He has been an exceptional partner in this effort, and I believe we are both proud of this very bipartisan bill. I also want to thank the staff on both sides of the aisle for their outstanding work this past year.

I urge the unanimous support of the House for the adoption of the conference report.

Mr. Speaker, I am pleased to present to the House today the conference report on H.R. 2419, the Energy and Water Development Appropriations Act for fiscal year 2006.

The total amount of funding included in the Energy and Water conference agreement is $30.5 billion. This represents an increase of $663 million over the enacted level for fiscal year 2005, including supplementals, and approximately $748 million over the budget request.

Title I of this conference report provides funding for the Civil Works program of the U.S. Army Corps of Engineers and for the Corps' Formerly Utilized Sites Remedial Action Program. The conference agreement provides the Corps with $5.4 billion in fiscal year 2006, slightly below the current year when last year's emergency supplemental appropriations are considered, but approximately $1 billion over the budget request.

The recent hurricanes in September and October should serve as a long-overdue wakeup call to both Congress and the Corps of Engineers about the importance of water resources infrastructure in this country. We have to make sure that we provide sufficient funds to address the most pressing water resource needs in this country, and we have to make sure that the Corps follows the spending guidance provided by Congress. We have to fund the right projects, we have to make sure the Corps completes those projects in a timely manner, and we have to make sure those projects perform as intended.

To that end, our top priority in this conference was to provide additional funding for essential water projects around the country. Of the additional $749 million that was available to our conference over the amount requested by the Administration, we dedicated $634 million of that increase to the Corps of Engineers.

As we have done in the last several fiscal years, we have attempted to focus those resources on the Nation's top water resources priorities. That means that we apply funds to projects that can be completed in fiscal year 2006. We asked the Corps to use its professional engineering judgment to provide us with a list of the top ten priority flood control needs around the country, and a list of the top ten navigation infrastructure needs as well. Unfortunately, the Corps was unable to provide us with anything other than the list of projects contained in the budget request, so we generally funded those critical flood control and navigation projects at the full amount of the request.

As in previous years, we also limit the number of new starts and the number of project authorizations contained in this conference agreement. However, the most significant change is not in the funding levels or the individual projects, but rather in the way the Corps manages those funds and executes those projects. The Corps has operated its Civil Works program with a large amount of flexibility in the past, with the freedom to move funding around from project to project. Unfortunately, that practice got out of hand, to where the Corps was executing 20,000 reprogrammings a year for a workload of only 2,000 projects. That is not sound financial management.

The problem was compounded by the Corps' excessive reliance on continuing contracts, whereby the Corps can commit the Federal government to multi-year contracts in advance of having sufficient appropriations in hand. These two practices, reprogrammings and continuing contracts, meant that the Corps was playing a shell game with the funding we appropriated, moving money around from project to project to cover obligations they had made in excess of available appropriations.

Our conference agreement brings that practice to an end, by imposing stricter controls over reprogrammings and continuing contracts. We put a lot of effort into negotiating sound allocations for water projects, and we expect the Corps to abide by those allocations in the future.

Funding for Title II of the bill, which includes the Central Utah Project Completion Account and the programs of the Bureau of Reclamation, is $1.065 billion, $47 million above the amount appropriated last year and $114 million above the budget request.

Total funding for Title III, the Department of Energy is $24.29 billion, $129 million above fiscal year 2005 and $77 million below the budget request.

Our conference agreement provides healthy funding levels for the major Department of Energy programs. Energy Supply and Conservation is funded at $1.83 billion, an increase of $24 million over the current year and $81 million over the request. This amount includes significant increases in weatherization assistance and research on nuclear energy and electricity transmission and distribution. Fossil Energy research and development programs are funded at $598 million, an increase of $107 million over the request. This amount includes $18 million for FutureGen and $50 million for the Clean Coal Power Initiative.

Non-defense environmental cleanup activities are funded at $353 million, an increase of $3.3 million over the request. The Uranium Enrichment Decontamination and Decommissioning Fund receives $562.3 million, an increase of $67 million over the current year and a decrease of $29 million below the request. Defense Environmental Cleanup programs are funded at $6.19 billion, an increase of $177 million over the request. Of this amount, $157.4 million represents the cleanup of facilities of the National Nuclear Security Administration (NNSA), initially proposed in the budget request for transfer from Environmental Management to the NNSA. The conference report provides $526 million for the Hanford Waste Treatment and Immobilization Plant, a decrease of $100 million from the request.

The conference agreement provides $3.633 billion for the DOE Office of Science, an increase of $33 million over the current year and $170 million over the request. This amount includes an additional $30 million for advanced scientific computing, to accelerate the development of a leadership-class supercomputer for scientific applications.

For nuclear waste disposal activities, the conference agreement provides a total of $500 million, including $450 million for work on the Yucca Mountain repository and $50 million to initiate planning and a competitive site selection process for one or more integrated spent fuel recycling facilities. It is essential to continue development of the Yucca Mountain repository, but it is also essential to pursue alternative approaches to spent nuclear fuel so that we do not have to develop eight more repositories by the end of this century.

The conference agreement provides a total of $9.2 billion for the National Nuclear Security Administration (NNSA), an increase of $217 million over the current year but a decrease of $201 million from the request. This decrease compared to the request results largely from the cleanup responsibilities for NNSA sites and facilities, which were proposed in the budget request for transfer to the NSSA but were retained in Environmental Management in the conference agreement.

The conference agreement does not include funding for the Robust Nuclear Earth Penetrator but provides significant increases for the development of the Reliable Replacement Warhead. Additional resources are provided to accelerate the consolidation of special nuclear materials into a smaller number of secure sites, and to accelerate dismantlement of obsolete nuclear weapons. The conference agreement includes the requested amount of funding for construction of the National Ignition Facility.

Defense Nuclear Nonproliferation activities are funded at $1.6 billion, an increase of $138 million over the current year and $6 million below the request. This amount includes sufficient funds for the Mixed Oxide Fuel Fabrication Facility at Savannah River to proceed into construction in fiscal year 2006.

Funding for Title IV, Independent Agencies, is $271.1 million, a decrease of $18.2 million from last year and an increase of $36.9 million above the budget request. We have funded the Appalachian Regional Commission at $65.5 million, the same as the request. The Delta Regional Authority is funded at $12 million, an increase of $6 million over the request and over the current year. The conference agreement provides $50 million for the Denali Commission, a decrease of $16 million below the current year and $47 million over the budget request. The conference agreement provides $734 million for salaries and expenses of the Nuclear Regulatory Commission (NRC), an increase of $77 million over the current year and $41 million over the request. This additional budget authority is provided for NRC work on licensing new reactors and for increased security assessments.

I want to thank my Senate counterpart, Chairman PETE DOMENICI, and his ranking minority Member, Senator HARRY REID, for their hard work during this conference. I especially want to extend my appreciation to my ranking member, the Honorable PETE VISCLOSKY of Indiana, who was at my side during this entire process. I truly value his support and advice, and that of all the Members of our Energy and Water Subcommittee. I believe we are all proud of this bipartisan product.

Mr. Speaker, before I conclude I would also like to thank the staff for their help in shepherding this bill through the House and through conference with the Senate. The Subcommittee staff includes Kevin Cook, John Blazey, Scott Burnison, Terry Tyborowski, Tracy LaTurner, and our detailee from the Corps of Engineers, Taunja Berquam. I also want to thank Kenny Kraft of my staff, and Dixon Butler of the minority staff, and Peder Maarbjerg and Felicia Kirksey of Mr. VISCLOSKY's staff.

I urge the unanimous support of the House for adoption of this conference report.

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

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

Mr. Speaker, I recommend that all Members join me in supporting this conference agreement. Its presentation has been bipartisan, and the chairman has been fair throughout his preparation. I would also join the chairman in adding my appreciation to the staff led on the majority side by Kevin Cook. He is joined by Terry Tyborowski, John Blazey, Scott Burnison and Tracy LaTurner. They are a very strong team.

On the minority staff, I would like to thank Dixon Butler. This year we have two of the finest detailees ever from the Army Corps, Taunja Berquam helping with the majority and Felicia Kirksey helping with the minority. I would also thank Kenny Kraft on Chairman HOBSON's staff as well as Peder Maarbjerg on mine.

Conference negotiations this year were protracted and their favorable resolution required both patience and firmness in pushing for positive reforms of the Corps of Engineers management practices.

I want to thank Chairman LEWIS as well as Ranking Member OBEY for their steadfast support in getting this done.

As I said in my remarks earlier this year, Chairman HOBSON has led our subcommittee to take a long-term perspective on a number of important issues, and this is resulting in some profound and positive changes, including saner and safer policies on nuclear weapons, insistence on 5-year planning from the Corps of Engineers, Bureau of Reclamation, and the Department of

Energy; a focus on completing projects in management reforms, particularly at the Corps. On this side of the aisle I am pleased to have had the opportunity to support my chairman on these issues.

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The conferees were given an allocation of $749 million larger than was available when the House developed its bill back in the spring. The tragic events that resulted from the hurricanes demonstrated that our Nation has crying needs in the areas served by the program of the corps, and we have devoted the increased funds to meet these needs along the Gulf of Mexico and across the Nation.

Mr. Speaker, I ask for my colleagues' support of this conference agreement.

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The conferees were given an allocation $749 million larger than was available when the House developed its bill back in the Spring. The tragic events that resulted from hurricanes Katrina and Rita demonstrated that our Nation has crying needs in the areas served by the programs of the Corps of Engineers, and we have devoted the increased funds to meeting these needs both along the Gulf of Mexico and across the Nation.

The Energy and Water Development conference agreement had to work within the constraints that started with the President's budget request and its inadequate commitment of resources to the programs of the U.S. Army Corps of Engineers. The events of this year amply demonstrated the latent threats to our Nation from natural disasters and the failure of inadequate manmade structures. The Congress is doing the right thing in increasing spending on the Corps in FY 2006 by more than $1 billion over the request. Hopefully the Administration will now understand the level of investment needed and submit a budget for FY 2007 that sustains and extends this investment level for the water infrastructure of our Nation.

An additional top priority within the Energy and Water appropriations is nuclear nonproliferation. While the overall level included in the conference agreement is slightly below the request, considerable funds have been shifted from a construction project with major unspent balances to support of high priority programs to help Russia protect and control its nuclear weapons material. The Russian side has signaled strong willingness in this area, and bureaucratic obstacles in the U.S. have been removed. We must seize this opportunity for the increased safety of us all.

Alas, this conference agreement is limited by an overall constraint forced by allocation.

Four fifths of the Energy and Water funding goes to the Department of Energy, but energy research, development and demonstration is only 10% of the Department. The cost of gasoline, natural gas, and home heating oil have exploded over the past 18 months. Only the Federal Government can invest in the long-term R&D needed and stimulate demonstration and deployment of new technologies through partnerships with the private sector.

When our Nation faced high costs and uncertain supplies for energy in the mid-1970s, President Carter and Congress, made major investments in energy conservation and renewable energy along with unconventional sources of fossil fuels were funded. A comparable response today would require quadrupling our support for renewable energy and doubling our support for conservation R&D at DOE. As a start, Democrats advocated for creation of an energy independence fund of one-quarter billion dollars of new money at DOE at the time the House considered the Energy and Water appropriations bill.

The prosperity of our Nation is built in part on preeminence in almost all areas of fundamental science research. The Department of Energy is the primary supporter of physical science research and provides state-of-the-art user facilities available to investigators from government, academia, and industry.

The constraints on this conference agreement have allowed only one area of research and user support to be increased above the request—high performance computing. This is an area where the United States invented the field and long held undisputed leadership in the world. Several years ago, that leadership was challenged by Japan with their development of the Earth Simulator. For three years in a row, the Congress has had to increase support substantially in this area to sustain momentum in reachieving U.S. leadership.

The conference agreement provides no increased support for the operations of DOE user facilities. Construction of these facilities represents a major investment. Before the recent run-up in energy prices, it was estimated that an additional $95 million was required to operate these facilities at full capacity. Operation of these facilities is energy intensive, and the FY 2006 operating levels are likely to be smaller than planned.

Within the constraints of the conference allocation, the Energy and Water conferees have made good choices for our Nation. I ask for support for this measure.

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

Mr. HOBSON. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from New York (Mr. BOEHLERT).

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

Mr. BOEHLERT. Mr. Speaker, I rise in support of the conference report.

I rise in support of this bill, and I want to thank Chairman HOBSON for working on behalf of the civilian research and development programs of the Department of Energy. Needless to say, I wish the bill could have been even kinder to those programs, but I know that Chairman HOBSON pressed on their behalf.

I want, though, to bring attention to one concern I have about the conference report. The conferees dropped House language preventing an agreement on ITER, the international fusion project, from being finalized before March 1. This language, which I offered and the House approved by voice vote, was designed to prevent the U.S. from moving ahead with ITER until we had a consensus on how to finance the billion-dollar U.S. contribution.

You'd think that would just be common sense in this period of fiscal austerity when we are talking about cutting programs that Americans rely on. But the House language has been replaced by weak report language calling for a study by the Government Accountability Office.

I understand why, in the give and take of conference negotiations, my provision may have had to go away. But the issue is not going to go away.

I want to make clear to everyone concerned that I will do everything in my power to kill the ITER project if there is not an agreement by March that the domestic fusion program has to be scaled back to pay for ITER.

I am not going to allow the U.S. to enter into an international commitment that it cannot afford. I would rather kill the ITER project.

The fusion community will have to be realistic. It cannot have all its current projects and ITER. And it will not.

This year's appropriation already makes clear why this is so. Just about every area of activity under the DOE Office of Science sees a cut, especially if earmarks are excluded, except Fusion Energy Sciences. Fusion science is important and may be a key to our energy future, but it cannot consume the entire budget of the Office of Science. And that is what will happen if the domestic program is held harmless while ITER is constructed.

So I look forward to working with my colleagues on Appropriations and all my colleagues to make sure that the U.S. handles its international commitments responsibly. No one should misread what happened in this conference. The ITER program is in grave danger, and I guarantee you that it will not be completed with U.S. participation unless there is a more realistic plan to fund it.

Mr. HOBSON. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from New Jersey (Mr. FRELINGHUYSEN).

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

Mr. FRELINGHUYSEN. Mr. Speaker, I rise in strong support of the conference report.

First, let me commend Chairman DAVE HOBSON and Ranking Member PETE VISCLOSKY for their hard work on this Conference report.

In a year of fiscal constraint, extraordinary costs due to natural disasters, they have produced an excellent bill that addresses our national priorities and a wide range of Federal programs, including such diverse matters as flood control, navigation improvements, environmental restoration, nuclear waste disposal, advanced scientific research, maintenance of our nuclear stockpile, and nuclear nonproliferation.

KATRINA

No policy discussion about the Corps of Engineers can take place in this body without the looming shadow of Hurricane Katrina and its huge devastation.

This historic storm—encompassing 90,000 square miles in Louisiana, Mississippi and Alabama—raised issues that the Corps and the Congress must consider in the months ahead as we look to rebuild the Gulf Region and protect others susceptible to same kind of natural disaster.

Let's be blunt. A Katrina could—and will—happen again and we must heed its ''lessons learned.''

In the near term, we must be a careful steward of the taxpayers' dollars.

In the long—term, Congress needs to revisit how we prioritize ongoing Corps water infrastructure projects in a way that allows flood control, navigation, beach erosion to be completed once they are begun.

THE COAST

The Army Corps of Engineers keeps our waterways open for business, prevents our communities from flooding and our beaches from eroding.

In New Jersey alone, the Army Corps budget helps keep the 127 miles of New Jersey coastline open to visitors from across the country. Serving as one of New Jersey's greatest attractions, our beaches generate over 30 billion dollars for our State's economy each year, while providing over 800,000 people with jobs. This bill provides $71 million dollars for beach preservation and restoration.

PORT

One of the most important Army Corps projects is the Port of New York and New Jersey Harbor Deepening. For the third year in a row, President Bush's budget message recognized the dredging of this port as a national priority and it called for it to be one of five national navigational projects.

It goes without saying that projects like the Port drive our national economy. The Port is a national asset. As the largest port in the northeast and a leading job center for the New Jersey/New York Metropolitan Region, we must continue to focus our efforts on deepening its major navigation channels so that the port is able to meet the 21st Century needs of our economy.

FLOODS

Of course, the importance of the Army Corps budget is not limited to just navigational projects. In an effort to protect New Jerseyans, their homes, and their businesses from the destruction and devastation of flooding, this bill also provides the framework and the funding to purchase wetlands for natural storage areas, and to work with the local governments across northern New Jersey to develop long-term solutions to re-occurring floods. In New Jersey this means that important corps initiatives like the Jackson Brook Flood Control project in my own district and the ongoing acquisition of wetlands critical for the preservation of flood storage areas, among several other critical local projects have the funding to remain on track.

ENERGY

Mr. Speaker, our country continues to benefit from advances in science, technology and engineering. We've discovered the potential for fusion energy, advanced renewable energy, and improved energy efficiency. Through cutting edge research and the development of these programs at the U.S. Department of Energy, we are rapidly advancing our scientific knowledge.

Mr. Speaker, I have long supported funding for renewable energy sources. The Committee's investment of $1.2 billion in renewable energy resources will be integral to creating alternative energy solutions for our nation. The Department of Energy is pursuing other new technologies to meet future energy and environmental needs. These technologies will change how we use and produce energy.

I am pleased that year after year this Committee continues to recognize the incredible potential of fusion energy by providing a $30 million increase in funding for a total of $296 million in funding for the program—which will advance the vital work of the domestic fusion community to prosper at sites such as New Jersey's Princeton Plasma Physics Laboratory.

The money in this bill for energy efficiency and renewable energy will fund continuing improvements in technology for programs I strongly support like hydro-electricity, wind and solar power. Since FY2000, the U.S. Congress, through this committee has invested over $3 billion in renewable energy.

The Chairman and his staff have worked extremely hard to craft a good bill. Kevin Cook and his team deserve a lot of credit. For all of these reasons, I urge my colleagues to support this important legislation.

Mr. HOBSON. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Ohio (Mr. GILLMOR).

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

Mr. GILLMOR. Mr. Speaker, I rise in support of the bill.

Mr. Speaker, I rise today to thank Chairman HOBSON and Ranking Member VISCLOSKY for their diligent efforts in bringing the Energy and Water Appropriations bill to the floor.

This legislation contains many important provisions for our Nation, including significant funding for dealing with spent nuclear fuel, including funding for the Yucca Mountain repository. I want to thank the chairman for being a leader in nuclear issues, and for moving forward aggressively to deal with the spent fuel issue. Regarding Yucca Mountain specifically, the funding level is lower than the $651 million requested by the House Energy and Water Appropriations Subcommittee, but I understand this lower funding is a result of some challenges facing the project. With nuclear waste being stored at approximately 100 sites around the Nation, it is important to move to a central repository as soon as feasible.

I want to continue to see that this project moves forward and I look forward to when the Energy and Commerce Committee holds oversight hearings to ascertain the project's recent progress as well as DOE's plan for moving ahead at Yucca Mountain. I urge all of my colleagues to vote for this very important legislation.

Mr. HOBSON. Mr. Speaker, I yield such time as he may consume to the gentleman from Montana (Mr. REHBERG), a committee member.

Mr. REHBERG. Mr. Speaker, I want to thank the gentleman from Ohio (Mr. HOBSON) for his hard work and the gentleman from Indiana (Mr. VISCLOSKY) as well.

The current energy crisis has caused us to refocus on future energy needs, how we can become more efficient and produce more energy from the same resources with less pollution.

Funds have been correctly appropriated in this bill to research initiatives that will speed up the deployment of hydrogen fuel cells, coal gasification technologies, advanced turbine research, next generation fuels, and environmental controls.

In this bill, you will see Future Gen. Future Gen is a Department of Energy collaboration with private industry to develop a near-zero emissions power plant. Unlike traditional coal-fueled generation facilities, sulfur and mercury will be removed before combustion, and the carbon dioxide will be safely sequestered underground, making Future Gen the most environmentally friendly coal-fired generation facility in the world.

The success of this venture requires government support to cost-share substantial private investments. This conference report sends a powerful message that the United States is prepared to move forward and construct such a facility.

I support these efforts and would like to again thank Chairman HOBSON and Ranking Member VISCLOSKY, and I look forward to seeing these research initiatives becoming a reality.

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

Mr. VISCLOSKY. Mr. Speaker, I yield 3 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I was one of 416 Members of this body who voted back in May for a different and better energy and water appropriations bill.

But then a funny thing happened on the way to the conference committee. Although the House- and Senate-passed bills both funded one of this Nation's most important analytical research projects, the Relativistic Heavy Ion Collider, which is operated by the Department of Energy's world-class Brookhaven National Laboratory, which I am very proud to represent, somehow this breakthrough research was cut dramatically in conference.

As a result, the RHIC, as it is known, could lay dormant, unused, for 47 weeks out of the year. Why is this project so important? It is designed to recreate conditions of the Big Bang

from which the universe was born and life created.

The Federal Government has already invested more than $1 billion, that is $1 billion, in the construction of this facility; and it simply makes no sense to let such an investment go unused. I do not know about my colleagues, but this is like buying a Porsche and letting it sit in your driveway because you will not buy the gas.

I ask, is there a more important basic research project in progress anywhere else in the country? How did we justify disinvesting in this project, as well as BNL's research into translational neuroimaging and functional nanomaterials?

Could this be an example of the kind of cuts we are beginning to witness as a result of the misguided priority of the budget reconciliation legislation?

That said, I am deeply grateful for the support of the gentleman from Ohio (Mr. HOBSON), the chairman of the subcommittee, who visited the lab earlier this year, and the gentleman from Indiana (Mr. VISCLOSKY), the ranking member, who has consistently advocated this research.

I look forward to their continued support and working with them to restore this funding and protect the jobs at BNL, some 200 of which might be lost, ideally within these first few months of fiscal year 2006, and upon their approval of reprogramming existing funds within the Department of Energy.

Until that happens, Mr. Speaker, I, therefore, must reluctantly oppose this conference report.

Mr. HOBSON. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Idaho (Mr. SIMPSON).

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

Mr. SIMPSON. Mr. Speaker, I rise in strong support of this conference report.

Once again this year, the bill before us is the result of a bi-partisan atmosphere in the Energy and Water Subcommittee that is fostered by Chairman HOBSON and his ranking member—Mr. VISCLOSKY. I want to thank both of them for the manner in which they approach the many issues before the committee and for producing a bill that will pass today with little or no opposition.

First, the Energy and Water bill begins a new chapter in the history of the Army Corps of Engineers which will lead to better budgeting, more accountability, and the completion of high-priority projects in a quicker timeframe.

I want to commend Chairman HOBSON for his insistence on reforms to the Corps budgeting process and for demanding greater accountability from the Corps to Congress and the American people.

Second, the bill makes tremendous investments in our nation's science and energy-related programs. Our National Laboratories, under this bill, will continue and expand their cutting edge work on the many pressing scientific challenges facing our Nation. Perhaps even more important in a time of high energy prices, this bill will expand our Nation's efforts to become less dependent on foreign sources of energy.

For my home state of Idaho, this bill will provide a boost to the Idaho National Laboratory's ongoing work to design and build a new generation of nuclear reactors, close the nuclear fuel cycle, protect our Nation's critical infrastructure from cyber-based attacks, and secure radioactive nuclear materials from those who would do us harm.

Finally, this bill continues our Nation's efforts to establish a long-term repository for spent nuclear fuel and high-level nuclear waste at Yucca Mountain. While the Yucca Mountain funding in the bill represents an overall decrease from last year, it still provides $500 million to move the project forward toward a license application and construction.

I'm committed to seeing Yucca Mountain finalized and I know Chairman HOBSON is as well. I remain hopeful that the current challenges facing the program will soon be overcome and that an aggressive schedule for completion of the project can be adopted in the very near future.

In closing, I want to again recognize the bipartisan manner in which this bill was written and acknowledge the tremendous work of all of the staff on the Subcommittee.

I urge my colleagues to support the bill.

Mr. HOBSON. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Iowa (Mr. LATHAM).

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

Mr. LATHAM. Mr. Speaker, I thank the chairman and I rise in support of the conference report.

Mr. HOBSON. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. HASTINGS).

Mr. HASTINGS of Washington. Mr. Speaker, I thank the chairman for yielding.

Mr. Speaker, the Department of Energy has been working for the past year on answering questions about challenges on construction of the waste treatment plant at the Hanford cleanup site, with only limited information being shared with Congress, the State of Washington, or the local community.

Just yesterday, the Department officially notified Congress that the costs of constructing the waste treatment plant have increased by more than 25 percent.

We were not told what caused the increase, what the Department's planned path forward is for the waste treatment plant, or what the ultimate cost and completion date will be. We know only that costs have increased by over 25 percent, and more information is promised in the summer of next year.

Waiting until next summer for answers is simply not acceptable to me. Is that also the view of the chairman?

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

Mr. HASTINGS of Washington. I yield to the gentleman from Ohio.

Mr. HOBSON. Mr. Speaker, it is my view. My visit to Hanford last year gave me a real appreciation for the need to treat the tank wastes at Hanford and protect the Columbia River from the groundwater contamination.

The Department must be more forthcoming with information on its plans for the waste treatment plant, and this conference agreement requires a report on their actions to date by December 1 and quarterly reports beginning on January 1.

So the gentleman has my assurance that we are on this; and, frankly, had I not visited and seen the problem firsthand, I might not have been as active and as strong on this; but I want to assure the gentleman and his State that we are going to be on top of this.

Mr. HASTINGS of Washington. Mr. Speaker, reclaiming my time, this reporting requirement, in my mind, is fully justified and delivers a strong message that the Department must be more direct, open, and prompt in sharing details on its path forward for the waste treatment plant. I want to thank the gentleman for his continued commitment to the environmental management program within the Department of Energy.

Mr. HOBSON. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from California (Mr. DOOLITTLE).

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

Mr. DOOLITTLE. Mr. Speaker, I rise to express my strong support for this bill.

Mr. Speaker, I rise in strong support of the Energy and Water Development rule/conference report on the floor today and urge my colleagues support it.

The Energy and Water Development Appropriations bill for fiscal year 2006 total $30.5 billion.

Title I of the bill provides $5.4 billion for the programs of the U.S. Army Corps of Engineers, an increase of $57 million above the fiscal year 2005 enacted level and $1.2 billion over the budget request.

Title II provides $1.07 billion for the Department of the Interior and the Bureau of Reclamation, an increase of $113.9 million above the budget request. The committee recommended $1.03 billion for the Bureau of Reclamation.

Title III provides $24.2 billion for the Department of Energy, DOE, a decrease of $129 million from fiscal year 2005 and $76 million less than the budget request. All Department of Energy programs are funded within this bill. The committee funds new initiatives on the consolidation of special nuclear materials, the interim storage and integrated recycling of spent nuclear fuel, and on creating a sustainable nuclear stockpile and the DOE complex necessary to support that stockpile.

CALIFORNIA SPECIFIC FUNDING

Over $300 million for Corps projects in California. These include flood control, water supply and navigation.

Over $200 million for Bureau of Reclamation projects in California. These include water supply, water reuse, and desalination.

$37 million for CALFED projects. The committee has redirected the funding for higher

priority projects that will support the implementation of the CALFED program. The funded projects will produce increased sources of water for the State of California, otherwise known as ''firm yield'' projects, improve drinking water quality, and improve water delivery flexibility.

$6 million for Sacramento Area water conservation projects.

$1 million for an economic analysis update for Auburn Dam.

$2 million for the American River Pump Station.

$1 million for the El Dorado Irrigation District Temperature Control Device.

$1 million for the Sacramento River diversion Study.

$40 million for the American River flood control projects, including $10 million for a permanent bridge below Folsom Dam.

The bill fully funded the President's request for the National Ignition Facility, the premier U.S. facility for inertial confinement fusion, and the Stanford Linear Accelerator Center, a high energy physics lab. High energy physics is the cornerstone of our understanding of the physical universe. These two outstanding California facilities are on the cutting edge of research.

The bill also provides continued funding for Lawrence Berkeley Laboratory to continue basic science research and advanced scientific computing, which allows the U.S. to compete with the rest of the world in important scientific fields.

Mr. BLUMENAUER. Mr. Speaker, the tragedy of Hurricane Katrina taught us again the importance of investing in our Nation's water infrastructure. While I believe that significant changes need to be made in the operations and management of the Army Corps of Engineers, I support this legislation which acknowledges the lack of prioritization process for Corps projects. I support language in the bill that directs the National Academy of Public Administration to study and recommend factors to be used in determining the allocation of the Corps' limited resources.

I also strongly support funding contained in the bill that will benefit my constituents and the Pacific Northwest environment. I appreciate the funding included for floodplain restoration on Johnson Creek, which will enable the Corps to undertake a cost-effective environmental improvement within an area slated for industrial development and will help leverage private development by proactively addressing important stream corridor needs. I am also pleased that the conferees chose to fund an energy conservation program at the Armory Theater in Portland and a Solar Photovoltaic Test Facility System at Portland State University. The conference report also contains important funding, although not nearly the amount necessary, for the St. Johns Landfill Dike Stabilization, which will help prevent municipal and industrial waste from contaminating sensitive wetlands. Finally, I appreciate the funding in the bill directed towards dredging, maintenance, and environmental restoration on the Williamette and Columbia Rivers.

However, I am strongly opposed to language in the conference report directing the Bonneville Power Administration, BPA, to cease funding of an important independent scientific research center based in Portland, OR, known as the Fish Passage Center, FPC. For over 20 years, the FPC has been vital in ensuring that State and tribal fishery managers are armed with the best available scientific information about the status of salmon populations. In this role, the FPC fulfills a legal obligation under the Federal Northwest Power Act and under tribal treaties.

Without the Fish Passage Center, the myriad of Federal, State, and tribal agencies responsible for Pacific salmon recovery could lack valuable data and information on what works and what doesn't to recover salmon. Federal efforts to recover Columbia and Snake River salmon are currently in flux after a recent Federal district judge overturned the most recent Salmon plan. With so much uncertainty surrounding future recovery efforts, now is not the time to reduce access to the best available scientific information.

Although the language in the conference report directs PBA and the Northwest Power and Conservation Council to transfer the functions of the FPC to ''existing and capable entities,'' I am concerned that it does not provide enough direction about how this should take place and does not ensure that State and tribal fish and wildlife agencies will have a say in how and where these functions will be transferred. I hope that BPA and the Council set up a process that actively engages and is fully responsive to the needs of the State fish and wildlife agencies and tribes for whom the FPC was originally created.

The Pacific Northwest is about to embark on a 1-year-long court-ordered process to correct the flaws in the Federal Columbia Basin Salmon Plan. It is my hope that the transfer of the FPC functions does occur seamlessly and in full collaboration with our State and tribal managers so they may fully participate in discussions and negotiations concerning the operations of the Federal Columbia River Power System.

Mr. MARKEY. Mr. Speaker, I am pleased to see that the conference report has deleted all funding for the nuclear bunker buster program. This action reflects the second time that the Congress has decided to reject the Bush administration's request for this dangerous and unnecessary weapon, and I am hopeful that this action will end the debate on this issue once and for all.

The United States faces a serious national security threat from the proliferation of nuclear weapons materials and technologies, most notably in North Korea, Pakistan and Iran. The pursuit of new nuclear weapons such as the Bush administration's proposed nuclear bunker buster sends a dangerously mixed signal to the rest of the world and erodes our nonproliferation credibility. Nations that see the U.S. expanding and diversifying our nuclear arsenal are encouraged to seek or maintain nuclear deterrents of their own and ignore nonproliferation obligations. Additionally, a U.S. move toward expanding and diversifying our nuclear stockpile is contrary to our legal obligations under Article VI of the Treaty on the Non-Proliferation of Nuclear Weapons, NPT, which clearly requires the United States to work toward reducing our nuclear arsenal.

In light of the adverse impact of the pursuit of the nuclear bunker buster and any other new nuclear weapon on international nonproliferation efforts, the fact that the bunker buster would inevitably spread high levels of radiation above ground, and existing U.S. earth-penetrating and other conventional weapons capabilities, the Bush administration's proposed nuclear bunker buster study and the development of any new nuclear weapons are a dangerous and wasteful use of taxpayer money.

While I am pleased at the outcome on the bunker buster, I am very concerned that this appropriations bill provides $80 million for the Advanced Fuel Cycle Initiative—an increase of $10 million over the amount requested for this program. In addition, the bill provides an additional $50 million in nuclear waste disposal funding to support development of a spent nuclear fuel recycling plan. These proposals are aimed at reviving nuclear reprocessing—an idea that Congress has considered and rejected in the past.

The conference report contains language that directs the Department of Energy to use this money to

> accelerate the development of a separations technology that can address the current inventories of commercial spent nuclear fuel and select the preferred technology no later than the end of fiscal year 2007.

Essentially, the Appropriations Committee is telling DOE that it doesn't believe Yucca Mountain will ever be opened, so it now wants the Department to instead embark on a crash program to start reprocessing nuclear waste.

I warned back in 1987 that the decision to limit the search for a deep underground repository to the Yucca Mountain site and to bar examination of other alternative sites was a risky one. If Yucca Mountain proved unsuitable, or if it could not meet the NRC's licensing requirements, then our country efforts to find a solution to the nuclear waste problem would be forced back to square one.

Now, it appears that my warnings are being borne out. The Yucca Mountain repository is falling apart in the face of serious scientific and technical problems. But rather than come back to Congress and ask for legislation that would reopen the search for a permanent repository, which the nuclear industry and its supporters in Congress know would be politically hazardous, the appropriators now appear to be effectively abandoning the notion of deep underground burial. Instead, they want to reprocess the waste and store it in above ground ''interim'' storage facilities.

Now, you would think that such a fundamental rewrite of the Nuclear Waste Policy Act would actually require action by the committee that actually has jurisdiction over the act in the first place. In the House, that would be the Energy and Commerce Committee. However, in this bill the directive to prioritize reprocessing is being made without any participation by the Energy and Commerce Committee. The committee doesn't even get a copy of the report mandated by the Appropriations conferees.

Yes, there was language in the Energy Policy Act which authorized R&D on reprocessing. I opposed that language, and sought unsuccessfully to remove it from the bill. But R&D is far different from moving to full-scale engineering of reprocessing technologies with a short-term deployment objective. That is what is being proposed in the bill before us today. This conference report is actually talking about setting a target for site selection in fiscal year 2007, and a target for initiation of construction of one or more integrated spent fuel recycling facilities in fiscal year 2010.

This has enormous implications for the future of efforts to permanently dispose of the Nation's nuclear waste in a deep underground repository. It effectively means that there will

be no deep underground repository. It effectively means that there will be no deep underground burial of waste in our lifetimes. So, all of the billions paid into the Nuclear Waste Fund over the years will soon see those funds be diverted over to supporting this new unproven and risky scheme of reprocessing.

This is a huge policy shift. Since the 1970's we have had a policy in this country against reprocessing spent fuel, both because of the risk of nonproliferation and because reprocessing is not economical. In recent years, Republican leaders in Washington have decided they want to undo that policy, however.

I am fundamentally opposed to reprocessing, because I believe that a revival of domestic reprocessing would undermine America's nuclear nonproliferation efforts, cost us enormous amounts of money, will not solve the nuclear waste problem, and won't increase nuclear safety.

With respect to the proliferation risks—just look at North Korea. It has been reprocessing spent fuel from its reactors to use in nuclear bombs. In response, President Bush has asked the Nuclear Suppliers Group to limit access to reprocessing technology, arguing that:

> This step will prevent new states from developing the means to produce fissile material for nuclear bombs.

At the same time, the U.S. is confronting Iran over its plan to develop a full uranium enrichment program. How are we going to credibly ask the rest of the world to support us when we tell Iran or any other nation that they cannot have the full fuel cycle or reprocessing when we have one here at home? It just won't fly.

America cannot preach nuclear temperance from a barstool. We cannot credibly tell other nations that they should refrain from reprocessing or other nuclear fuel cycle activities abroad when we are engaging in these same exact activities here at home. That is why President Gerald Ford called for an end to commercial reprocessing back in 1976, and why no President since then has successfully revived reprocessing.

In addition to the serious adverse nonproliferation consequences, reprocessing also is not economical. A MIT study put the cost of reprocessing at four times that of as once-through nuclear power. The current price of concentrated uranium "yellowcake" in the spot market is about $53.00/kg. For reprocessing to be economical, there must be a sustained 8-fold increase in the long-term price of uranium. That is not likely to occur anytime soon.

On top of that is the cost of building a plant. As a benchmark, Japan's nearly completed Rokkasho reprocessing plant—20 years in the making—costs on the order of $20 billion. I have seen some cost estimates for a U.S. reprocessing program that run as high as $65 billion. That is not something that is economically viable at a time of huge Federal budget deficites.

Moreover, reprocessing will not really alleviate the nuclear waste problem. Talk to the folks at Savannah River where over 30 million gallons of high-level were left behind from reprocessing. Under this bill, Savannah River may be targeted again for interim storage for spent fuel, awaiting reprocessing. So might Hanford and Idaho or other Federal sites.

The conference report states that funding in the Nuclear Waste Disposal Account will be used:

> to prepare the overall program plan and to initiate a competition to select one or more sites suitable for development of integrated recycling facilities (i.e., separation of spent fuel, fabrication of mixed oxide fuel, vitrification of waste products, and process storage) and initiate work on an Environmental Impact Statement. The site competition should not be limited to DOE sites, but should be open to a wide range of other possible federal and non-federal sites on a strictly voluntary basis.

These reprocessing sites will become de facto nuclear waste dumps. Which State is going to "volunteer" to become a nuclear waste dump? Under the Nuclear Waste Policy Act, such a site cannot legally be located at the Yucca Mountain site. So, where is it going to go?

How long will the waste be stored there? The spent nuclear fuel cannot even be handled to be reprocessed for 5 to 15 years—it is so radioactive. So we know already that "interim storage" could last for a very long time.

And if we construct these "interim" waste dumps, what happens next? What will happen to all this waste when the hard reality of the disastrous economics combined with the fact that our government is already too deep in deficit that it will be unable to subsidize such a program forever? There are simply too many unanswered questions.

It is also not accurate to suggest, as some do, that reprocessing is safe. Twenty tons of highly radioactive material leaked from a broken pipe at the Sellafield nuclear reprocessing plant in the United Kingdom in April of this year. Senior officials at the UK's Nuclear Decommissioning Authority, which owns the Sellafield reprocessing have pushed to close THORP altogether, arguing that it is more cost-effective to close the plant now rather than repair the problems only to decommission the plant as planned in 2012. Is that the kind of mess we want happening over here?

When the House version of this bill was being debated on the House floor last summer, I offered an amendment which would have transferred the $15.5 million appropriated for reprocessing and interim storage to several energy efficiency priority programs that were underfunded in the bill. Unfortunately, my amendment was defeated.

I continue to be opposed to the reprocessing language in the bill. I intend to continue raising questions about this proposal, both in the Energy and Commerce Committee and on this floor.

Finally, on another matter, I am very concerned about the cuts that have been made in energy efficiency programs in this bill. We are in the middle of an energy emergency. We had a hearing before the Energy and Commerce Committee last week that showed the impact that these high prices are having across the board, in every sector of the economy. The Senate will be holding a hearing today on price gouging by big oil companies and the $100 billion in oil company profits projected for 2005. There are things that we can do in this area. What we are seeing is missed opportunities.

The House Bill for the fiscal year 2006 Energy and Water Appropriations provided $41 million for the State Energy Program. The Senate bill provided $41 million for the State Energy Program. Now we go to conference and the conference report provides $36 million, which is $8 million below fiscal year 2005 levels—almost a 20 percent cut. We are in the midst of an energy crisis. This program implements energy efficiency programs and energy emergency preparedness activities in every State in our country. A recent National Laboratory study concluded that for every $1 invested, we get $7.22 in return in energy savings. This makes no sense. We should be increasing these programs, not cutting them.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in strong support of the House Energy and Water Appropriations Act for Fiscal Year 2006.

This legislation provides essential funding for the Houston Ship Channel, $26 million to finish the deepening and widening project and conduct environmental restoration work.

Also, I want to particularly express my appreciation for the Subcommittee's increase for Operations and Maintenance funding to $11 million for Houston-Galveston.

It is penny-wise and pound foolish to underfund maintenance, because that reduces the benefits that we get from all of our construction dollars.

If we are going to dredge a channel to 45 feet to allow for modern ships to reach a port, we obviously have to keep that channel at 45 feet and remove silting and other blockages.

This bill also provides important funding for flood control projects in the Houston area—$375,000 for construction of the Hunting Bayou Federal flood control project and $75,000 to finish up the General Reevaluation Review study for Greens Bayou.

Hurricane Katrina showed the Nation the value of flood control projects. Both the Hunting Bayou and the Greens Bayou projects will save Federal money. By protecting homes from flooding, we reduce the amount of future disaster assistance and flood insurance claims.

My constituents who would benefit from these projects do not own expensive beach houses close to the shoreline, they own homes in a densely populated urban area over 50 miles from Galveston Bay.

However, Houston does not have a lot of elevated areas and we are at risk from hurricanes and tropical storms, and as a result flood control projects make good economic sense.

Unfortunately the Bush Administration repeatedly zeroes out funding in their budgets for flood control projects in Houston, for reasons I still cannot understand.

Our projects are authorized by Congress, have strong cost-benefit rations, are supported by the community, and are managed by the professional experts at the Harris County Flood Control District. Hunting Bayou had over 8,000 residences flood in 2001 from Tropical Storm Allison and Greens Bayou had over 28,000 homes flood in the same storm.

As a result, I want to thank the Subcommittee Chairman, DAVID HOBSON, the Ranking Member, PETE VISCLOSKY, and especially my Texas colleague CHET EDWARDS for salvaging funding for all our projects—the Houston Ship Channel, Hunting Bayou, and Greens Bayou.

As final note, I want to add that the Houston Ship Channel has received serious damage from Hurricane Rita, roughly $30 million. Parts of the channel have silted up with material to 35 feet, which is a serious safety and economic problem.

If the large oil tankers cannot get to the refineries on the Houston Ship Channel, that will

not help gasoline prices to go down in this country.

Our refinery capacity has got a lot of notice lately in Congress, and this is something we can do in the short term to help that—repair hurricane damage at oil importing ports like the Port of Houston.

The Houston delegation—myself, JOHN CULBERSON, TOM DELAY, AL GREEN, SHEILA JACKSON-LEE, KEVIN BRADY, MICHAEL MCCAUL, TED POE, and our Texas colleague on the Appropriations Committee CHET EDWARDS all recently sent a letter to the Committee and Subcommittee requesting this $30 million in emergency damage repair funding for the next Supplemental.

Mr. Speaker, I encourage my colleagues to support this legislation.

Mr. BERRY. Mr. Speaker, I rise today to support the FY06 Energy and Water Appropriations Bill.

Chairman HOBSON, Ranking Member VISCLOSKY, and their staffs have worked tirelessly to produce a good bill and they deserve much praise for their efforts.

This bill goes a long way in strengthening our Nation's water infrastructure. If this past hurricane season has taught us anything, it is that we must ensure an adequate level of protection for our coastal cities and those areas prone to flooding.

The modest investments included in this bill can save billions in disaster recovery needs.

Our Nation's water infrastructure is also critical to building the economy. Our waterways provide a low cost way to move agriculture commodities and manufactured goods to the world market. This bill will help maintain and strengthen these arteries, ensuring access for American producers.

This legislation also includes critical funding for Nuclear power and our ability to store nuclear waste, namely the Yucca Mountain repository. The funding level is lower than what the House agreed to earlier this year, but the lower funding is justified by the Energy Department's recent changes to the project. What is important is that the Yucca Mountain project and Federal spent fuel management moves forward.

The legislation's funding for the Corps of Engineers, nuclear energy R&D and the Yucca Mountain program helps ensure a vibrant future for American water ways, flood control and nuclear energy.

I ask my colleagues to join me in congratulating Chairman HOBSON and Ranking Member VISCLOSKY for their hard work and encourage all of them to support this bill.

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

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

The SPEAKER pro tempore (Mr. ISSA). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO IRAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109–68)

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

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent the enclosed notice to the *Federal Register* for publication, stating that the Iran emergency declared by Executive Order 12170 on November 14, 1979, is to continue in effect beyond November 14, 2005. The most recent notice continuing this emergency was published in the *Federal Register* on November 12, 2004 (69 FR 65513) .

Our relations with Iran have not yet returned to normal, and the process of implementing the January 19, 1981, agreements with Iran is still underway. For these reasons, I have determined that it is necessary to continue the national emergency declared on November 14, 1979, with respect to Iran, beyond November 14, 2005.

GEORGE W. BUSH.

THE WHITE HOUSE, *November 9, 2005*.

□ 1300

GENERAL LEAVE

Mr. WOLF. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include tabular and extraneous material on the conference report to accompany H.R. 2862.

The SPEAKER pro tempore (Mrs. BIGGERT). Is there objection to the request of the gentleman from Virginia?

There was no objection.

CONFERENCE REPORT ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

Mr. WOLF. Madam Speaker, pursuant to House Resolution 538, I call up the conference report on the bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 538, the conference report is considered read.

(For conference report and statement, see proceedings of the House of November 7, 2005, at page H9713.)

The SPEAKER pro tempore. The gentleman from Virginia (Mr. WOLF) and the gentleman from West Virginia (Mr. MOLLOHAN) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. WOLF. Madam Speaker, I yield myself such time as I may consume, and I am pleased to bring to the floor today the conference report on H.R. 2862, the fiscal year 2006 Science, State, Justice, Commerce, and Related Agencies Appropriations Act.

Madam Speaker, I want to thank my colleague, the gentleman from West Virginia (Mr. MOLLOHAN), for his support throughout the process. Together, we were able to get a strong bill passed by the House with a vote of 418 to 7. Also, I want to thank our Senate counterparts, Chairman SHELBY and Senator MIKULSKI, as well as Chairman MCCONNELL and Senator LEAHY.

I also want to thank the chairman of the full committee, the gentleman from California (Mr. LEWIS) for his help and cooperation with this, and also the ranking member, the gentleman from Wisconsin (Mr. OBEY).

Within a very tight allocation, we were able to provide funding for a variety of critical national priorities. The conference report provides $21.4 billion for the Department of Justice, $784 million above fiscal year 2005 and $1.1 billion over the budget request.

The conference agreement includes $5.8 billion for the FBI, which is $15 million above the budget request. The bill will provide for additional agents, analysts, and support staff to address terrorism and espionage threats. And keep in mind that last week the stories broke about how the Chinese, that, unfortunately, this body gave the Most Favored Nation trading status to, has been spying aggressively against our country, and the latest spying episode dealt with the B–1 bomber.

In addition, the bill provides funding to address deficiencies identified through external reviews, including a $20 million increase for the FBI Academy, a $20 million increase for additional secure space, and a $14 million increase to improve information technology program management, $5 million for retention and recruitment, a $26 million increase for translators, and a $70 million increase for the Terrorist Screening Center.

The conference agreement includes $12 million above the request for the Marshals Service to enhance the protection of the Judiciary and fugitive apprehension programs.

For DEA, Madam Speaker, the bill restores proposed cuts for Mobile Enforcement Teams and the Demand Reduction program, and directs these efforts to focus on meth enforcement. The conference report does not include the Combat Meth Act that was attached to the Senate bill. While I

strongly support the bill's intent to address this destructive drug, there were some concerns raised about the Senate language.

The Judiciary Committee and the Energy and Commerce Committee, who are the committees of jurisdiction on this subject, are addressing these concerns. In fact, today I understand the House Judiciary Committee is marking up a meth bill. I look forward to voting for Chairmen SENSENBRENNER and BARTON's bill when it comes to the House floor.

The conference report fully funds the ATF's request and includes a $20 million increase for Violent Crime Impact Teams to help those communities most impacted by gangs and violent criminals. There is a growing problem of gang and gang violence throughout the country.

The conference agreement provides $2.7 billion for State and local law enforcement, $1.1 billion above the administration's request, including $416.5 million for Byrne Justice Assistance grants and $405 million for State Criminal Alien Assistance. And that funding really was due to Chairman LEWIS, and also Mr. DREIER and Mr. KOLBE, when we dealt with that issue on the floor. That was a big issue.

The bill also includes $109 million to address critical DNA backlogs, $387 for violence against women prevention and $343 million for juvenile justice.

There is $16.5 billion included for NASA, including funding for the President's vision for space exploration. We have also restored funding for aeronautics research, which the administration had proposed to reduce.

For the National Science Foundation, Madam Speaker, the bill includes $5.65 billion, which is $48 million above the request. This increase for basic scientific research and science education is critical to ensuring that we continue to lead in innovation and competitiveness, which is necessary if we are to retain our position in the world economy.

Many people are concerned that with the test scores in math, science, physics, chemistry and biology, and the number of engineers we have, we are falling behind. So even in this tight period of the budget, we were able to dramatically increase that, and there will be a conference that was directed by the supplemental appropriations in December, chaired by Congressman VERN EHLERS and also Chairman BOEHLERT and others, with some of the best minds to come together to attempt to deal with this issue. Rather than just talking about it, they will constructively deal with it and get the administration on board. So I would hope and I pray that the President will address this issue in his State of the Union message next year.

The conference report includes $888 million for the Securities and Exchange Commission to provide the necessary resources to protect investors from corporate fraud.

For the State Department, we have provided $9.6 billion, including $1.6 billion, the full requested level for embassy security upgrades. It also includes $1.53 billion for public diplomacy programs including international broadcasting, focusing on expanded programs for the Arab and Muslim world.

At the Department of Commerce, the conference report provides $6.6 billion for the Department of Commerce and other trade-related agencies. Increases will result in more accurate economic statistics, improved weather forecasting, and more accurate and timely census data.

The bill also includes an increase for the Nation's trade agencies. This will help former Member Mr. Portman to negotiate, enforce and verify free and fair trade agreements. It also has an amendment offered by Congresswoman NORTHUP, which is very, very important with regard to this whole issue of negotiating treaties.

Overall, Mr. Speaker, the conference report agreement represents a sound and fair resolution to the many issues we faced in conference, and it does so in a fiscally responsible manner. I would urge my colleagues to support this conference.

Before I reference some people, I want to say there is another issue we attempted to deal with and were not able to get agreement on, and that is to direct the Department of State in a period of 60 days to come up with a policy to deal with how we take care of the families of those who were lost in the bombing of the American Embassy in Beirut in 1983; the October bombing of the U.S. Marine barracks, where 241 Marines were killed; the Tanzania Embassy bombings; the Kenya Embassy bombings, and the USAID employees that were killed.

It was a strange experience because we were operating in good faith, trying to get this, and some lawyers who got involved in this process really created a roadblock and a problem for this. Now, because of those lawyers, this is not being carried. So we are going to be doing a letter to Secretary Rice asking that the State Department come up with a program and a policy and deal with this.

We have a moral obligation to the families, the families of those killed and those still alive with regard to the hostages in the Iranian Embassy. We have to deal with those issues and, hopefully, deal with them without the lawyers being involved. I think we have to help and work with the families.

I also want to thank, Madam Speaker, at the end here, to thank the members of my subcommittee staff who have put in very long hours to produce the FY 2006 Science, State, Justice, and Commerce Appropriation bill. With the addition of Science to the subcommittee, the staff has had to work even harder this year to produce a bill that I believe will help the country.

I want to particularly thank Mike Ringler, clerk of the subcommittee, who has led the subcommittee through the House appropriations process. I would also like to thank Christine Kojac, John Martens, Anne Marie Goldsmith, Joel Kaplan, and Clelia Alvarado for their tireless, and if I could underline in the CONGRESSIONAL RECORD the word ''tireless,'' if I could put a black line under it so people would see it, their tireless efforts. Their work is much appreciated.

In my personal office I want to thank Dan Scandling, my Chief of Staff, and Jan Shaffron, who has been with me for 25 years, and J.T. Griffin, Samantha Stockman, and Courtney Schlieter for their efforts and working with the subcommittee.

Also, there were many other subcommittee members' staffs who were very much involved in all of this. From the minority, I want to thank David Pomerantz, Michelle Burkett, and Rob Nabors for their insight and input on the bill. And also from Congressman MOLLOHAN's personal office, I want to thank Sally Moorehead and Julie Aaronson. As in the past, we have worked in a bipartisan manner to draft this legislation.

Madam Speaker, I ask for a ''yea'' vote on this bill.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I rise in support of the fiscal year 2006 appropriations conference report for Science, the Departments of State, Justice, Commerce and related agencies.

Madam Speaker, right at the beginning, I would especially like to thank Chairman WOLF and his staff: Celia Alvarado, Anne Marie Goldsmith, Joel Kaplan, Christine Kojac, John Martens, and Mike Ringler for their help, their outstanding work on this bill, their professionalism, and for their help in shepherding this bill with all its jurisdictions through the appropriations process.

I would also like to thank the minority appropriations staff, Michelle Burkett and David Pomerantz, and my personal staff, Julie Aaronson and Sally Moorehead, for their hard work throughout this long process.

Madam Speaker, let me especially express my appreciation to Chairman WOLF for his capability, for his adroit management of a complicated bill with a lot of jurisdictions; and I cannot stress enough the kindness and fairness that he has shown to me, to our committee staff, and to the House minority throughout this process. While Chairman WOLF and I may have had disagreements, we may not have agreed on every provision in this bill, Chairman WOLF has listened to our arguments and, where appropriate, he has looked for ways to accommodate our requests, and we thank him for that.

Madam Speaker, this is a good bill. It provides $57.85 billion. That is an increase of $1.6 billion above last year's

level for very diverse programs; programs that fund our Federal and local law enforcement activities; programs that invest in our government's major science activities; programs that construct and defend our embassies abroad; programs that provide support to our small businesses, and those which help promote our economic development.

There are many high points in this bill. The Department of Justice and all the law enforcement programs that it manages are at $1.1 billion above the President's request and $784 million above fiscal year 2005, while we are disappointed in the funding available for local and State law enforcement.

Science activity is up, with the National Aeronautics and Space Administration funded at the requested level of $16.5 billion. That is $260 million above fiscal year 2005.

The National Science Foundation receives $5.65 billion in this bill, an increase of $181 million above last year and $49 million above the President's budget request.

The State Department and Broadcasting Board of Governors, while funded below the President's request, receives $9.6 billion for worldwide security upgrades, diplomatic and consular programs, and international broadcasting.

□ 1315

For our local communities, we restored the Economic Development Administration's funding to last year's level, rejecting in the process the President's proposal to eliminate the Economic Development Administration.

In addition, we rejected his proposal to consolidate and shrink proposals that provide Federal investment to strengthen our local communities.

In this bill we also included language supporting the role of the economic development districts and reaffirming our commitment to the minimum 50 percent Federal match for local dollars. My constituents and those in rural areas were very vocal on these two points, and I am pleased that the chairman was supportive and that we could be responsive to those requests.

Madam Speaker, I am concerned that this year, like last year, we were not able to provide the $80 million needed to subsidize the 7(a) loan program in the Small Business Administration. I have seen firsthand the chilling effect that increased fees have had on small businesses in my State, and I hope we will monitor the 7(a) program during the next year and evaluate to what extent this lack of funding creates a problem for our small businesses accessing needed capital.

Finally, Madam Speaker, I would like to draw special attention to section 624 of the conference report. It reads as follows, ''None of the funds made available in this act shall be used in any way whatsoever to support or justify the use of torture of any official or contract employee of the United States Government.''

Madam Speaker, this provision reflects Chairman WOLF's values and his unwavering commitment to human rights. It is the chairman's initiative, and it is to his credit that it is included in our bill.

Madam Speaker, again, I want to thank Chairman WOLF, and I urge Members to support this conference report.

Madam Speaker, I reserve the balance of my time.

Mr. WOLF. Madam Speaker, I yield 4 minutes to the gentleman from Michigan (Mr. EHLERS), a member of the Science Committee, who is also a physicist.

Mr. EHLERS. Madam Speaker, I thank the gentleman for yielding me this time, and I commend him for his work on this report as well as on the original House bill.

Madam Speaker, I rise today in support of the conference report of the Science, State, Justice, Commerce, and Related Agencies Appropriations Act for Fiscal Year 2006. I want to recognize and pay tribute to the tremendous effort of Chairman WOLF and his staff, as well as the ranking member on the minority side and his staff, that they have exerted to meet the challenge of fairly balancing this bill.

Madam Speaker, their hard work is commendable, and I want to thank them for their tireless work.

I would like to speak in particular about one part of the bill, the National Science Foundation, better known as NSF. New to the subcommittee this year, NSF is the only Federal agency dedicated solely to supporting fundamental scientific research. While it represents a relatively small part of the overall budget, it is an extremely important part. NSF funding accounts for one-fifth of all Federal support for basic research and 40 percent of physical science research at academic institutions.

I am delighted that Chairman WOLF shares an appreciation for the critical role innovation has played in our economy and national security, as well as its unique tie to education and the work supported by the NSF.

In May of this year, 167 Members of Congress joined with me in signing a letter to support an increase for the budget of the National Science Foundation. Since the NSF was funded below the President's request last year, I am very grateful that the conferees saw fit to reverse this declining trend and return to sustaining the level of funding for NSF. The negotiated funding level for NSF in fiscal year 2006 of $5.65 billion reflects a strong commitment to NSF's job of developing our future skilled workforce and laying the foundation for innovative technologies in the fields of telecommunications, medicine and defense.

Furthermore, I want to acknowledge the committee's work to restore cuts endured by several programs within the Education Directorate at NSF. The Math and Science Partnership Program budget has been greatly diminished since 2002, when it was funded at $160 million. I am grateful that the conferees have signaled their recognition of the importance of this program by funding this program at $64 million, $4 million above the requested level.

We know that other countries are investing and outperforming the United States in the area of math and science education. We will not be able to compete successfully with the rest of the world if our workforce is not on the cutting edge of these fields, and we need to maintain these important programs that support math and science education.

Also within this bill, I want to briefly mention my appreciation that the Manufacturing Extension Partnership Program, MEP, at the National Institute for Standards and Technology has been funded at $106 million. These funds will allow MEP centers across the country to continue their vital services for small- and medium-sized manufacturers that are not replicated by any other private or public organization.

Balancing many pressing national priorities within this tight budget climate is certainly a challenge. We must increase our funding of research and development because it is the foundation for increased innovation, economic vitality and national security. I look forward to continuing to work with Chairman WOLF and my colleagues to improve our support for NSF fundamental research and education programs in future years. I certainly encourage the administration and the President to increase their funding request for the National Science Foundation in the next budget that we will process next year.

Mr. MOLLOHAN. Madam Speaker, I yield such time as he may consume to the gentleman from Wisconsin (Mr. OBEY), the ranking member of the Committee on Appropriations.

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

Madam Speaker, I want to say at the outset I have a great deal of admiration for the gentleman from Virginia. I think he is one of the best committee chairmen in this House, and I think he has treated the substance of this bill absolutely down the center, and I think he has dealt with the majority and the minority in a very even-handed fashion. I respect that and appreciate that.

Frankly, I had thought I would be voting for this bill as I have for the Foreign Operations Appropriations bill, and as I intend to work for the Energy and Water conference report. But I find myself unable to support this bill in the final instance for a number of reasons which have very little to do with the gentleman from Virginia or the gentleman from West Virginia. I have three basic problems with this bill.

First of all, the conferees stripped the Sanders amendment out of the bill.

I think this Congress has done a miserable job of oversight with respect to Iraq, a miserable job with respect to oversight of the PATRIOT Act and a number of other security-related issues.

I might not be so concerned about the fact that the conferees stripped out the amendment which precluded the administration from snooping into people's use of libraries, I might not feel so strongly about it if I felt that the Congress had a better record of conducting oversight hearings on this, but I do not. So under those circumstances, I think what the committee has done in stripping out that language is quite dangerous.

Secondly, I would say there is a kabuki dance going on in this town with respect to local and State law enforcement funding. This bill now effectively funds State and local law enforcement at a level which is $1 billion less than it was in fiscal year 2001.

What happens each year is that the President makes very large cuts in that program. This committee then restores a significant portion of those funds, but still leaving us below the funding level for last year. As a result, this bill is $300 million below last year in terms of its aid for State and local law enforcement assistance; and last year was $226 million below the year before. I think that is headed in the wrong direction.

Lastly, I think there is one provision in this bill which is especially mean and that is the funding level for legal services. Legal services is the program that we provide in order to enable indigent people to have some access to civil courts, and yet this bill reduces funding for legal services below last year's level.

As I said in the conference, every day we come onto this floor and we pledge allegiance to the flag, and at the end of that pledge, we talk about our dedication to providing ''liberty and justice for all''. I do not think anybody can stand on this floor with a straight face and say that anymore. I think, if you vote to cut legal services, what you are really saying is that we stand for liberty and justice ''for those who can pay for it''.

I do not think that is what this country is supposed to be all about. By the time you take into account not just the nominal number in this bill for legal service, but when you take into account the across-the-board cut that has already been applied, and when you add to that the additional across-the-board cut which is expected to be applied at some point in the process before we are finished, you have substantially weakened funding for legal services. I think that is an indefensible thing to do.

I would point out that these reductions are being made at the same time that NASA is being given upwards of $2 billion to deal with a manned mission to Mars. I have nothing against going to Mars. I think in the long term it is a wonderful expansion of the human endeavor. But I do believe that to add that kind of funding to NASA for a Mars mission and to make the kind of tax cuts for the most wealthy people in this society that the Congress is going to be supporting in the coming days, while at the same time we are cutting legal service funds for the indigent, cutting aid for local and State law enforcement grants, I think that represents a wrong set of priorities. I think it is taking us in the wrong direction.

I note that this subcommittee has been reorganized at the demand of the ex-majority leader on the other side of the aisle, Mr. DELAY, who last year, representing Houston, wanted to see to it that NASA had a clear track to funding increases. So he did a very effective job of representing his district by moving NASA into this subcommittee where it has to compete against programs such as I have just mentioned. And as a result, NASA is at the front of the train and some of these other priorities are at the back of the train. I regret that.

I do appreciate very much the dedication that the gentleman has shown to the science budget. I think the National Science Foundation is one of the keys to our future economic growth. I congratulate him for that. But in the end, for the reasons I have cited, I am going to feel constrained to cast a ''no'' vote on the passage of the conference report.

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

I appreciate the comments of the gentleman from Wisconsin (Mr. OBEY). On the issue of legal services, we are above the administration's request, but I understand what the gentleman is saying. I am somewhat sympathetic to it, too. But for the record, we are $12.5 million above the administration's request. But the gentleman's comments are telling.

On the issue of oversight on the war, I agree with the gentleman. I have been to Iraq three times, and I have come up with a proposal asking the administration to have fresh eyes on the target, 10 people who are men and women of integrity and honesty and character to go and come back and report.

□ 1330

So I think the gentleman is right. I feel very strongly we should have major oversight on the operation of the war. Also, I think the administration has to do a better job, and I think oversight would tell this if it were to come back and tell the ramifications of failure. I think should we fail in Iraq, the ramifications to this country are very serious with regard to terrorism. So by having oversight, I think those ramifications would come out. But I agree with Mr. OBEY. I think there should be much more aggressive oversight.

Madam Speaker, I yield 2 minutes to the gentleman from Tennessee (Mr. WAMP).

Mr. WAMP. Madam Speaker, I rise in support of this conference report with deep gratitude to the ranking member and the chairman and excellent staff work. I believe that Chairman WOLF, while he does not like for people to talk about him, is a man of conscience, and I believe that the God who created us speaks to us and through us through our conscience, and I am grateful that he is so sensitive to the needs of humanity.

We talk a lot about terror. There is terror in a lot of homes in this country because methamphetamine production has crept into our communities, particularly in rural America. It hit Tennessee really hard. And in this bill, the staff and the chairman and the ranking member have responded very well, and I am grateful for that because we have got to attack this problem. At a time of need to tighten our belts and get back towards a balanced budget, we have to do some things, or it is going to cost us a whole lot more later.

In Tennessee we started with a U.S. Attorney-led partnership of local, State, and Federal governments and a task force that has now grown to the whole State, and it is a model for the Nation on cooperation between local, State, and Federal governments so that they can interdict, they can actually get a conviction, not just an indictment but a conviction; and we now are second in the Nation in attacking this problem and busting these labs and running these people back into the woods.

We have got to change State laws and Federal laws, but it takes support; and this committee has been very responsive, and I am grateful for that; and I think the House should support this continued effort to fight methamphetamine production in this country.

Mr. MOLLOHAN. Madam Speaker, I yield such time as he may consume to the gentleman from New York (Mr. SERRANO). There is no member of the minority of our subcommittee who has made a greater contribution to the jurisdictions, to the funding in our bill than he.

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

Mr. SERRANO. Madam Speaker, I thank the gentleman for yielding me this time and for the very kind words.

I rise in support of the conference report, and I congratulate the gentleman from Virginia and the gentleman from West Virginia for not only the way in which they continue to work together but the way in which they work with all members of the subcommittee and, indeed, all Members of the House.

I am especially pleased that we were able to fund the Census Bureau at the higher House level. This will allow for the continuation of the important American Community Survey which provides accurate and up-to-date information on housing, demographic and socioeconomic conditions in our country. As we know, there was a period of

time there during conference negotiations where this program was in danger.

I am also glad that NOAA was funded at a higher level than that included in the House bill. In the aftermath of the recent hurricanes, we all recognize the important role of our National Weather Service.

This is the first year, Madam Speaker, that the Science portfolio was added to this subcommittee's jurisdiction, and I am satisfied that both NASA and the National Science Foundation received more funding than was appropriated in 2005. NASA has a vital role in maintaining our Nation's leadership in science and technology through its educational programs, in particular, and in its broad portfolio of university-based research. I am happy that the National Science Foundation's funding will allow for the continuation of their education programs, which benefit so many of our students.

I am also pleased that the State Department funding was provided so that there would be worldwide security improvements. We must always be vigilant in guarding the safety of those who so ably represent us both here and abroad.

The FBI is the biggest winner in this bill, receiving an increase of $547 million; and as the chairman knows and the ranking member knows, I have always felt that the FBI should get whatever resources it needs. But I would be remiss, Madam Speaker, if I did not briefly mention that I have been troubled by many of the bureau's practices of late, including its handling of the Filiberto Ojeda-Rios incident in Puerto Rico, which should not have resulted in his killing. I am also concerned about the FBI's ever-increasing use of national security letters. As the FBI continues to adjust to its new powers and responsibilities, I hope that we in this country will continue to scrutinize the FBI's activities to ensure that we do not witness repeats of the abuses that have tainted the organization in the past.

Before closing, let me just say that I have often said in subcommittee, Madam Speaker, that if in the process of getting the bad guys, we throw away the Constitution and take away the civil liberties of the good guys, then the terrorists would have won and we as a Nation would have lost. With that in mind, I support the conference report, and I ask for its passage.

Mr. WOLF. Madam Speaker, I thank the gentleman from New York for his comments and for his friendship and for working together as we have over the years.

Madam Speaker, I yield 3 minutes to Coach OSBORNE, a Member of Congress from Nebraska. As I was looking over, I thought of another great coach. This is a great coach. Another great coach is Joe Paterno, who, when I watched the game on Saturday, and I do not know if the gentleman from Nebraska watched the game, the announcers kept saying that he was 79 years old and wears white socks, but what they did not keep talking about is he is a man of such honesty and integrity and character. I think the two of them must have been carved out of the same thing. I am sorry the gentleman is going to be leaving here.

Mr. OBEY. Madam Speaker, I object to the gentleman's words. He is reminding me of a painful loss to Penn State.

Mr. WOLF. Madam Speaker, I forgot my colleague is from Wisconsin. We are going to miss having Mr. OSBORNE here, but we look forward to working with him as Governor of Nebraska.

Mr. OSBORNE. Madam Speaker, I thank the chairman for those kind words. I guess I would like to reciprocate by saying that I have worked with a great many people in the House and no one has been more responsive and more interested in matters dealing with law enforcement and children than the chairman. So we really appreciate it.

I am sorry that Wisconsin got beat, but everybody has got to lose sometime. Of course, Barry Alvarez is a good friend of mine, too.

I rise in support of the conference report, and I would like to particularly thank Chairman WOLF for restoring some of the Byrne grant funds. As many people know, Byrne grant funds were zeroed out in the President's budget. It was a tremendous effort to get any money back in there for Byrne grants. And for those who do not know, Byrne grants basically support local law enforcement as we attack the methamphetamine problem.

The gentleman from Tennessee (Mr. WAMP) talked about meth a little bit earlier, and I would like to just take a second to show people graphically what has happened in regard to this problem.

In 1990 there were two States, California and Texas, that each had more than 20 methamphetamine labs. The rest of the country was relatively free of this problem. Then we look at what is present in 2004, and we see the spread of methamphetamine from west to east, just a few States in the northeast that are preserved to some degree from meth, and that will soon change, I am certain.

In most of these counties in most of these States in the western and the central part of the United States, more than half of the jail cells are now occupied by meth addicts or people who have had meth-related crimes. I would say more than half of the child deaths, child assaults, foster care cases in these regions are due to methamphetamine abuse.

So we really appreciate the restoration of these funds. It is not what everybody would like, but it is certainly going to keep these law enforcement people going for a period of time.

Also, this conference report provides funds to clean up toxic material from meth labs, which is much needed. Above all, it encourages the Drug Enforcement Agency to establish a methamphetamine task force. Currently, we do not feel that the DEA has a comprehensive plan to attack the problem of methamphetamine, which is really covering the whole country and is certainly becoming more and more of a problem on the east coast. So this part of the bill is excellent. I appreciate the chairman's work. I would like to thank him one more time for his efforts.

Mr. MOLLOHAN. Madam Speaker, I yield 3 minutes to the distinguished gentleman from Ohio (Mr. KUCINICH).

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

I want to begin by saying that I think that our ranking member, DAVID OBEY, has stated well the concerns that many of us have with respect to some provisions of the bill that would, in this case, cut legal services to the poor; and the stripping of the Sanders amendment was certainly a problem because that amendment would have prevented the search of library reading records by PATRIOT Act law enforcement. So I understand the concerns that have been expressed.

On balance, though, I rise in support of the bill, and I am going to tell the Members why: because I think that there is an element in this bill that is so important for this country because it affirms the notion that the first ''A'' in NASA, National Aeronautics and Space Administration, ''aeronautics,'' is critical to the agency's success. And in that connection I want to thank Chairman WOLF and I want to thank Ranking Member MOLLOHAN for their hard work and their support to that end.

We have been working for the better part of this year to make certain that aeronautics was recognized as being critical; and without the help of the entire Ohio delegation on both sides of the aisle, without the help of Chairman WOLF, without the help of Ranking Member MOLLOHAN, we would not be here at this exact moment pointing out that this bill represents a victory for aeronautics.

Aeronautics research and development has drastically improved our national security, our air safety, our economy, and our environment. NASA's field centers, such as the Glenn Research Center in Cleveland, are where the actual basic research is done. There we will find unique research facilities, some of the best scientists and engineers of our time, and a track record of discovery for the public good that is the envy of the world.

One of the secrets to NASA's success has been its dual emphasis on both space and aeronautics. A successful space program is heavily dependent on a strong aeronautics program. Indeed, we cannot get to space without first navigating the atmosphere, and yet the budget for fiscal year 2006 attempted to drastically cut funding for aeronautics research. Recovery from that devastating loss would have taken decades and billions of dollars.

That is why I am so grateful to the chairman and to the ranking member and all of my colleagues for the work that they have put into the bill and showing that the members of the subcommittee share the deep affinity that I have and that others have in appreciation for a healthy, balanced National Aeronautics and Space Administration. This recognizes that a healthy NASA requires strong field research centers like NASA Glenn. Strong field centers, in turn, are dependent on their physical facilities and, more importantly, their talented workforce.

The bill protects the jobs and facilities from cuts that are driven by what accountants want instead of scientific need and instead of engineering know-how. This bill stands in defense of aeronautics, and it is a nod to the crucial role that aeronautics plays in so many facets of our daily life.

Mr. WOLF. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. BOEHLERT).

Mr. BOEHLERT. Madam Speaker, I thank the chairman and the ranking member of the subcommittee for their outstanding work in very difficult, challenging times. But this measure deserves our support, and I say that as chairman of the Science Committee. So I have a special interest, because it will bolster America's science and technology enterprise, it will foster innovation, and boost U.S. competitiveness.

Why do I support this bill? Let me count the ways, and this is by no means inclusive, but let me focus on the matters that I am most familiar with. It increases funding for the National Science Foundation to support more fundamental science and engineering research. That is the fuel that drives the knowledge economy, and that is what drives the American economy. It preserves the science and math partnership program at NSF, designed to improve the performance of local school systems in math and science education at a time we have been challenged as never before in our history.

□ 1345

It increases funding for the laboratory programs for the National Institute of Standards and Technology.

And what does NIST do in addition to performing advanced science and engineering research? It develops the technical standards that advance measurement tools to help to keep American industry competitive. It preserves the very important Manufacturing Extension Partnership, which helps keep America's small manufacturers globally competitive, improving U.S. manufacturing productivity and saving American jobs. It supports a balanced program at NASA, including increased funding for aeronautics, as the previous speaker mentioned; and it increases funding for the National Weather Service, which provides life-saving forecasting of hurricanes and other extreme events. I need provide no further example than Katrina.

At a time when government agencies at all levels were less than adequate with their response, the shining star in our crown was the National Hurricane Center and the National Weather Service. The Hurricane Center is under the Weather Service. They provided us with timely information well in advance of the hurricane hitting the coast of the gulf. It is what was done with that information that created the problems, not the information itself. That was provided completely and in a timely manner.

My congratulations go to the gentleman from Virginia and the gentleman from West Virginia. Under very difficult circumstances, they have recognized that we have to establish some priorities, and one of the high priorities that they have both given and this House should be giving is to invest in the science enterprise.

What is that all about? It is about our future. It is about opportunity. It is about jobs.

Mr. MOLLOHAN. Madam Speaker, I thank the gentleman for his kind comments.

Madam Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from California (Mr. FARR), a member of the full committee.

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

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

Madam Speaker, I rise today in support of the conference report on H.R. 2862, the Science, State, Justice, Commerce and Related Agencies Appropriations Act. I think the conferees did an incredibly good job, considering the tight allocations they had. And I want to thank the subcommittee chairman, the gentleman from Virginia (Mr. WOLF), and the gentleman from West Virginia (Ranking Member MOLLOHAN) and their highly competent staff.

Despite the good job, I would be remiss if I did not stand here and remind Congress of our need to deal with the recommendations that have been made to us by very important organizations, our U.S. Commission on Ocean Policy that studies the oceans, and the Pew Oceans Commission, a charitable trust which also studies the oceans, and ask our administration to propose an adequate budget for our ocean programs in the future.

It is so critical, as Americans depend on the oceans, when we think of all of the tourism from the beaches and the watchable wildlife. We make livings on sometimes turbulent surfaces, we put food on America's tables, we play on its beaches and so on. These are often critical and overlooked in our economic engine, yet the U.S. economy in 2000 was almost 2½ times larger, the ocean economy, than the agriculture economy in terms of the output, and employed 1.5 times the number of people. It encompasses huge activities. NOAA activities touch almost a third of our Nation's gross domestic product, and our oceans and coasts contribute more than $117 billion to American prosperity each year.

So the issue here is really that we have to put more effort into this, because if we do not, we are just stabbing ourselves in the foot. The oxygen that we breathe comes from the oceans, the future, the unexplored. It is frankly more important that we explore the oceans on this planet than we explore Mars, yet we are putting more and more money into that effort than we do into our own planet.

So I am thanking the committee for job well done and hoping that next year we can get a better mark on this.

Madam Speaker, I rise today in support of the conference report on H.R. 2862, the Science, State, Justice, Commerce, and Related Agencies Appropriations Act 2006, but I also strongly encourage both the administration and the House to invest more in the programs that protect, maintain, and restore the health of our oceans in subsequent years. The conferees did a good job with this bill given the allocation, and I especially appreciate the hard work of Subcommittee Chairman WOLF, Ranking Member MOLLOHAN, and their highly competent and helpful staff.

The Pew Oceans Commission and the U.S. Commission on Ocean Policy both released landmark reports within the past 2½ years reviewing the state of our oceans and the policies we use to govern them. This was the first comprehensive review in over 30 years. Both reports came to the same conclusion: Our oceans and coasts are in a state of crises and we are loosing important goods and services that they provide. At the top of the list of problems causing this crisis is an under investment in the programs we use to manage the oceans and coasts.

From our oceans, Americans draw inspiration from the animals in its waters, make a living on its sometimes turbulent surface, put food on their tables, play on its beaches, and benefit from the microscopic plants that provide the majority of oxygen we breathe. For many of these reasons and others, our oceans are a critical, albeit often overlooked, economic engine. The U.S. ocean economy in 2000 was almost 2½ times larger than the agricultural economy in terms of output and employed 1½ times as many people. Ocean sector employment is larger than every manufacturing industry. NOAA activities touch almost a third of the Nation's gross domestic product, and oceans and coasts contribute more than $117 billion to American prosperity each year.

If we are going to continue to obtain these important benefits from our coasts and oceans, we will need to implement the recommendations of the U.S. Commission on Ocean Policy to invest more in our oceans. I call on the administration to propose a more robust budget next year so that Americans will continue to benefit from the goods and services our oceans provide. I also ask my colleagues here in the House to push for a budget resolution next year that authorizes adequate money to the Science, State, Justice, and Commerce accounts so that Chairman WOLF and Ranking Member MOLLOHAN will be able to put together a bill that adequately supports programs that protect, maintain and restore the health of our oceans.

Unfortunately because of the tight allocation, conferees were forced to cut many important ocean programs, such as the National Marine Sanctuary Program, which is receiving a 30-percent cut from fiscal year 2005 funding levels. In 1972, exactly 100 years after the first national park was created, the Nation made a similar commitment to preserving its marine treasures by establishing the National Marine Sanctuary Program. The Monterey Bay National Marine Sanctuary plays a critical role protecting the ecologically and culturally important areas off my district in California while promoting sustainable use and educating the public about the marine environment.

The National Sea Grant College Program is being cut by 10 percent from fiscal year 2005 funding levels to $55.5 million, a cut of $5 million from the House bill and $11.2 million from the Senate bill. From this cut, the U.S. will loose major projects that assist coastal communities, including promoting coastal economic growth, improving the quality of marine environments, educating students in marine sciences, and solving critical marine and Great Lakes resource programs. The U.S. Commission on Ocean Policy called for increasing the National Sea Grant College Program by $20 million, and the President's Ocean Action Plan called for expanding the program.

The National Marine Protected Areas Center is being cut by 50 percent from fiscal year 2005 funding levels after the House bill called for nearly level funding and the Senate bill called for a slight increase. This center helps protect the significant natural and cultural resources within the marine environment for the benefit of present and future generations by strengthening and expanding the Nation's system of marine protected areas. An expanded and strengthened comprehensive system of marine protected areas throughout the marine environment would enhance the conservation of our Nation's natural and cultural marine heritage and the ecologically and economically sustainable use of the marine environment for future generations.

The programs I highlighted today as well as several other ocean programs are being cut when they need to be expanded. This is putting the well-being of many Americans at risk by jeopardizing the goods and services provided by healthy oceans that drive our vast ocean economic engine.

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

Mr. MOLLOHAN. Madam Speaker, I yield 5 minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Madam Speaker, I thank the Gentleman for yielding me this time, and I thank him and the Chairman of the Committee for their long labors on what is a $57.8 billion bill.

My concern is with what many might view as a mere footnote to this bill, the budget of a tiny federal agency that gets not billions, but only $5.3 million, with an ''m,'' out of this huge budget. But the budget of that tiny federal agency and a whim of nature are all that stand between tens of thousands of Texans along the southern tip of our country and disaster.

These are hard-working people along the Lower Rio Grande River Valley in one of the economically poorest parts of this country. But the threat of disaster to them is every bit as real as what we saw played out on our screens in the aftermath of Hurricane Katrina in New Orleans.

This bill fails to deal adequately with that problem. I believe that the Committee recognized the Valley's need in the language that it added to the report that accompanies this bill. I cannot fault the Committee, though I do not agree with the result. This report includes the same dollar amount that the House had already approved and the Senate had already approved, which is 100 cents on the dollar of what President Bush requested. But the amount of money requested is not an adequate amount to protect people from a very real danger.

As the conferees noted in the report, and I quote: ''The conferees recommend that the Commission increase funding for the Lower Rio Grande Valley Flood Control Project above the $2,200,000 contained in the President's budget request. Studies by the U.S. Section of the IBWC conclude that the Rio Grande Valley levees are deficient in height, geologically flawed, and structurally unsound. The conferees expect the administration in the upcoming budget cycle to request sufficient funds to address these needs.''

And while that language is important, it does not provide the dollars necessary to fix this problem. It is language similar to that adopted by the Lower Rio Grande Valley Development Council, composed of all the governments in the three counties at the very tip of the United States where it borders Mexico.

In asking for $10 million in construction moneys every year, they said, ''Without necessary improvements, the levee system could be overtopped or fail structurally at various locations, leaving thousands homeless and creating extensive property and environmental damage to the region.''

After a period of cronyism at the IBWC, well-documented by the General Accountability Office, President Bush replaced his first failed appointee with an acting appointee. We had the USIBWC's Acting Commissioner down in the Rio Grande Valley last month. He said in a meeting there that he needed $10 million a year, not for the agency, but for construction, and a total of $125 million over 10 or 11 years in order to solve this problem. Madam Speaker, $2.2 million is about a fifth of what is needed in construction every year for the next 10 years if we are going to resolve this problem.

Earlier this year, we had Hurricane Emily. It hit about 35, 50 miles south of the area that I am talking about. It was a mere Category 1, yet it caused extensive flooding along some of these levees. As all of America knows, we have had so many hurricanes this year, we have run out of names, and it is forecast to only get worse this year and the year after that as we go through this cycle in the Gulf of one hurricane after another.

If we have even a category 3 hurricane, we will overtop these levees along 38 miles. If we have a Hurricane 5 like Katrina, it will be 102 miles that are overwhelmed. This is just one small section along the Rio Grande.

But I just want it clear that this administration and this Congress has in living color the recommendations of their own agency showing where the levees will be topped up to 9 feet over the existing levees; 6, 5, 4, 3 feet, whatever it is, it is an amount of water pouring over these levees. While we can talk about categories of hurricanes and whether it is a 5 or a 4 or a 3 and follow the tracking on television, what we have had from this Administration since Katrina for the poor people of the Rio Grande Valley is a ''Category 0'' effort, and it is that effort that has to be changed either in the supplemental appropriation they currently have under consideration, or in next year's appropriations bill, because every day we wait, exposes tens of thousands of people to considerable danger.

Mr. MOLLOHAN. Madam Speaker, I am pleased to yield 2 minutes to the distinguished gentleman from New York (Mr. WEINER).

Mr. WEINER. Madam Speaker, I thank the ranking member and the chairman. I offer my gratitude to both of them for the hard work they have done in, once again, trying to fit many programs into a very small package.

There is a mystery buried deep in this bill. This bill marks the end, the official end, of the COPS program. We know that the chairman and ranking member were not the ones that led to its demise. In fact, over the last several years, there has been an effort to, despite the fact that it has not been reauthorized, keep it going.

Now, we know that the COPS program ends in this bill, but the question is why. Let us try to figure out what the motive is.

Well, could it be that it is not distributed evenly, the police officers, the over 120,000 police officers hired in the bill? This is an example of just some of the cities that have had officers hired under the COPS program. This is perhaps the most democratic, with a small ''d'', bill you can imagine, COPS in small police departments in rural areas and large big cities.

Perhaps it was that the COPS program was eliminated because it was not working. Well, that certainly was not the case. Crime has been reduced every year since the COPS program was put into place. The GAO did a study looking at the correlation between COPS hiring and the reduction in crimes and concluded that over a quarter of a million indexed crimes were not committed because of the COPS program.

Maybe it is because the program is no longer needed. Well, the former head of the Department of Homeland Security, Tom Ridge, once famously said that homeland security starts in our hometown. Everyone is saying we

need more and more first responders, not fewer.

So the COPS program in this bill meets its demise, a successful program. We do not quite know why it is ending. We are grateful to the chairman and ranking member for having it go on this long.

But we do have a chance to resuscitate it. The House has passed the reauthorization of the Justice Department bill. We are awaiting action in the Senate. In that bill we authorized the COPS program to live to see another day. We have bipartisan support from Chairman SENSENBRENNER, Democrats and Republicans joining together to try to make the COPS program come back to life.

I would urge my colleagues to think about whether or not at this time of heightened national security concern, we want the COPS program to end.

Mr. WOLF. Madam Speaker, I see the gentleman from Texas (Mr. DOGGETT), and if he would not leave the floor, I just wanted to comment on what he was commenting on, so I yield myself such time as I may consume.

In the report on that Commission, and Mr. DOGGETT spoke to me about it, what you said did not kind of jibe completely with regard to our conversation. But the statement accompanying the conference report says, ''Within the amount for the water quality program, the conferees recommend that the Commission increase funding for the Lower Rio Grande Flood Control Project above the $2.2 million contained in the budget request.'' So we did ask for them to go above the request.

Secondly, we say ''Studies by the U.S. section of the IBWC conclude that Rio Grande Valley levees are deficient in height, geologically flawed, and structurally unsound. The conferees expect the administration in the upcoming budget cycle to request sufficient funds to address these needs. Also, the conference directs that $250,000 be made available for the Rio Grande Canal Project.'' This is an increase over the construction amount.

Secondly, we plan on doing a letter, because the country of Mexico is involved. Texas ought to be involved, but by torching something, it does not always get it done. I think it has to kind of come together.

Mr. DOGGETT. Madam Speaker, will the gentleman yield?

Mr. WOLF. I yield to the gentleman from Texas.

Mr. DOGGETT. Madam Speaker, the language the gentleman quotes is the same language that I quote. I applaud the committee for adding that in there.

The problem is that the total amount of money for the agency was not changed, and to get any more than $2.2 million, they will be taking it out of existing projects that they have on the Colorado River. And the head of the agency is saying they need five times as much as the President asked for.

Mr. WOLF. Who did they say that to? Is that in writing somewhere?

Mr. DOGGETT. Yes, I think it is in writing. It is in the cost estimates or in the reports that have already been forwarded up to the State Department. But I do not think they were ever forwarded to the committee.

I applaud the committee concerns about this and the language that they added, and I am glad the gentleman will be submitting further letters and the like, because this is a small part of this budget, but a big problem for our folks. And they get out of this, even if they go from $2.2 to $3 million, only about a third of what the agency itself says is needed, not just this year, but each year for the next 10 years.

□ 1400

Mr. WOLF. Well, we are going to do a letter. I would urge the gentleman to get a meeting to get the commission to come up to your office. We will have a staff person come by. Also get the State of Texas, also do not forget about Mexico, to get them to come by and try to bring it to a head. I think that is a more constructive way than just saying this bill is not very good. I thought we had with this language forced them to address the issue. We will send a letter.

But if this were my congressional district, I would have them up here. I would ask the State Department to come down and walk with you. I would go to Mexico and be on the other side. I would have a letter to President Vicente Fox. I would have a letter to Secretary Rice. So there is a lot that you have to do.

Mr. DOGGETT. If the gentleman will yield, let me just assure him I have done all those things short of walking in Mexico because this only covers the cost of repairing the U.S. side of the levees. It does not concern any repairs to the Mexican side.

Mr. WOLF. What do they do? What does Mexico do?

Mr. DOGGETT. Well, Mexico, I think if they see that we are moving to raise the levees on the American side, they will be caused to take action on the Mexican side. This is simply, the cost that I have talked about is only the U.S. side of the levees. It is not the Mexican side of the levees. That is their responsibility to act on that.

Mr. WOLF. But if it goes on one side does that not impact on the other side?

Mr. DOGGETT. That is why I say, naturally, the kind of budget challenges they face in Mexico, if they say we are raising our side to meet this flood problem, we believe that they will act to raise it on their side also.

Mr. WOLF. Well, I would like to challenge the gentleman to really pull together. I will try to come to the meeting or get some staff people to come. Bring in the Mexican ambassador. Do something rather than just coming down and doing that. But do something. Get the Mexican ambassador to come on in. Have somebody from the State Department. Bring them on up. Go down there. Walk it. Do everything you possibly can, because you certainly do not want something to happen whereby people die in a flood.

Mr. DOGGETT. I accept that challenge already having done most of that. It has not just been my request, but the request of three of us, four of us, actually, from the Rio Grande Valley to the President and to the State Department, and we have been unable to get any movement from them. And I understand we need their cooperation in order for your committee to move forward. Thank you for your interest.

Mr. WOLF. Well, we will try to help you. We will send a letter, and in the letter that we will send maybe Mr. MOLLOHAN will sign it with me. We will send you a copy of it.

Madam Speaker, I reserve the balance of my time.

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

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

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the ranking member, and I do thank the chairman. This is an interesting mix of a committee, the State, Justice, Commerce and related agencies; and I acknowledge that the amount is up to $4.9 billion from the request of $4.7 billion. Let me quickly point out some areas that I wish we had more money, but I am grateful and want to emphasize the value and this is, of course, NOAA that played a pivotal role and could play an even greater role as we begin to see climatic changes and see storm surges create the devastation of the gulf coast.

This is an important agency and the monies included certainly are welcome and arguably, I hope, we will see additional dollars. The $1.3 billion for international peacekeeping certainly is valuable, and I hope that the emphasis is on peacekeeping. I would hope that some of those dollars could be used in transitioning our military out of Iraq and putting in peacekeeping forces that would combine with our allies over this crisis that we have.

I am grateful that NASA is funded. In times of trouble, I know that we look to agencies like this, but I am grateful for that funding and also for the National Science Foundation and, in particular, the small business.

What I do want to bring to my colleagues' attention are two points. One, I am sorry that we did not include the language that would prohibit the FBI under the PATRIOT Act from accessing library circulation records. And I hope we can fix that. I really do. After the backdrop of the national security letters, we know that the FBI, we have a great deal of respect for them and their homeland security role; but we need the protection of civil liberties as well.

I would also say to my good friend, one of the issues that I have been

studying for a number of years is, if you will, the population of elderly prisoners who are in the Federal prisons. They are nonviolent. They are in there for nonviolent offenses. And we have been working on what we call the Good Time Early Release program that would release individuals over the age of 40 to 45 on good behavior. And I believe that this is an issue that is long overdue. I hope that we can work on authorization, but also appropriations to look at this issue. I ask my colleagues to support the conference.

Mr. GORDON. Madam Speaker, I am very pleased that the joint explanatory statement of the Committee of Conference designated $360,000 under the COPS Methamphetamine Enforcement and Clean-up for the Tennessee Methamphetamine Detection and Remediation Research.

Tennessee Technological University will use this funding to develop mobile equipment that can help law enforcement detect and analyze environmental hazards associated with clandestine meth labs.

Since 1999, the number of meth labs in Tennessee has increased by more than 500 percent. And, more than 1,300 labs were seized last year in Tennessee alone, the most of any state in the Southeast.

We have all read the news stories about illegal homemade labs being set up inside houses, apartments, and even in the trunks of cars. Too often you hear about one of these labs exploding, injuring the meth cooks, as well as children inside the home, or even innocent bystanders. These volatile labs pose a threat to the entire community. Tennessee Tech University will collaborate with the law enforcement community to address this critical problem.

Once again, I am very grateful to the conferees for providing this important funding for Tennessee Tech University.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in support of this bill to fund the Departments of Commerce, Justice, and State, as well as NASA and the National Science Foundation.

In crafting this legislation, our appropriators faced the difficult task of adequately funding many national priorities. On balance, they did a remarkable job and have produced a bill worthy of our support.

This bill increases funding for many important Justice Department programs and included a 9 percent increase for the Federal Bureau of Investigation and a 6 percent increase for both the U.S. Marshals Service and the Drug Enforcement Agency.

For sure, there are programs that we would all like to see funded at higher levels. I am particularly disappointed to see reduced funding for local law enforcement, Community Oriented Policing Services and juvenile justice programs; however, I am pleased that appropriators did not accept the Administration's request to lump all of these programs into one broad Justice Assistance line. I also applaud the conference committee for increasing funds for Byrne grants and the State Criminal Alien Assistance Program, both of which I have long supported.

This is the first year that NASA has been funded in this legislation, which provided $16.5 billion—or a 2 percent increase—for NASA. I appreciate the committee's support of NASA's efforts to develop a crew exploration vehicle that will eventually replace the Space Shuttle. With Johnson Space Center in our community, we are certainly grateful that the committee rejected the Administration's efforts to cut funding for NASA's Aeronautics Research program.

While the bill provides a slight decrease in funding for the Commerce Department, I am pleased to see significant funding increases for the Economic Development Administration and NOAA, as compared to House-passed funding levels.

One program of particular interest to me and our community in Houston is NOAA's Coastal and Estuarine Land Protection Program. This program exists to protect important coastal and estuarine areas that have significant conservation, recreation, ecological, or historical values and are threatened by development or conversion.

In Houston, we are involved in an effort to preserve the Buffalo Bayou, which is the historic waterway on which the Allen Brothers founded Houston in 1836. NOAA's Coastal and Estuarine Land Protection Program has allowed us to partner with the Trust for Public Land to conserve critical tracts of land along the Buffalo Bayou in order to further our conservation efforts.

For the past two years, Congress has supported our land acquisition funding requests to help revitalize the Buffalo Bayou in a manner that balances the need to conserve the Bayou's wetlands and waterways with the recreational and business development needed to transform the Buffalo Bayou into an active and vibrant urban waterfront center.

To date, congressionally-appropriated funds have played a significant role in the development of Buffalo Bend Nature Park, which was recently dedicated and has provided residents of my district with increased greenspace and recreational opportunities.

In this bill, Congress appropriated $750,000 for the acquisition of two tracts of land, funding that will further the goals of the Buffalo Bayou master plan. Land along the Buffalo Bayou will be purchased to expand Hidalgo Park, which sits in a historically Hispanic community that has traditionally lacked park land. Through this acquisition, Hidalgo Park will be linked to Buffalo Bend Nature Park, enhancing residents' recreational and environmental experience along the bayou.

The funding will also allow the City of Houston to purchase land along Brays Bayou, beginning at the confluence of Brays Bayou and Buffalo Bayou and stretching to Mason Park, less than a mile away. This area is a prime location for a greenbelt park, the development of which would further the City's plan for parks connected by and along the city's bayous.

I would like to thank appropriators in both the House and the Senate for recognizing the value of these projects and positive impact they will make on the quality of life for my constituents. With that, Madam Speaker, I encourage my colleagues to support this legislation.

Mr. DELAY. Madam Speaker, the Science-State-Justice-Commerce conference report is a fiscally responsible, disciplined package that meets our Nation's needs while staying within our Nation's means.

And we should be particularly happy that conference negotiators have once again wisely chosen to fully fund NASA's efforts to implement President Bush's vision for space exploration.

The history of our space program has shown that money spent by our taxpayers on NASA is an investment in the technologies that drive not only our exploration of the unknown, but our economy here on Earth.

Since its earliest days, NASA has blazed the trails of rocketry, satellite technology, aerospace engineering, telecommunications, and even produced health care miracles from the MRI to the portable x-ray machine.

The earthbound application of these spacebased innovations has transformed the way we live our lives, do our jobs, and communicate with each other and the rest of the world.

President Bush's vision, already being implemented by new NASA Administrator Mike Griffin and his excellent staff, will rededicate our space program to its original, exploratory mission.

Today's bill provides more than $16 billion for our space program.

It fully funds the ongoing work of the still vital and necessary space shuttle program and the other first-stage components of the president's vision for space at more than $3.1 billion.

And with this funding—a mere 1.5 percent increase from last year—we have also provided the NASA Administrator the flexibility he needs to manage his agency's ever-shifting needs and challenges.

Fully funding NASA means fully trusting the courage and brilliance of NASA's people, from astronauts to engineers to support staff, all who are focused on completing the first stage of work in the president's vision: returning the shuttle to flight, completing the International Space Station, developing the next generation space vehicle, and advancing the other aspects of NASA's critical mission.

I have that trust, and this conference report shows that the American people do, too.

I urge all my colleagues to support this legislation.

Mr. ALLEN. Madam Speaker, although I support the Science-State-Commerce-Justice Appropriations conference report, I rise today to call attention to the need for more funding for our coasts and oceans.

When, together with Representatives WELDON and FARR and former Congressman Jim Greenwood, I co-founded the Bipartisan House Oceans Caucus in 1999 in order to inform my colleagues about the oceans, we faced major policy challenges. Americans were faced with declining fish stocks, beach closures due to poor water quality, and laws that were inadequate to protect America's oceans. My constituents were asking why.

In 2000, Congress finally asked why also. The Oceans Act of 2000 called for a National Commission on Ocean Policy and charged the Commissioners with conducting a nationwide fact-finding mission on the state of our oceans.

The goal was to develop policy recommendations that would lead to a coordinated and comprehensive national ocean policy. The independent Pew Oceans Commission underwent a similar process, touring the country to listen to testimony from scientists, stakeholders, and others to identify the root problems threatening our nations' oceans.

The products of these two commissions are nothing short of remarkable. Two comprehensive guides, based on the knowledge of our nation's experts, came to many comparable conclusions.

Specifically, the two reports call on Congress to increase our investment in the study, management, and protection of our oceans. Relative to their size and economic' value, funding for ocean research and management pales in comparison for other natural resource programs. The federal government spends over $10 billion to manage public lands and more than $16 billion on space exploration.

In 2001, the Pew Commission recommended a doubling of the NOAA budget to $6 billion over 5 years. Similarly, the U.S. Commission on Ocean Policy recommended an additional $3.9 billion in new spending on top of what we already allocate to NOAA. Yet, the legislation we are debating today sets NOAA's budget for Fiscal Year 2006 at only $3.95 billion. This level is only a modest increase of $28 million over funding levels enacted in FY '05 ($3.92 billion total).

Now I have a great deal of respect for the Chairman, Mr. WOLF, and the Ranking Member, Mr. MOLLOHAN, and I know that they did the best they could with this bill under the tight budget allocations that they were forced to deal with. In this conference report there are modest increases to fishery and coastal management programs but these are unfortunately accompanied by cuts to other vital programs such as marine sanctuaries, the Coastal and Estuarine Land Conservation Program, and the National Sea Grant Program.

Our economy, security, and health all hinge on healthy ocean ecosystems. I look forward to working with the Chairman and the Ranking Member on implementing the recommendations of the Ocean Commissions and investing appropriately in our coasts and oceans in the FY 2007 budget.

Mr. VAN HOLLEN. Madam Speaker, I rise to applaud the passage of the FY 2006 Science-State-Justice-Commerce Appropriations Bill, which includes funding for Montgomery and Prince George's Counties Joint Gang Suppression and Prevention Initiative in my district. I salute my colleague Mr. WOLF and thank him for his leadership on confronting the issue of gang violence in the Washington metropolitan area.

The federal funding approved today builds on the ongoing work of the Joint County Gang Prevention Task Force, which was established by the county executives of Montgomery and Prince George's Counties in February 2004. This funding will allow for the establishment of centralized anti-gang units within each county's police force, enabling them to pursue a zero-tolerance policy for gang violence. A cross jurisdictional community-based program, serving youth and families, would be created to provide gang prevention education, mentoring, and outreach services. Critical after-school programs would be funded for areas where there is a high incidence of gang activity.

Law enforcement research shows that there are approximately 3,600 gang members in Maryland, the District of Columbia and Virginia and that there are nine major active gangs and more than 100 additional crews region wide. Montgomery County Police estimate that there are 20 to 22 active gangs with approximately 540 to 560 active members and associates. Prince George's County Police estimate that there are 50 crews or gangs in that county with a total of over 400 members. Officials in Prince George's County note a recent increase in the number of Latino gangs and report that the criminal activity of these gangs has expanded to sophisticated car theft rings and prostitution.

This funding will help the people of Montgomery and Prince George's Counties fight the growing problem of gang violence and teach young people that gang life is not the road to success, but rather the path to prison. It is important that we provide our law enforcement officials, our teachers, and our community leaders with the support they need as they work to keep our youth safe from gangs and teach them the long term consequences of joining a gang.

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

The SPEAKER pro tempore (Mrs. BIGGERT). Without objection, the previous question is ordered on the conference report.

There was no objection.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion 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.

Any record vote on the postponed question will be taken tomorrow.

VETERANS HOUSING AND EMPLOYMENT IMPROVEMENT ACT OF 2005

Mr. BOOZMAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3665) to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member and to make direct housing loans to Native American veterans, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3665

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Veterans Housing and Employment Improvement Act of 2005''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—HOUSING ASSISTANCE

Sec. 101. Adaptive housing assistance for disabled veterans residing temporarily in housing owned by family member.

Sec. 102. Permanent authority to make direct housing loans to Native American veterans.

Sec. 103. Extension of eligibility for direct loans for Native American veterans to a veteran who is the spouse of a Native American.

Sec. 104. Terminology amendments to revise references to certain veterans in provisions relating to eligibility for compensation or dependency and indemnity compensation.

TITLE II—EMPLOYMENT ASSISTANCE PROGRAMS

Sec. 201. Extension of operation of the President's National Hire Veterans Committee.

Sec. 202. Additional duty for the Assistant Secretary of Labor for Veterans' Employment and Training to raise awareness of skills of veterans and of the benefits of hiring veterans.

Sec. 203. Modifications to the Advisory Committee on Veterans Employment and Training.

TITLE III—HOMELESS VETERANS REINTEGRATION PROGRAM

Sec. 301. Reauthorization of appropriations for Homeless Veterans Reintegration Program.

TITLE IV—TECHNICAL, CLARIFYING, AND CLERICAL AMENDMENTS

Sec. 401. Technical and clarifying amendments to new traumatic injury protection coverage under Servicemembers' Group Life Insurance.

Sec. 402. Technical and clerical amendments.

TITLE I—HOUSING ASSISTANCE

SEC. 101. ADAPTIVE HOUSING ASSISTANCE FOR DISABLED VETERANS RESIDING TEMPORARILY IN HOUSING OWNED BY FAMILY MEMBER.

(a) ASSISTANCE AUTHORIZED.—Chapter 21 of title 38, United States Code, is amended by inserting after section 2102 the following new section:

''§ 2102A. Assistance for veterans residing temporarily in housing owned by family member

''(a) In the case of a disabled veteran who is described in subsection (a)(2) or (b)(2) of section 2101 of this title and who is residing, but does not intend to permanently reside, in a residence owned by a member of such veteran's family, the Secretary may assist the veteran in acquiring such adaptations to such residence as are determined by the Secretary to be reasonably necessary because of the veteran's disability.

''(b) The assistance authorized under subsection (a) may not exceed—

''(1) $10,000, in the case of a veteran described in section 2101(a)(2) of this title; or

''(2) $2,000, in the case of a veteran described in section 2101(b)(2) of this title.

''(c) The assistance authorized by subsection (a) shall be limited in the case of any veteran to one residence.

''(d) Assistance under this section shall be provided in accordance with such regulations as the Secretary may prescribe.

''(e) No assistance may be provided under this section after the end of the five-year period that begins on the date of the enactment of the Veterans Housing and Employment Improvement Act of 2005.''.

(b) LIMITATIONS ON ADAPTIVE HOUSING ASSISTANCE.—Section 2102 of such title is amended—

(1) in the matter in subsection (a) preceding paragraph (1)—

(A) by striking ''shall be limited in the case of any veteran to one housing unit, and necessary land therefor, and''; and

(B) by striking ''veteran but shall not exceed $50,000 in any one case—'' and inserting ''veteran—''; and

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

''(d)(1) The aggregate amount of assistance available to a veteran under sections 2101(a) and 2102A of this title shall be limited to $50,000.

''(2) The aggregate amount of assistance available to a veteran under sections 2101(b) and 2102A of this title shall be limited to $10,000.

''(3) No veteran may receive more than three grants of assistance under this chapter.''.

(c) COORDINATION OF ADMINISTRATION OF BENEFITS.—Chapter 21 of such title is further amended by adding at the end the following new section:

''§2107. Coordination of administration of benefits

''The Secretary shall provide for the coordination of the administration of programs to provide specially adapted housing that are administered by the Under Secretary for Health and such programs that are administered by the Under Secretary for Benefits under this chapter, chapter 17, and chapter 31 of this title.''.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter of such title is amended—

(1) by inserting after the item relating to section 2102 the following new item:

''2102A. Assistance for veterans residing temporarily in housing owned by family member.'';

and

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

''2107. Coordination of administration of benefits.''.

(e) GAO REPORTS.—(1) Not later than three years after the date of the enactment of this Act, the Comptroller General shall submit to Congress an interim report on the implementation by the Secretary of Veterans Affairs of section 2102A of title 38, United States Code, as added by subsection (a).

(2) Not later than five years after the date of the enactment of this Act, the Comptroller General shall submit to Congress a final report on the implementation of such section.

SEC. 102. PERMANENT AUTHORITY TO MAKE DIRECT HOUSING LOANS TO NATIVE AMERICAN VETERANS.

(a) PERMANENT AUTHORITY.—Section 3761 of title 38, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''establish and implement a pilot program under which the Secretary may'' in the first sentence; and

(B) by striking ''shall establish and implement the pilot program'' in the third sentence and inserting ''shall make such loans'';

(2) in subsection (b), by striking ''In carrying out the pilot program under this subchapter, the'' and inserting ''The''; and

(3) by striking subsection (c).

(b) REPORTS.—Section 3762(j) of such title is amended to read as follows:

''(j) The Secretary shall include as part of the annual report required by section 529 of this title and as part of any annual benefits report of the Veterans Benefits Administration information concerning the cost and number of loans provided under this subchapter for each fiscal year.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 3762 of such title is amended—

(A) in subsection (a), by inserting ''under this subchapter'' after ''to a Native American veteran'';

(B) in subsection (b)(1)(E), by striking ''the pilot program established under this subchapter is implemented'' and inserting ''loans under this subchapter are made'';

(C) in subsection (c)(1)(B), by striking ''carry out the pilot program under this subchapter in a manner that demonstrates the advisability of making direct housing loans'' in the second sentence and inserting ''make direct housing loans under this subchapter'';

(D) in subsection (i)—

(i) by striking ''the pilot program provided for under this subchapter and'' in paragraph (1);

(ii) by striking ''under the pilot program and in assisting such organizations and veterans in participating in the pilot program'' in paragraph (2)(A) and inserting ''under this subchapter and in assisting such organizations and veterans with respect to such housing benefits''; and

(iii) by striking ''in participating in the pilot program'' in paragraph (2)(E) and inserting ''with respect to such benefits''.

(2) Section 8(b) of the Veterans Home Loan Program Amendments of 1992 (Public Law 102–547; 38 U.S.C. 3761 note) is repealed.

(d) ESTABLISHMENT OF MAXIMUM AMOUNT OF LOANS.—Section 3762(c)(1)(B) of title 38, United States Code, is amended—

(1) by striking ''(B) The'' and inserting ''(B)(i) Subject to clause (ii), the''; and

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

''(ii) The amount of a loan made by the Secretary under this subchapter may not exceed the maximum loan amount authorized for loans guaranteed under section 3703(a)(1)(C) of this title.''.

(e) TECHNICAL AMENDMENT.—Subsection (c)(1)(A) of section 3762 of such title is amended by inserting ''veteran'' after ''Native American''.

(f) CLERICAL AMENDMENTS.—

(1) SUBCHAPTER HEADING.—The heading for subchapter V of chapter 37 of such title is amended to read as follows:

''SUBCHAPTER V—DIRECT HOUSING LOANS FOR NATIVE AMERICAN VETERANS''.

(2) SECTION HEADING.—The heading for section 3761 of such title is amended to read as follows:

''§3761. Direct housing loans to Native American veterans; program authority''.

(3) SECTION HEADING.—The heading for section 3762 of such title is amended to read as follows:

''§3762. Direct housing loans to Native American veterans; program administration''.

(4) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 37 of such title is amended by striking the items relating to subchapter V and sections 3761 and 3762 and inserting the following new items:

''SUBCHAPTER V—DIRECT HOUSING LOANS FOR NATIVE AMERICAN VETERANS

''3761. Direct housing loans to Native American veterans; program authority.

''3762. Direct housing loans to Native American veterans; program administration.''.

SEC. 103. EXTENSION OF ELIGIBILITY FOR DIRECT LOANS FOR NATIVE AMERICAN VETERANS TO A VETERAN WHO IS THE SPOUSE OF A NATIVE AMERICAN.

(a) EXTENSION.—Subchapter V of chapter 37 of title 38, United States Code, is amended—

(1) by redesignating section 3764 as section 3765; and

(2) by inserting after section 3763 the following new section:

''§3764. Qualified non-Native American veterans

''(a) Subject to the succeeding provisions of this section, for purposes of this subchapter—

''(1) a qualified non-Native American veteran is deemed to be a Native American veteran; and

''(2) for purposes of applicability to a non-Native American veteran, any reference in this subchapter to the jurisdiction of a tribal organization over a Native American veteran is deemed to be a reference to jurisdiction of a tribal organization over the Native American spouse of the qualified non-Native American veteran.

''(b) In making direct loans under this subchapter to a qualified non-Native American veteran by reason of eligibility under subsection (a), the Secretary shall ensure that the tribal organization permits, and the qualified non-Native American veteran actually holds, possesses, or purchases, using the proceeds of the loan, jointly with the Native American spouse of the qualified non-Native American veteran, a meaningful interest in the lot, dwelling, or both, that is located on trust land.

''(c) Nothing in subsection (b) shall be construed as precluding a tribal organization from imposing reasonable restrictions on the right of the qualified non-Native American veteran to convey, assign, or otherwise dispose of such interest in the lot or dwelling, or both, if such restrictions are designed to ensure the continuation in trust status of the lot or dwelling, or both. Such requirements may include the termination of the interest of the qualified non-Native American veteran in the lot or dwelling, or both, upon the dissolution of the marriage of the qualified non-Native American veteran to the Native American spouse.''.

(b) CONFORMING AMENDMENTS.—Section 3765 of such title, as redesignated by subsection (a), is amended by adding at the end the following new paragraph:

''(5) The term 'qualified non-Native American veteran' means a veteran who—

''(A) is the spouse of a Native American, but

''(B) is not a Native American.''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 37 of such title is amended by striking the item relating to section 3764 and inserting the following new items:

''3764. Qualified non-Native American veterans.

''3765. Definitions.''.

SEC. 104. TERMINOLOGY AMENDMENTS TO REVISE REFERENCES TO CERTAIN VETERANS IN PROVISIONS RELATING TO ELIGIBILITY FOR COMPENSATION OR DEPENDENCY AND INDEMNITY COMPENSATION.

Title 38, United States Code, is amended as follows:

(1) Section 1114(l) is amended by striking ''so helpless'' and inserting ''with such significant disabilities''.

(2) Section 1114(m) is amended by striking ''so helpless'' and inserting ''so significantly disabled''.

(3) Sections 1115(1)(E)(ii), 1122(b)(2), 1311(c)(2), 1315(g)(2), and 1502(b)(2) are amended by striking ''helpless or blind, or so nearly helpless or blind as to'' and inserting ''blind, or so nearly blind or significantly disabled as to''.

TITLE II—EMPLOYMENT ASSISTANCE PROGRAMS

SEC. 201. EXTENSION OF OPERATION OF THE PRESIDENT'S NATIONAL HIRE VETERANS COMMITTEE.

(a) ONE-YEAR EXTENSION.—Subsection (f) of section 6 of the Jobs for Veterans Act (Public Law 107–288; 116 Stat. 2048) is amended—

(1) by striking ''60 days'' and inserting ''not later than 60 days''; and

(2) by striking ''on December 31, 2005'' and inserting ''not later than December 31, 2006''.

(b) ADDITIONAL AUTHORIZATION OF APPROPRIATIONS.—Subsection (g) of such section is amended by striking ''2005'' and inserting ''2006''.

(c) ADDITIONAL REPORT.—Subsection (e) of such section is amended by striking ''and 2005,'' and inserting ''2005, and 2006,''.

SEC. 202. ADDITIONAL DUTY FOR THE ASSISTANT SECRETARY OF LABOR FOR VETERANS' EMPLOYMENT AND TRAINING TO RAISE AWARENESS OF SKILLS OF VETERANS AND OF THE BENEFITS OF HIRING VETERANS.

(a) IN GENERAL.—Subsection (b) of section 4102A of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(8) With advice and assistance from the Advisory Committee on Veterans Employment, Training, and Employer Outreach established

under section 4110 of this title, furnish information to employers (through meetings in person with hiring executives of corporations and otherwise) with respect to the training and skills of veterans and disabled veterans, and the advantages afforded employers by hiring veterans with such training and skills, and to facilitate employment of veterans and disabled veterans through participation in labor exchanges (Internet-based and otherwise), and other means.''.

(b) TRANSITION PLAN.—(1) The Secretary of Labor, acting through the Assistant Secretary of Labor for Veterans' Employment and Training, shall develop a plan for the transition of the assumption of certain duties and functions of the President's National Hire Veterans Committee by the Assistant Secretary in carrying out section 4102A(b)(8) of title 38, United States Code, as added by subsection (a). Such plan shall include the identification of the activities and operations of the Committee that the Assistant Secretary determines should be continued or expanded.

(2) Not later than July 1, 2006, the Secretary shall transmit to the Committees on Veterans' Affairs of the Senate and House of Representatives the transition plan developed under paragraph (1).

SEC. 203. MODIFICATIONS TO THE ADVISORY COMMITTEE ON VETERANS EMPLOYMENT AND TRAINING.

(a) COMMITTEE NAME.—(1) Subsection (a)(1) of section 4110 of title 38, United States Code, is amended by striking ''Advisory Committee on Veterans Employment and Training'' and inserting ''Advisory Committee on Veterans Employment, Training, and Employer Outreach''.

(2) The heading of such section is amended to read as follows:

''§ 4110. Advisory Committee on Veterans Employment, Training, and Employer Outreach''.

(3) The item relating to section 4110 in the table of sections at the beginning of chapter 41 of such title is amended to read as follows:

''4110. Advisory Committee on Veterans Employment, Training, and Employer Outreach.''.

(4) Any reference to the Advisory Committee established under section 4110 of such title in any law, regulation, map, document, record, or other paper of the United States shall be considered to be a reference to the Advisory Committee on Veterans Employment, Training, and Employer Outreach.

(b) EXPANSION OF DUTIES OF THE COMMITTEE.—Subsection (a)(2) of such section is amended—

(1) in subparagraph (A), by inserting ''and their integration into the workforce'' after ''veterans'';

(2) by striking ''and'' at the end of subparagraph (B);

(3) by redesignating subparagraph (C) as subparagraph (E); and

(4) by inserting after subparagraph (B) the following new subparagraphs:

''(C) assist the Assistant Secretary of Labor for Veterans Employment and Training in carrying out outreach activities to employers with respect to the training and skills of veterans and the advantages afforded employers by hiring veterans;

''(D) make recommendations to the Secretary, through the Assistant Secretary of Labor for Veterans Employment and Training, with respect to outreach activities and the employment and training of veterans; and''.

(c) MODIFICATION OF COMMITTEE MEMBERSHIP.—(1) Subsection (c)(1) of such section is amended to read as follows:

''(c)(1) The Secretary of Labor shall appoint at least 12, but no more than 15, individuals to serve as members of the advisory committee as follows:

''(A) Six individuals, one each from among representatives nominated by each of the following organizations:

''(i) The National Society of Human Resource Managers.

''(ii) The Business Roundtable.

''(iii) The National Association of State Workforce Agencies.

''(iv) The U.S. Chamber of Commerce.

''(v) The National Federation of Independent Business.

''(vi) A nationally recognized labor union or organization.

''(B) Not more than five individuals from among representatives nominated by veterans service organizations that have a national employment program.

''(C) Not more than five individuals who are recognized authorities in the fields of business, employment, training, rehabilitation, or labor and who are not employees of the Department of Labor.''.

(2) Subsection (d) of such section is amended—

(A) by striking paragraphs (3), (4), (8), (10), (11), and (12); and

(B) by redesignating paragraphs (5), (6), (7), and (9) as paragraphs (3), (4), (5), and (6), respectively.

(d) REINSTATEMENT AND MODIFICATION OF REPORTING REQUIREMENT.—Subsection (f)(1) of such section is amended—

(1) by striking the first sentence and inserting the following: ''Notwithstanding section 3003 of Public Law 104–66, not later than December 31 of each year, the advisory committee shall submit to the Secretary and to the Committees on Veterans' Affairs of the Senate and House of Representatives a report on the employment and training needs of veterans, with special emphasis on disabled veterans, for the previous fiscal year.'';

(2) in subparagraph (A), by inserting ''and their integration into the workforce'' after ''veterans'';

(3) by striking ''and'' at the end of subparagraph (B);

(4) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (F), respectively;

(5) by inserting after subparagraph (A) the following new subparagraph:

''(B) an assessment of the outreach activities carried out by the Secretary of Labor to employers with respect to the training and skills of veterans and the advantages afforded employers by hiring veterans; ''; and

(6) by inserting after subparagraph (C), as so redesignated, the following new subparagraphs:

''(D) a description of the activities of the advisory committee during that fiscal year;

''(E) a description of activities that the advisory committee proposes to undertake in the succeeding fiscal year; and''.

TITLE III—HOMELESS VETERANS REINTEGRATION PROGRAM

SEC. 301. REAUTHORIZATION OF APPROPRIATIONS FOR HOMELESS VETERANS REINTEGRATION PROGRAM.

Subsection (e)(1) of section 2021 of title 38, United States Code, is amended by adding at the end the following new subparagraph:

''(F) $50,000,000 for each of fiscal years 2007 through 2009.''.

TITLE IV—TECHNICAL, CLARIFYING, AND CLERICAL AMENDMENTS

SEC. 401. TECHNICAL AND CLARIFYING AMENDMENTS TO NEW TRAUMATIC INJURY PROTECTION COVERAGE UNDER SERVICEMEMBERS' GROUP LIFE INSURANCE.

(a) SECTION 1980A.—Section 1980A of title 38, United States Code, as enacted by section 1032(a)(2) of Public Law 109–13 (119 Stat. 257), is amended as follows:

(1) Subsection (a) is amended to read as follows:

''(a)(1) A member of the uniformed services who is insured under Servicemembers' Group Life Insurance shall automatically be insured for traumatic injury in accordance with this section. Insurance benefits under this section shall be payable if the member, while so insured, sustains a traumatic injury that results in a qualifying loss specified pursuant to subsection (b)(1).

''(2) If a member suffers more than one such qualifying loss as a result of traumatic injury from the same traumatic event, payment shall be made under this section in accordance with the schedule prescribed pursuant to subsection (d) for the single loss providing the highest payment.''.

(2) Subsection (b) is amended—

(A) in paragraph (1)—

(i) by striking ''issued a'' and all that follows through ''limited to—'' and inserting ''insured against traumatic injury under this section is insured against such losses due to traumatic injury (in this section referred to as 'qualifying losses') as are prescribed by the Secretary by regulation. Qualifying losses so prescribed shall include the following:'';

(ii) by capitalizing the first letter of the first word of each of subparagraphs (A) through (H);

(iii) by striking the semicolon at the end of each of subparagraphs (A) through (F) and inserting a period; and

(iv) by striking ''; and'' at the end of subparagraph (G) and inserting a period;

(B) in paragraph (2)—

(i) by striking ''subsection—'' and inserting ''subsection:'';

(ii) by striking ''the'' at the beginning of subparagraphs (A), (B), and (C) and inserting ''The'';

(iii) in subparagraph (A), by striking ''4 limbs;'' and inserting ''four limbs.'';

(iv) in subparagraph (B), by striking ''; and'' at the end and inserting a period;

(v) in subparagraph (C), by striking ''1 side'' and inserting ''one side''; and

(vi) by adding at the end the following new subparagraph:

''(D) The term 'inability to carry out the activities of daily living' means the inability to independently perform two or more of the following six functions:

''(i) Bathing.

''(ii) Continence.

''(iii) Dressing.

''(iv) Eating.

''(v) Toileting.

''(vi) Transferring.'';

(C) in paragraph (3)—

(i) by striking '', in collaboration with the Secretary of Defense,'';

(ii) by striking ''shall prescribe'' and inserting ''may prescribe''; and

(iii) by striking ''the conditions under which coverage against loss will not be provided''; and inserting ''conditions under which coverage otherwise provided under this section is excluded''; and

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

''(4) A member shall not be considered for the purposes of this section to be a member insured under Servicemembers' Group Life Insurance if the member is insured under Servicemembers' Group Life Insurance only as an insurable dependent of another member pursuant to subparagraph (A)(ii) or (C)(ii) of section 1967(a)(1) of this title.''.

(3) Subsection (c) is amended to read as follows:

''(c)(1) A payment may be made to a member under this section only for a qualifying loss that results directly from a traumatic injury sustained while the member is covered against loss under this section and from no other cause.

''(2)(A) A payment may be made to a member under this section for a qualifying loss resulting from a traumatic injury only for a loss that is incurred during the applicable period of time specified pursuant to subparagraph (B).

''(B) For each qualifying loss, the Secretary shall prescribe, by regulation, a period of time to be the period of time within which a loss of that

type must be incurred, determined from the date on which the member sustains the traumatic injury resulting in that loss, in order for that loss to be covered under this section. For quadriplegia, paraplegia, and hemiplegia, the period of time so prescribed shall be 365 days.''.

(4) Subsection (d) is amended by striking ''losses described in subsection (b)(1) shall be—'' and all that follows and inserting ''qualifying losses shall be made in accordance with a schedule prescribed by the Secretary, by regulation, specifying the amount of payment to be made for each type of qualifying loss, to be based on the severity of the qualifying loss. The minimum payment that may be prescribed for a qualifying loss is $25,000, and the maximum payment that may be prescribed for a qualifying loss is $100,000.''.

(5) Subsection (e) is amended—

(A) by striking ''of Veterans Affairs'' each place it appears;

(B) in paragraph (1), by striking 'as the premium allocable'' and all that follows through ''protection under this section'';

(C) in paragraph (2), by striking ''Secretary of the concerned service'' and inserting ''Secretary concerned''; and

(D) by striking paragraphs (6), (7), and (8) and inserting the following:

''(6) The cost attributable to insuring members under this section for any month or other period specified by the Secretary, less the premiums paid by the members, shall be paid by the Secretary concerned to the Secretary. The Secretary shall allocate the amount payable among the uniformed services using such methods and data as the Secretary determines to be reasonable and practicable. Payments under this paragraph shall be made on a monthly basis or at such other intervals as may be specified by the Secretary and shall be made within 10 days of the date on which the Secretary provides notice to the Secretary concerned of the amount required.

''(7) For each period for which a payment by a Secretary concerned is required under paragraph (6), the Secretary concerned shall contribute such amount from appropriations available for active duty pay of the uniformed service concerned.

''(8) The sums withheld from the basic or other pay of members, or collected from them by the Secretary concerned, under this subsection, and the sums contributed from appropriations under this subsection, together with the income derived from any dividends or premium rate adjustments received from insurers shall be deposited to the credit of the revolving fund established in the Treasury of the United States under section 1869(d)(1) of this title.''.

(6) Subsection (f) is amended to read as follows:

''(f) When a claim for benefits is submitted under this section, the Secretary of Defense or, in the case of a member not under the jurisdiction of the Secretary of Defense, the Secretary concerned shall certify to the Secretary whether the member with respect to whom the claim is submitted—

''(1) was at the time of the injury giving rise to the claim insured under Servicemembers' Group Life Insurance for the purposes of this section; and

''(2) has sustained a qualifying loss.''.

(7) Subsection (g) of such section is amended—

(A) by inserting ''(1)'' after ''(g)'';

(B) by striking ''will not be made'' and inserting ''may not be made under the insurance coverage under this section'';

(C) by striking ''the period'' and all that follows through ''the date'' and inserting ''a period prescribed by the Secretary, by regulation, for such purpose that begins on the date'';

(D) by designating the second sentence as paragraph (2);

(E) by striking ''If the member'' and inserting ''If a member eligible for a payment under this section'' ;

(F) by striking ''will be'' and inserting ''shall be''; and

(G) by striking ''according to'' and all that follows and inserting ''to the beneficiary or beneficiaries to whom the payment would be made if the payment were life insurance under section 1967(a) of this title.''.

(8) Subsection (h) of such section is amended—

(A) in the first sentence, by striking ''member's separation from the uniformed services'' and inserting ''termination of the member's duty status in the uniformed services that established eligibility for Servicemembers' Group Life Insurance'';

(B) by striking the second sentence; and

(C) by adding at the end the following new sentence: ''The termination of coverage under this section is effective in accordance with the preceding sentence, notwithstanding any continuation after the date specified in that sentence of Servicemembers' Group Life Insurance coverage pursuant to 1968(a) of this title for a period specified in that section.''.

(9) Such section is further amended by adding at the end the following new subsection:

''(j) Regulations under this section shall be prescribed in consultation with the Secretary of Defense.''.

(b) EFFECTIVE DATE.—Section 1980A of title 38, United States Code, as amended by subsection (a), shall take effect on December 1, 2005, and (except as provided in subsection (d)) shall apply with respect to losses resulting from traumatic injuries incurred on or after that date.

(c) DEADLINE FOR IMPLEMENTING REGULATIONS.—Regulations to carry out section 1980A of title 38, United States Code, as amended by subsection (a), shall be prescribed not later than December 1, 2005.

(d) APPLICABILITY TO PRIOR QUALIFYING LOSSES INCURRED IN OPERATION ENDURING FREEDOM AND OPERATION IRAQI FREEDOM.—

(1) ELIGIBILITY.—A member of the uniformed services who during the period beginning on October 7, 2001, and ending at the close of November 30, 2005, sustains a traumatic injury resulting in a qualifying loss is eligible for coverage for that loss under section 1980A of title 38, United States Code, as amended by subsection (a), if, as determined by the Secretary concerned, that loss was a direct result of a traumatic injury incurred in the theater of operations for Operation Enduring Freedom or Operation Iraqi Freedom.

(2) CERTIFICATION OF PERSONS ENTITLED TO PAYMENT.—The Secretary concerned shall certify to the life insurance company issuing the policy of life insurance for Servicemembers' Group Life Insurance under chapter 19 of title 38, United States Code, the name and address of each person who the Secretary concerned determines to be entitled by reason of paragraph (1) to a payment under section 1980A of title 38, United States Code, as amended by subsection (a), plus such additional information as the Secretary of Veterans Affairs may require.

(3) FUNDING.—At the time a certification is made under paragraph (2), the Secretary concerned, from funds then available to that Secretary for the pay of members of the uniformed services under the jurisdiction of that Secretary, shall pay to the Secretary of Veterans Affairs the amount of funds the Secretary of Veterans Affairs determines to be necessary to pay all costs related to payments to be made under that certification. Amounts received by the Secretary of Veterans Affairs under this paragraph shall be deposited to the credit of the revolving fund in the Treasury of the United States established under section 1969(d) of title 38, United States Code.

(4) QUALIFYING LOSS.—For purposes of this subsection, the term ''qualifying loss'' means—

(A) a loss specified in the second sentence of subsection (b)(1) of section 1980A of title 38, United States Code, as amended by subsection (a); and

(B) any other loss specified by the Secretary of Veterans Affairs pursuant to the first sentence of that subsection.

(e) FUNDING FOR FIRST YEAR OF BENEFITS.—Upon the date specified in subsection (b), the Secretary concerned shall pay to the Secretary of Veterans Affairs an amount that is equivalent to one-half the amount anticipated to be necessary to pay all costs related to payments to be made under section 1980A of title 38, United States Code, for fiscal year 2006, effective December 1, 2005. The amount received by the Secretary of Veterans Affairs under this subsection shall be deposited to the credit of the revolving fund in the Treasury of the United States established under section 1969(d) of title 38, United States Code.

(f) DEFINITIONS.—For purposes of this section, the term ''Secretary concerned'' has the meaning given that term in paragraph (25) of section 101 of title 38, United States Code.

(g) CONFORMING AMENDMENTS.—Section 1032 of Public Law 109–13 (119 Stat. 257) is amended—

(1) in subsection (a), by striking paragraph (1), including the amendment that would be made by that paragraph effective December 1, 2005; and

(2) by striking subsections (c) and (d).

SEC. 402. TECHNICAL AND CLERICAL AMENDMENTS.

Title 38, United States Code, is amended as follows:

(1) TYPOGRAPHICAL ERROR.—Section 1117(h)(1) is amended by striking ''nothwithstanding'' and inserting ''notwithstanding''.

(2) INSERTION OF MISSING WORD.—Section 1513(a) is amended by inserting ''section'' after ''prescribed by''.

(3) DELETION OF EXTRA WORDS.—Section 3012(a)(1)(C)(ii) is amended by striking ''on or''.

(4) CROSS REFERENCE CORRECTION.—Section 3017(b)(1)(D) is amended by striking ''3011(c)'' and inserting ''3011(e)''.

(5) STYLISTIC AMENDMENTS.—Section 3018A is amended—

(A) by striking ''of this section'' in subsections (b) and (c);

(B) by striking ''of this subsection'' in subsections (a)(4), (a)(5), (d)(1) (both places it appears), and (d)(3); and

(C) by striking ''of this chapter'' in subsection (d)(3) and inserting ''of this title''.

(6) CROSS REFERENCE CORRECTION.—Section 3117(b)(1) is amended—

(A) by striking ''section 8'' and inserting ''section 4(b)(1)''; and

(B) by striking ''633(b)'' and inserting ''633(b)(1)''.

(7) INSERTION OF MISSING WORD.—Section 3511(a)(1) is amended by inserting ''sections'' after ''under both''.

(8) SUBSECTION HEADINGS.—

(A) Sections 3461, 3462, 3481, 3565, 3680, and 3690 are each amended by revising each subsection heading for a subsection therein (appearing as a centered heading immediately before the text of the subsection) so that such heading appears immediately after the subsection designation and is set forth in capitals-and-small-capitals typeface, followed by a period and a one-em dash.

(B) Section 3461(c) is amended by inserting after the subsection designation the following: ''DURATION OF ENTITLEMENT.—''.

(C) Section 3462 is amended—

(i) in subsection (d), by inserting after the subsection designation the following: ''PRISONERS OF WAR.—''; and

(ii) in subsection (e), by inserting after the subsection designation the following: ''TERMINATION OF ASSISTANCE.—''.

(9) CROSS REFERENCE CORRECTION.—Section 3732(c)(10)(D) is amended by striking ''clause (B) of paragraphs (5), (6), (7), and (8) of this subsection'' and inserting ''paragraphs (5)(B), (6), (7)(B), and (8)(B)''.

(10) DATE OF ENACTMENT REFERENCE.—Section 3733(a)(7) is amended by striking ''the date of

the enactment of the Veterans' Benefits Act of 2003'' and inserting ''December 16, 2003''.

(11) REPEAL OF OBSOLETE PROVISIONS.—Section 4102A is amended

(A) in subsection (c)(7)—

(i) by striking ''With respect to program years beginning during or after fiscal year 2004, one percent of'' and inserting ''Of''; and

(ii) by striking ''for the program year'' and inserting ''for any program year, one percent''; and

(B) in subsection (f)(1), by striking ''By not later than May 7, 2003, the'' and inserting ''The''.

(12) REPEAL OF OBSOLETE PROVISIONS.—Section 4105(b) is amended—

(A) by striking ''shall provide,'' and all that follows through ''Affairs with'' and inserting ''shall, on the 15th day of each month, provide the Secretary and the Secretary of Veterans Affairs with updated information regarding''; and

(B) by striking ''and shall'' and all that follows through ''regarding the list''.

(13) CITATION CORRECTION.—Section 4110B is amended—

(A) by striking ''this Act'' and inserting ''the Workforce Investment Act of 1998''; and

(B) by inserting ''(29 U.S.C. 2822(b))'' before the period at the end.

(14) CROSS-REFERENCE CORRECTION.—Section 4331(b)(2)(C) is amended by striking ''section 2303(a)(2)(C)(ii)'' and inserting ''section 2302(a)(2)(C)(ii)''.

(15) CAPITALIZATION CORRECTION.—Section 7253(d)(5) is amended by striking ''court'' and inserting ''Court''.

Amend the title so as to read: ''A bill to provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member, to make certain improvements in veterans employment assistance programs, and for other purposes.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from Nevada (Ms. BERKLEY) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

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

Madam Speaker, I am pleased to commend H.R. 3665, as amended, to the House for passage. This bill has several goals. First, we want to provide some flexibility in several VA programs, including the Adapted Housing Grant program and the Native American Loan program. Second, we want to protect and institutionalize the taxpayers' investment in the President's National Hiring Veterans Committee. Third, we want to reauthorize the Homeless Veterans Reintegration program for 3 years.

Madam Speaker, it is no secret that many of those wounded in Iraq and Afghanistan return home with significant disabilities. Many of those severely disabled servicemembers spend their convalescence at a family home before moving to their own home when they are well enough to do so. Under the current rules, VA cannot help adapt those family homes for their specific disabilities unless the veteran has an ownership interest in the property. This bill would eliminate the ownership requirement for a partial grant. Therefore, title I would provide a partial adaptive housing assistance grant up to $10,000 or $2,000, depending on the level of disability to veterans residing temporarily in housing owned by a family member. It would also authorize up to three specially adaptive housing grants within the allotted maximum amount.

Madam Speaker, this measure contains several provisions from H.R. 1773, originally introduced by the Economic Opportunity Subcommittee ranking member, Ms. HERSETH. I want to compliment her and her staff for their hard work on this issue. These provisions would make permanent the pilot program for housing loans to Native American veterans; extend the eligibility for Native American loans to certain non-Native American veterans who have a meaningful interest in the property under tribal law and are the spouses of a Native American. And finally, this would adjust the maximum loan to conform with the Freddie Mac limits similar to other VA loans, currently $59,650.

Madam Speaker, the taxpayers have made a significant investment in the work of the President's National Hire Veterans Committee, and we feel strongly that a 1-year extension will allow a proper transition of the duties and products of the committee to the Veterans Employment and Training Service of the Department of Labor. Therefore, title II would extend the committee's work until not later than December 31, 2006. Transition of its duties to the Assistant Secretary of Labor for Veterans Employment and Training require the Assistant Secretary of Labor for Veterans Employment and Training to develop a transition plan for those duties and modify the membership and duties of the advisory committee on veterans employment and training to include outreach activities.

Madam Speaker, we all know that homelessness among the veterans continues to be a problem. While there is some disagreement about the total number of homeless veterans needing a job to break the cycle of homelessness, there is no disagreement that the Homeless Veterans Reintegration program remains a valuable tool to put homeless veterans back to work. I want to emphasize that this is an employment program managed by the Veterans Employment and Training Service of the Department of Labor, not a housing program. Therefore, title III would reauthorize the Homeless Veterans Reintegration program for fiscal years 2007 through 2009 and retain the maximum authorization of $50 million per year.

Finally, title IV makes technical amendments to the servicemembers group life insurance legislation as well as clerical and technical amendments to a number of other sections of title 38.

Madam Speaker, I reserve the balance of my time.

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

I want to thank Chairman BUYER, Ranking Member EVANS, Subcommittee Chairman BOOZMAN, and Ranking Member HERSETH for bringing this bill to the floor. Ms. HERSETH has been detained at a legislative hearing before the Resources Committee concerning the bill she has introduced. I hope that she will be able to join us before the debate on the bill is completed, but I want to particularly thank her for her input into this important piece of legislation.

Madam Speaker, I am pleased to be an original cosponsor of H.R. 3665. As amended, the bill before us would provide greater flexibility to the VA's Adaptive Housing Grant program. It also includes measures to extend the Department of Labor's Veterans Employment and Training Service. The bill also includes language from H.R. 1773, which Ms. HERSETH introduced to make the Native American Veteran Home Loan program permanent.

Section 102 of the bill would make permanent the Native American Housing Loan program, currently a pilot program administered by the Veterans Administration since 1993. The Native American Housing Loan program has provided more than 443 direct loans nationwide since its inception. By all accounts, the pilot program has been a great success and, in fact, currently does not require any government subsidy.

The Congressional Budget Office estimates that enactment of the provision would generate savings of $1 million over the next 5 years. Section 103 of the bill would authorize non-Native American veterans married to a Native American spouse and living on trust or tribal land to fully participate in this direct loan program. Because certain tribal sovereignty rules prohibit ownership interest by nonnative persons, they have been unable to qualify for this home loan program. The language in section 103 would make it possible for a nonnative military member or for a nonnative military member or veteran to qualify for a VA loan if he or she shares a meaningful interest rather than an ownership interest with their respective spouse in their home.

Madam Speaker, on this Friday we will celebrate and honor the service of our Nation's veterans. Hopefully, we will all be in our home districts attending Veterans Day parades and other activities that we share with our veterans. As I do so, I am mindful that over 3,000 veterans in Nevada are homeless. Most of them are living on the streets in Las Vegas. The number of homeless veterans in America is, I am sorry to say, a national disgrace and simply must be addressed. According to the National Coalition for Homeless Veterans, there are already 400 veterans who have served in Iraq and Afghanistan who have sought shelter through homeless programs.

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I strongly support the provision in H.R. 3665 which would reauthorize appropriations for the Homeless Veterans Reintegration Program to help veterans get off the street and working again.

With increased efforts to deny VA benefits and, thereby, health care to veterans with post-traumatic stress disorder, I fear that our efforts to reduce the number of homeless veterans, many who are suffering from PTSD, may be at risk.

One homeless veteran who recently contacted the VA Committee had a VA claim pending for PTSD. We learned that because of a perceived pressure to deny claims, regional office adjudicators were afraid to accept the veteran's testimony of his Iraq combat experience, an article naming him and describing the attack, and a statement of his soldier passenger, who was wounded in the attack, as sufficient credible evidence of a stressor.

VA officials later acknowledged that the evidence provided by the veteran met the legal requirements and the claim was approved, finally.

This veteran's story is an example of how severely mentally disabled veterans are at risk of becoming homeless due to VA policies.

Congress must stop the administration's assault on veterans with severe PTSD. We must also provide opportunities to those veterans who are homeless due to their disabilities. H.R. 3665 will do just this.

I appreciate the cooperation of the gentleman from Arkansas (Mr. BOOZMAN) in including language I had suggested to eliminate the obsolete term ''helpless'' from title 38. Although severely disabled veterans may require significant help with activities of daily life, characterizing them as helpless is demeaning and, quite frankly, inaccurate.

The bill under consideration today will benefit our Nation's veterans and deserves the support of all Members of the House.

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

Mr. BOOZMAN. Madam Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. BROWN), chairman of the Health Subcommittee.

Mr. BROWN of South Carolina. Madam Speaker, I thank the chairman for yielding me time and for his leadership in bringing these bills to the floor.

Madam Speaker, H.R. 3665, the Veterans Housing and Employment Improvement Act of 2005, provides needed enhancements to veterans' benefit programs. Specifically, I would like to discuss the provisions which were contained in H.R. 3279, the Homeless Veterans Reintegration Program Reauthorization Act of 2005, of which I was an original cosponsor.

H.R. 3279 was rolled into H.R. 3665 in the full committee markup held on October 7. This legislation would reauthorize HVRP through fiscal year 2009. Currently, the authority for this program expires at the end of fiscal year 2006. This legislation continues the current authorization for $50 million per year. I am eager for this legislation to be sent to the President as soon as possible.

The Homeless Veterans Reintegration Program, or HVRP, is designed to take the men and women who are probably the most difficult population of veterans to serve off the streets and return them as productive contributors to society. It is a tall order and one that presents unique challenges to both the government and to those who deliver services to homeless veterans.

HVRP program providers have taken on this difficult task and have turned HVRP into one of the most successful programs in the Federal Government. HVRP grantees are taking on the difficult task of breaking the cycle of homelessness. I urge my colleagues to support this program and this important legislation.

Ms. BERKLEY. Madam Speaker, I yield 3 minutes to the gentlewoman from Guam (Ms. BORDALLO).

Ms. BORDALLO. Madam Speaker, I rise today in strong support of H.R. 3665, the Veterans Housing and Employment Improvement Act. This legislation would permanently authorize a successful and worthy pilot program, commonly referred to as the Native American Home Loan Program.

Established in 1992 as a 5-year pilot program, Congress has extended the authority for this loan program on three separate occasions. Clearly, the program has proven very effective and deserves a permanent authorization.

Administered by the Department of Veterans Affairs, this program makes direct loans to Native American veterans who reside on tribal lands and veterans who reside on land trust properties in the United States territories, Hawaii and Alaska. We have thousands of veterans on Guam, many suffering from military-related illnesses. Currently, Madam Speaker, five veterans from my district of Guam have loan applications under this program, pending review by the Department.

These loans are for the purchase, renovation, or construction of new homes. And, as you know, home ownership is also a primary driver for economic growth of local communities. Affordable housing is important, very important, for our veterans. Furthermore, home ownership is part of the American dream.

Permanent authorization will ensure this important lending program remains an option for veterans who seek to purchase homes. Permanent authorization of this program will contribute to the growth of our local community. Permanent authorization will allow veterans to live the American dream which they have served to defend.

I want to take this opportunity, Madam Speaker, to thank my colleague from Arkansas, JOHN BOOZMAN; the chairman, STEVE BUYER; the ranking member, LANE EVANS; and the hardworking committee for their diligent work on this legislation. I strongly urge its passage.

Mr. BOOZMAN. Madam Speaker, I yield 2 minutes to the gentleman from Idaho (Mr. SIMPSON), the sponsor of the original bill to extend the operation of the President's National Hire Veterans Committee, and former chairman of the Veterans' Benefits Subcommittee.

Mr. SIMPSON. Madam Speaker, I want to thank Chairman BOOZMAN and Ranking Member HERSETH for their work on this piece of legislation.

Earlier this year, I introduced H.R. 419, which would authorize the President's National Hire Veterans Committee through 2008. The bill before us today, H.R. 3665, not only extends the life of this important committee, but also provides for its continued operation long into the future under a new Advisory Committee on Veterans Employment Training and Employer Outreach.

It is important that we continue to support and fund the work of this committee which strives to make employers and businesses more aware of the valuable role that veterans play in the public workforce.

Today's employers do not often realize the wealth of skills possessed by the men and woman returning from duty in the Armed Forces. Through the creation of the One Stop Career Centers for veterans and the development of hirevetsfirst.gov Web site for potential employers, the President's National Hire Veterans Committee has fostered a vital link between military and civilian employment.

As Veterans Day approaches many of us take for granted the sacrifices made by those who defend our Nation. Voting for this bill is a way to truly show our veterans that we appreciate them and are willing to support them not only when they are serving our country abroad, but when they return home as well.

I urge my colleagues to support H.R. 3665 and thank them for their work on this bill.

Ms. BERKLEY. Madam Speaker, I yield 4 minutes to the gentleman from the great State of Hawaii (Mr. CASE).

Mr. CASE. Madam Speaker, I also rise in full support of H.R. 3665, the Veterans Housing and Improvement Act of 2005, which addresses the critical housing needs of our Nation's disabled and Native American veterans.

I also would like to thank Representatives BOOZMAN and HERSETH for their leadership on this legislation and, of course, Veterans Committee Chair BUYER and Ranking Member EVANS for expeditiously bringing this bill to the House floor.

H.R. 3665, in part, provides permanent authority for the Native American Direct Home Loan Program and extends eligibility for such loan to non-Native American spouses of Native Americans living on Native American trust and tribal lands.

The Native American Direct Home Loan Program has been a highly successful veterans effort, particularly in my Hawaii, where it applies to veterans living on lands held in trust under this Congress' own Hawaiian Homes Commission Act of 1920. The majority of these Hawaiian homelands in my Second Congressional District on the islands of Oahu, Kauai, Molokai, Maui, Hawaii, and Lanai.

Since the inception of this program, which was spearheaded by the great Hawaii Senator Spark Matsunaga, and continued by Senator DANIEL AKAKA, native Hawaiian veterans have successfully used this direct home loan program for their acute housing needs, and I am proud to say with nominal deficiencies and delinquencies.

Over $20 million has now been approved for over 200 loans in Hawaii, with 106 loans totaling $7.5 million pending. This is an incredible help not only with the needs of many veterans who would likely otherwise be precluded from quality housing, but about Hawaii's overall housing crisis.

Due to its success over the last 13 years, the Native American Direct Home Loan Program, which initially started out as a pilot program, was twice extended by Congress but is currently set to expire on December 31 of this year. It is vital to understand why this program is so important to our Native American veterans and why we should make the program permanent, as this bill proposes.

Of course, the most basic reason is the success of the overall program in honoring our commitment to our Nation's veterans. Beyond that, Congress found some years ago that during the entire history to that date of the program, not a single Native American veteran living on Indian trust lands or Hawaii homelands had in fact received the VA home loan under the VA's traditional home loan program. The reason for that was quite simple.

The unique trust status of native lands did not lend itself to conventional lending practices because banks and other financial institutions did not recognize those lands as valid collateral.

As part of our obligation to all of our Nation's veterans, that obligation being to ensure that they are all able to tap fully into VA programs, the Native American Direct Home Loan Program addressed this unique and discrete challenge facing many Native American veterans and afforded them the same opportunity of home ownership availed their comrades-in-arms.

This bill recognizes and improves upon the clear success of this effort, and I ask my colleagues to vote in favor of H.R. 3665.

Mahalo.

Mr. BOOZMAN. Madam Speaker, I yield 1 minute to the gentleman from New Hampshire (Mr. BRADLEY), the vice chairman of the Veterans Disability and Memorial Affairs Subcommittee, a gentleman who, since coming to Congress, has been a tireless advocate for veterans.

Mr. BRADLEY of New Hampshire. Madam Speaker, I thank the chairman and the ranking minority member for their hard work to a make this bill a reality.

Madam Speaker, I rise in support of the Veterans Housing Improvement Act, H.R. 3665. All of us, as Members of Congress, have had the opportunity to meet our brave soldiers who are serving in Iraq and Afghanistan, fighting in the war on terror. One of the components of the war on terror is that many of them are coming home with disabling injuries.

This bill in a very significant way will help families to be able to allow the reintegration of these disabled heroes back into not only working life, but at-home life. The $10,000 grant will help home owners to be able to renovate their houses to make them suitable for disabled veterans, and that is why it is so important that we authorize and fund this pilot program to do what needs to be done to help these heroes integrate back into life.

I thank the chairman and the ranking member for their hard work and urge my colleagues to support this bill.

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

Mr. BOOZMAN. Madam Speaker, first, I would like to thank the chairman of the Committee on Veterans' Affairs, the gentleman from Indiana (Mr. BUYER), and the committee's ranking member, the gentleman from Illinois (Mr. EVANS), for their leadership and support in bringing this bill to the floor. I would also like to thank the ranking member of the Economic Opportunity Subcommittee, the gentlewoman from South Dakota (Ms. HERSETH), as well as her staff and my staff for their hard work and cooperation on this bipartisan legislation.

□ 1430

Special thanks to the gentlewoman from Nevada (Ms. BERKLEY), who is the ranking member for Disability Assistance and Memorial Affairs.

This bill is an example of how we can work together to achieve good things for veterans, and I urge my colleagues to support H.R. 3665, the Veterans Housing and Employment Improvement Act of 2005.

I do not think we can close today before noting that this coming Friday is Veterans Day, a day that originally marked the 11th hour of the 11th day of the 11th month in the war to end all wars. Unfortunately, that idealistic prediction failed, and several generations of Americans have since served in wartime. So today, instead of honoring the end of World War I, Veterans Day now honors all of those who have worn the uniform in defense of the Nation. Whether a veteran served in war or peacetime, we owe them our gratitude, and this bill is just one small token of our appreciation.

Madam Speaker, on behalf of the House, I want to say thank you to all who have served.

Ms. HERSETH. Madam Speaker, I rise today in strong support of H.R. 3665, as amended, the Veterans Housing and Employment Improvement Act of 2005. This bill incorporates a number of important measures aimed at improving the quality of life of our servicemembers, veterans and military families.

I would like to thank Chairman BUYER and Ranking Member EVANS for their leadership on the full committee and for their assistance in moving this bill to the floor today.

I also want to express my appreciation to the Chairman of the Economic Opportunity Subcommittee—Mr. BOOZMAN, for all his hard work and bipartisan leadership on the subcommittee this legislative session. I look forward to continue working with my friend from Arkansas as we begin discussions with the Senate to ensure passage of a bipartisan, bicameral veterans' benefits package for this year. I know that the veterans of my home state of South Dakota and all veterans of this nation will appreciate the important benefits and program improvements we have included in this legislative measure.

Madam Speaker, H.R. 3665, as amended, incorporates important provisions that would provide greater flexibility to the VA's adaptive housing grant program. It also includes important measures to extend the Homeless Veterans Reintegration Program and improve the Department of Labor's Veterans Employment and Training Service. In addition, the bill also includes language from H.R. 1773, the Native American Veteran Home Loan Act—a measure I introduced along with a number of colleagues earlier this year.

Section 102 of the bill would make permanent the Native American Housing Loan Program, currently a pilot program administered by VA since 1993. The Native American Housing Loan program has provided 443 direct loans nationwide since its inception—20 to veterans in South Dakota. By all accounts the pilot program has been a great success and in fact currently has a negative subsidy—that is, it actually pays for itself. The Congressional Budget Office estimates that enactment of the provision would generate savings of $1 million over five years.

Section 103 of the bill would authorize non-native American veterans married to a Native American spouse and living on trust or tribal land to fully participate in this direct loan program. Because certain tribal sovereignty rules prohibit ownership interests by non-native persons they have been unable to qualify for this home loan program. The language in section 103 now makes it possible for a non-native military member or veteran to qualify for a VA loan if he or she shares a "meaningful interest" rather than "ownership interest" with their respective spouse in their home.

I want to thank Mr. FALEOMAVAEGA the Delegate of American Samoa for bringing this issue to my attention, and I want to also thank the VA for its assistance in drafting this particular provision.

Madam Speaker, the service members, veterans and military families of this nation have earned and deserve our best efforts here in Congress. Indeed, they deserve so much more.

As we approach Veterans Day, I am very proud to support this legislation and confident

it will benefit the veterans of my home state of South Dakota, as well as the other veterans around the country.

I fully support H.R. 3665, as amended, and urge my colleagues to do the same.

Mr. BUYER. Madam Speaker, as Chairman of the House Committee on Veterans' Affairs, I rise in strong support of H.R. 3665, the Veterans Housing and Employment Improvement Act of 2005, as amended. This is a bipartisan bill that as amended also includes provisions from Chairman BOOZMAN's H.R. 3279, the Homeless Veteran Reintegration Program Reauthorization Act of 2005, Ranking Member HERSETH's H.R. 1773, the Native American Veteran Home Loan Act, and Mr. SIMPSON's H.R. 419, the Hire Veterans Act of 2005.

Title I of this bill, as amended, would improve the flexibility of the VA's Adapted Housing Grant Program, and make the Native American Veterans Home Loan Program permanent.

Title II of the bill would extend the life of the President's National Hire Veterans Committee (PNHVC), which was created by Public Law 107–288 to improve industry's awareness of the value inherent in increasing the number of veterans hired by the private sector. The Committee determined that a one-year extension of the PNHVC's three-year authority for purposes of winding down its operations, in addition to providing opportunity for added oversight, would be an appropriate way to ensure that the Department of Labor integrates the positive aspects of the PNHVC into its future activities.

Title III of the bill would reauthorize the Homeless Veterans' Reintegration Program (HVRP), which is administered by VETS. Based on testimony and meetings with HVRP providers, the program appears to be one of the more successful homeless programs in government by rehabilitating and finding jobs for the most difficult to place population of veterans.

Title IV of the bill would also make technical, clarifying, and conforming changes to new section 1980A of title 38, the Traumatic Injury Protection program, which was established in the supplemental.

Madam Speaker, as Chairman of the Committee on Veterans' Affairs, I would like to thank the Ranking Member of the Committee, Mr. LANE EVANS (IL) for his cooperation in moving this legislation to the floor. I would also like to acknowledge the hard work of Mr. BOOZMAN (AR), and Ms. HERSETH (SD), the Chairman and Ranking Member of the Subcommittee on Economic Opportunity, through whose leadership and hard work, this legislation has come before the House. Its timing is especially propitious, the day after tomorrow being Veterans' Day.

Madam Speaker, I strongly urge all my colleagues to support this important legislation.

Mr. EVANS. Madam Speaker, I rise in strong support of H.R. 3665, as amended.

It is only fitting that as November 11th approaches and we prepare to commemorate another Veterans Day, we are meeting here today on the House floor to discuss and pass this legislation, which is intended to honor the courage and sacrifice of the nation's veterans.

I would like to thank Chairman BUYER for his support of this bill.

I also want to thank the Chairman and Ranking Member of the Economic Opportunity Subcommittee, JOHN BOOZMAN and STEPHANIE HERSETH, for their work in developing and moving this important legislation to the floor.

The housing, employment and homeless provisions contained in the bill are very important and should be enacted into law.

Madam Speaker, I am proud to be an original cosponsor of this bill.

Our servicemembers, veterans and military families sacrifice greatly.

It is our responsibility to care and provide for them upon their return from service as we do when we send them off to war.

I strongly support this measure, Madam Speaker, and I urge all my colleagues to vote for its passage.

Mr. FALEOMAVAEGA. Madam Speaker, I rise in support of H.R. 3665, the Veterans Housing and Employment Improvement Act of 2005. I especially want to thank Chairman STEVE BUYER and Ranking Member LANE EVANS of the Committee on Veterans' Affairs and also Chairman JOHN BOOZMAN and Ranking Member STEPHANIE HERSETH of the Subcommittee on Economic Opportunity for their leadership in making it possible for Native Americans to participate in the veterans' housing loan program.

I am especially thankful that American Samoa's veterans have also been able to participate in this very successful program. Today, I am here to thank my colleagues for working with me to address the concerns of American Samoans without adversely affecting the rights of other tribes.

Many Samoans have served in the military and they are allowed to obtain home loans under current law. Other Samoans are married to non-Samoan veterans. Nonnative military spouses married to native Samoans have not been able to qualify for the VA home loan program. In part, this is because the Native American Home Loan program excludes the spouses of non-native Americans from qualifying for a VA home loan.

For my constituents, this is problematic. In brief, most land in American Samoa is communal, meaning that only Samoans of Tutuila, Manu's, Aunu'u, or Swain Islands may qualify for home loans offered by traditional lending institutions because only they can make claim to native land.

As a result of these land laws, non-native spouses of veterans or persons serving in the U.S. Armed Forces who are married to a Samoan may not qualify for a VA home loan. The VA has been helpful in assisting the Veterans' Affairs Committee and my office in drafting language to rectify this problem and I am pleased that this language has now been included in H.R. 3665.

As we have agreed, it is our understanding that this language now makes it possible for a non-Samoan military member or veteran to qualify for a VA loan if the non-Samoan military member has a "meaningful interest" in the housing a Samoan spouse has been granted permission to build on communal land. It is also our understanding that "meaningful interest" means that the veteran has the right to reside in the home under tribal laws.

Madam Speaker, I urge support of H.R. 3665 and I again thank my colleagues for including my provision in this important legislation. I also thank the VA for its assistance, and Ms. Mary Ellen McCarthy, Democratic Staff Director for Disability Assistance and Memorial Affairs, for her tireless efforts. I urge support of this legislation.

Mr. BOOZMAN. Madam Speaker, having no further requests for time, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. CAPITO). The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 3665, 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. BOOZMAN. 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 question will be postponed.

GENERAL LEAVE

Mr. BOOZMAN. 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. 3665.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Conference report on H.R. 2419, by the yeas and nays;

Conference report on H.R. 2862, by the yeas and nays;

Motion to suspend the rules on S. 1894, 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.

CONFERENCE REPORT ON H.R. 2419, ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore. The pending business is the question on adoption of the conference report on the bill, H.R. 2419, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 399, nays 17, not voting 17, as follows:

[Roll No. 580]

YEAS—399

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
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)
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
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
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
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Mica
Michaud
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
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stark
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
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)

NAYS—17

Andrews
Berkley
Bishop (NY)
Deal (GA)
Duncan
Flake
Gibbons
Green (WI)
Hefley
Hostettler
Kucinich
Matheson
Miller (FL)
Porter
Sensenbrenner
Stearns
Tancredo

NOT VOTING—17

Boswell
Brown-Waite, Ginny
Conaway
Davis (FL)
Hastings (FL)
Meeks (NY)
Millender-McDonald
Norwood
Oxley
Paul
Sessions
Slaughter
Solis
Strickland
Sweeney
Turner
Young (FL)

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Mr. GREEN of Wisconsin and Mr. KUCINICH changed their vote from ''yea'' to ''nay.''

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

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 580 on H.R. 2419, I was unavoidably detained. Had I been present, I would have voted "yea."

CONFERENCE REPORT ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

The SPEAKER pro tempore (Mrs. CAPITO). The pending business is the question on adoption of the conference report on the bill, H.R. 2862, on which the yeas and nays are ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the conference report.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 397, nays 19, not voting 17, as follows:

[Roll No. 581]

YEAS—397

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
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
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
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
Doolittle
Doyle
Drake
Dreier
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
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
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 (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Mica
Michaud
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
Nunes
Nussle
Oberstar
Olver

Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Payne
Pearce
Pelosi
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
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
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)

NAYS—19

Baldwin
Capuano
Conyers
Doggett
Duncan
Flake
Green (WI)
Hefley
Hostettler
Jones (NC)
Matheson
McDermott
Obey
Otter
Paul
Tancredo
Taylor (MS)
Tierney
Velázquez

NOT VOTING—17

Boswell
Brown-Waite, Ginny
Castle
Conaway
Davis (FL)
Hastings (FL)
Meeks (NY)
Millender-McDonald
Norwood
Oxley
Pence
Sessions
Solis
Strickland
Sweeney
Turner
Young (FL)

□ 1504

Mr. MILLER of Florida changed his vote from ''nay'' to ''yea.''

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 581 on H.R. 2862, I was unavoidably detained. Had I been present, I would have voted "yea."

FAIR ACCESS FOSTER CARE ACT OF 2005

The SPEAKER pro tempore (Mrs. CAPITO). The unfinished business is the question of suspending the rules and passing the Senate bill, S. 1894.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. HERGER) that the House suspend the rules and pass the Senate bill, S. 1894, 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 408, nays 1, not voting 24, as follows:

[Roll No. 582]

YEAS—408

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
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)
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
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
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Osborne
Otter
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
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
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stark
Stearns
Stupak
Sullivan
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)

NAYS—1

Moore (WI)

NOT VOTING—24

Boswell
Brown-Waite, Ginny
Conaway
Davis (FL)
Emerson
Gohmert
Hastings (FL)
Higgins
Honda
Meeks (NY)
Melancon
Millender-McDonald
Norwood
Ortiz
Oxley
Pence
Sessions
Solis
Strickland
Sweeney
Tancredo
Turner
Waters
Young (FL)

□ 1514

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. SOLIS. Mr. Speaker, during rollcall vote No. 582 on S. 1894, I was unavoidably detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. OXLEY. Mr. Speaker, I was absent from the House floor during today's rollcall votes on H.R. 2419, the Fiscal Year 2006 Energy and Water Development appropriations conference report; H.R. 2862, the Fiscal Year 2006 Science, State, Justice, and Commerce appropriations conference report; and S. 1894, the Fair Access Foster Care Act.

Had I been present, I would have voted in favor of each of those measures.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4200

Mr. LEWIS of California. Madam Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 4200.

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

There was no objection.

APPOINTMENT OF CONFEREES ON H.R. 3199, USA PATRIOT AND TERRORISM PREVENTION REAUTHORIZATION ACT OF 2005

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 3199) to extend and modify authorities needed to combat terrorism, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

□ 1515

The SPEAKER pro tempore (Mrs. CAPITO). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

MOTION TO INSTRUCT OFFERED BY MR. BOUCHER

Mr. BOUCHER. Madam Speaker, I have a motion to instruct at the desk which I offer on behalf of myself, the gentleman from California (Mr. ROHRABACHER), and the gentleman from Florida (Mr. MACK).

The Clerk read as follows:

Mr. Boucher moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 3199 be instructed to recede from disagreement with the provisions contained in subsections (a) and (b) of section 9 of the Senate amendment (relating to the modification of the PATRIOT Act sunset provision and the extension of the sunset of the ''Lone Wolf'' provision).

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Virginia (Mr. BOUCHER) and the gentleman from Wisconsin (Mr. SENSENBRENNER) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. BOUCHER).

Mr. BOUCHER. Madam Speaker, I yield 10 minutes to the gentleman from California (Mr. ROHRABACHER), and I ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Mr. BOUCHER. Madam Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Virginia (Mr. SCOTT).

(Mr. SCOTT of Virginia asked and was given permission to revise and extend his remarks.)

Mr. SCOTT of Virginia. Madam Speaker, I rise in support of the motion to instruct.

The current House bill provisions for 10 year sunsets on the 215 and 206 roving wiretap powers is not much better than no sunset at all. What we are talking about under the 215 provision is power to get access to your personal records from a business, including a public library, without you ever knowing about it, or what is done with the information. And the librarian or other business operator cannot tell you or anyone else other than the business's attorney or appropriate superiors, about the FBI's taking your records.

Under the roving wiretaps provision, after obtaining a roving wiretap from the secret FISA court, the FBI can follow the target around and tap any phone the target has access to, including yours if he or she happens to be a neighbor and comes to your house, without having to first determine that the phone is actually being used by the target before they start listening in.

The 4-year sunsets worked to make the Justice Department responsive to Congress in providing the information needed to properly perform its oversight responsibility for the extraordinary powers extended under the PATRIOT Act, but only in the last year of the sunset. For most of the 4-year period leading up to the sunsets, the Justice Department refused any meaningful oversight of their PATRIOT Act powers and other war on terror authorities. Even with Chairman SENSENBRENNER threatening a subpoena because he was not getting answers to his PATRIOT Act questions, it wasn't until the powers were set to expire that we got real answers—hard numbers and at least anecdotal evidence of their use.

Take, for example, the effort to try to get information about library record requests under the secretive Section 215 powers where the recipient of the order is gagged from disclosing any information about it: first we were told that information about even the number of these orders was secret, so it couldn't be disclosed. It was only in the last year of the sunset that we were finally told that there had been no 215 orders issued to libraries, then we learned that this was misleading because most libraries cooperated with FBI requests for information without requiring a 215 order, and with all the secrecy and gag orders in effect, we still don't know what the full story is. Perhaps some of the pending lawsuits will finally reveal what has been going on in this area.

The problem with a 10-year sunset is that it will have no impact on the current Administration, or the next one and only have an impact in the last year of the 3rd Administration from now. Moreover, with a 20-year retirement period for most career officials, in 10 years most of today's officials will have retired. So, that's really of little oversight value if we have to wait that long to get the kind of responsive information for oversight we were finally able to get in the last year of the current sunsets.

Accordingly, we should accede to the Senate sunset provisions which call for 4-year sunsets on the three most controversial and worrisome PATRIOT powers—secret acquisition of library and other business records, roving wiretaps, and the ''lone wolf'' provision for terrorism investigations, which allows a single individual to fall under the extraordinary, secretly administered foreign surveillance powers otherwise reserved for use against agents of foreign governments or organizations.

Mr. SENSENBRENNER. Madam Speaker, I do not intend to oppose the motion to instruct, and I ask unanimous consent that I may control the 30 minutes that I have been allotted.

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

There was no objection.

Mr. BOUCHER. Madam Speaker, I yield myself 4 minutes.

Madam Speaker, I rise today in support of the Boucher-Rohrabacher-Mack motion to instruct the conferees to recede to the Senate with respect to sunsetting in 4 years the libraries and book stores, roving wire taps and loan wolf provisions of the USA PATRIOT Act.

The most effective way for Congress to maintain oversight of the most controversial powers that the PATRIOT Act conveys is to sunset those provisions within a reasonable period of time. In past years, well before the December 2005 sunsets contained in the original PATRIOT Act, we asked the Department of Justice how it was using the authorities that had been granted to the Department by the original act. Some questions simply went unanswered. Other questions were rebuffed, and we were told that the information was classified. And still others were avoided by telling us that the information simply was not available.

All of that changed in April of this year when the Department of Justice realized that straight reauthorization of the PATRIOT Act would not happen without serious answers to our reasonable questions. Suddenly, numbers and examples were no longer unavailable. Suddenly, the information we had long been seeking was provided. I have no doubt that if 16 provisions of the original act were not scheduled to sunset at the end of this year, we would still have little information on how these new authorities were being used.

If we have learned one thing over the last 4 years, it is that we will not get answers to our questions unless the Justice Department is compelled to come before us and justify its use of the more dangerous and intrusive powers that the law confers. Remember, sunsets do not in any way hinder law enforcement's use of the powers the PATRIOT Act confers. They merely ensure accountability and oversight, which are particularly important with respect to the three controversial provisions that are at issue today.

Section 215 of the law puts personal records, including library, bookstore and medical records, up for grabs by law enforcement with no requirement that the person whose records are sought be suspected of involvement in a crime. All law enforcement has to say is that the information is relevant to an investigation. It could be an investigation of someone the person has never met and about whom the person has no knowledge.

Moreover, an organization may not tell someone they have turned over his private information. So people have no way of knowing when their privacy has

been intruded upon. Earlier this year, the House, by a wide margin, voted to bar enforcement of this overly broad provision. But the House bill reauthorizing the act with some changes perpetuates it for 10 years, and I think that that is inappropriate. The Senate bill sunsets this provision in 4 years. Our motion to instruct directs conferees to adopt the 4-year sunset provision.

Section 206, John Doe roving wiretaps, allows law enforcement to obtain a single court order to tap any phone it believes a foreign agent would use, instead of getting separate orders for each phone. Moreover, the government is not required to name the target which allows wiretaps on phones of virtually anyone meeting the description of a John Doe. The combination of allowing blanket tapping of, for example, all of the pay phones in a target's neighborhood or the phones of all of his friends and relatives, combined with the ability to wiretap a vaguely described John Doe, means that roving John Doe wiretaps require so little specificity that they can easily be abused.

Sunsetting this provision in 4 years will allow Congress to revisit how this authority is being used and whether it continues to be necessary.

Reinstating is about accountability. This motion to instruct would simply assure that we have the authority to carry it out.

Madam Speaker, I reserve the balance of my time.

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

Madam Speaker, I think it is important for the Members to note that the motion to instruct deals specifically with the ''lone wolf'' provision and sunsets that. The lone wolf provision was not passed as a part of the PATRIOT Act in October 2001, but was included as a part of the intelligence bill which was enacted into law a little bit less than a year ago. So as a result, the committees and the public have not been able to have as extensive oversight and for as long a period of time as the other 16 provisions that were sunsetted in the act which the President signed in October 2001.

So I think it is appropriate to have a sunset on the lone wolf provision simply because we do not have the experience of being able to examine what the Justice Department has done with this new and expanded authority.

On the other hand, let me say that we are negotiating with the Senate at the present time on what the length of the sunset is, and I think that the sunset on this provision will be longer than 4 years, and the sunset on the other two provisions that were contained in the House-passed bill will be shorter than the 10 years that the House of Representatives placed in the bill, which was passed and sent over to the other body.

Having said all of this, I would like to make a couple of points. First of all, finding out what a Department or an agency of the executive branch is doing is entirely the prerogative of the committee that has the responsibility for the oversight and of its Chair. I have been extremely vigorous, since the enactment of the PATRIOT Act, in doing oversight over what the Department of Justice has done relative to that law, and I am happy to say that most of the oversight letters that have been sent to the Attorney General have been cosigned by the gentleman from Michigan (Mr. CONYERS), ranking member of the Judiciary Committee.

We have been kind of like tough school marms with the Department of Justice because when they were late and when they were nonresponsive to the questions, we required the Department of Justice to come up with responsive answers, and those responsive answers we placed on the committee's Web site so that anybody with Internet access could be able to find out what the questions were and what the answers were, with the exception of responses that were classified and which were sent to the Intelligence Committee rather than to the Judiciary Committee.

In addition to the oversight which was done, the original PATRIOT Act requires the Inspector General of the Department of Justice to report twice a year to the relevant committees of Congress the number of civil liberties violations that have been found against the Department of Justice as a result of its exercising the increased and new requirements and powers in the PATRIOT Act. We have received those reports by the Inspector General of the Department of Justice on a regular and on a timely basis, and the answer to how many civil liberties violations have been proven is none. Repeatedly they have said there are no civil liberties violations that the Inspector General has been able to uncover.

Further, I resisted a premature repeal or extension of the sunset prior to this Congress because I felt it was important that the oversight be done for as long a time as possible so that the Congress will be able to look over the shoulder of the Department of Justice and find out whether or not they were doing it the right way or whether or not they needed a tap on the shoulder from Capitol Hill for improvements in their methods of operation.

When we did get to this Congress with the oversight being completed and the sunset approaching, I fulfilled the promise that I made to the public and anybody who asked that we would be doing a section-by-section review of the expiring sections of the PATRIOT Act. The House Committee on the Judiciary had 12 separate hearings on the PATRIOT Act's sunset provisions. There were minority witnesses at all of the hearings except the one where the Attorney General and the one where the Deputy Attorney General appeared to testify. There was plenty of time for questions by every member of the committee.

As a result of all of those hearings, we found that all but two or three sections of the PATRIOT Act were essentially noncontroversial. Nobody was complaining about an abuse of power. Nobody had proved abuse of power. Nobody had alleged an abuse of power. And as a result, the House-passed bill eliminated the sunsets for those sections of the PATRIOT Act for which there was no complaint at these extensive series of hearings, and that is good policy. And if it is not good policy, then the message that is given downtown as well as to the public is that our oversight really does not make any difference. If the oversight shows they have been doing a good job, they ought to be rewarded.

Getting rid of the 14 of the 16 sunset provisions that were contained in the original PATRIOT Act does not mean that the Justice Department is not going to have the committee looking over its shoulder. We will do that; but, again, that depends upon the priorities of the committee and the priorities of its Chair. And as long as I am the chairman of the committee, there will be vigorous oversight of the Department of Justice, not only on how they are handling the PATRIOT Act but how they are handling all of the other laws that the committee has oversight jurisdiction over.

Because the motion to instruct only relates to the lone wolf provision and I believe that because we have had a much shorter period of time in viewing how they have dealt with the lone wolf provision because it was passed 3 years after the original PATRIOT Act was enacted into law, I think this motion to instruct is a proper one, although I do think that the difference between 4 years and 7 years still should be negotiated with the Senate. But because the gentleman from Virginia is 95 percent to where we ought to be, I am going to vote for it, and maybe he will be a little bit more flexible with the other 5 percent.

Madam Speaker, I reserve the balance of my time.

Mr. BOUCHER. Madam Speaker, I yield myself 30 seconds.

For basis of clarification, the motion to instruct that we have put forward applies to lone wolf, as the gentleman from Wisconsin indicates.

□ 1530

But it also applies to sections 206 and 215. The House sunsets those in 10 years, and we would instruct conferees to adopt the Senate 4-year sunset. I wanted to be sure that was well understood.

Madam Speaker, I reserve the balance of my time.

Mr. ROHRABACHER. Madam Speaker, first and foremost, I yield myself a moment here to thank the gentleman from Virginia (Mr. BOUCHER) for the time that he has yielded us and shown good faith with us in having an honest discussion of this very significant issue.

Madam Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Idaho (Mr. OTTER).

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

Mr. OTTER. Madam Speaker, I rise in support of the motion to instruct.

We have heard much from many sides about the USA PATRIOT Act—concerns about what the bill does, statements about what it does not do, and fears about what it could do in the future. We have shared these discussions with constituents, state and local officials, businesses, librarians, and other government agencies.

But earlier this year we had an important opportunity to move those conversations back to Congress to examine—in a light much more clear and objective than that in which we passed the original bill—how the PATRIOT Act has protected us from further terrorist attack, and also how balance between national security and personal security needs to be restored.

As a result of the opportunity to debate, deliberate, and discuss, we made important changes to the original USA PATRIOT Act in H.R. 3199, changes that enable law enforcement to continue to investigate and prosecute crime while protecting civil liberties. Congress was able to go back and make those changes because the original bill included a sunset and made many questionable provisions subject to it.

This sunset served us well, and so I am perplexed that in the same bill where we made vital revisions to the USA PATRIOT Act we also eliminated many of the sunsets and extended others for a decade or more. In doing so, H.R. 3199 takes away from Congress the opportunity to periodically review these provisions and ensure that the tools they provide law enforcement are necessary and that they are not being abused.

I am glad that, in respect to Sections 206 and 215 of the USA PATRIOT Act, the Senate did not act as rashly as we did. I strongly urge conferees to see the wisdom of four-year sunsets for these sections, as passed by the Senate, and I ask my colleagues to join me in supporting this motion to instruct.

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

Madam Speaker, I rise in strong support of this motion to instruct conferees on the PATRIOT Act. Let me note that I am one of several, if not many, Members of Congress who feel that it was an act of bad faith on the part of those in this body who turned the temporary sunsetted provisions of the PATRIOT Act into permanent law for the United States of America.

I supported the PATRIOT Act and would have again voted for the PATRIOT Act as it was when we first voted for it, except now we end up with a PATRIOT Act that permanently changes the balance of power in the United States between the police power and the limitations of power of the policing authorities of the Federal Government. That, I do not believe, should be tolerated by those of us who love liberty and justice and feel that limited government is vital to the protection of freedom.

Second of all, let me note that any, any investigation or hearings that we have had so far into the PATRIOT Act are irrelevant to the issue at hand, the issue at hand as to whether or not we have permanently changed this law and whether in the future there could be abuse. I would say, along with many others, that by permanently granting these excessive powers, or extended powers, to the Federal Government in a time of war and then permanently extending it so that now it is the norm for a time of peace is asking for abuse. So whatever hearings have been held so far in this conflict are irrelevant.

On September 11, our country was attacked and we saw 3,000 Americans slaughtered before our eyes, and it totally justified the major expansion of the police and investigative powers of our government. I voted for the PATRIOT Act, as I just said, and I continue to support its provisions as a necessary expansion of police powers in order to prosecute this war on Islamofacism. They declared war on us every bit as much as the Japanese declared war on us on December 7, 1941.

However, as I said in the original bill, sunset provisions were placed in all of these expanded police powers that were going to enable us to protect our people in this time of war. It was a consensus that when the war was won, it was a consensus when this war was won, those powers would be rescinded and their purposes would have then been served.

The expanded authority we are talking about in terms of eliminating these sunsets in the current bill, this has nothing to do with fighting the war or winning the War on Terror. It has everything to do with using that war as an excuse to permanently change the way we do business in the United States. The standard we set for a war when we are at war with radical Islam should not be the new standard set for America once that war is over. It is as simple as that.

I support the expansion of those powers until we win that war. But we cannot, and this is what we have been handed, a bill that permanently does it so our way of life is changed after the war is over.

The special grants of police power that we have approved we believe should only last for the duration of the war, and we must demand at least a forced reexamination of these provisions to ensure that winning the War on Terror does not result in a permanent change of our way of life.

Of course, we are not here to debate the PATRIOT Act again. Today, we are limited to instructing conferees to adopt the Senate's version of the bill, which would sunset in 4 years the same two provisions that the House bill would sunset in 10 years. The rest of the expansion of the police powers, such as the sneak-and-peak searches, Internet and credit card seizures, the lowering of standards for logging all calls dialed from one particular phone, and the rules against discussing property seizure, all without the traditional warrants that would be required for those activities, have been made permanent in U.S. law. The two provisions being allowed to sunset, as one might expect, are the most questionable of the lot.

Specifically, section 206 of the House version of the PATRIOT Act extends to Federal authorities for 10 years until 2015 the right to employ roving wiretaps, whether they have the name of a specific suspect or location notwithstanding. This should be reexamined before 10 years has lapsed if for no other reason than to just understand whether or not this tool is working for us in the War on Terror. Is it achieving the goals that it set out to achieve in this war?

The Senate version sunsets the clause in 4 years; that is much more responsible. Let us come back and reassess it. That is reasonable.

Section 215 will also be sunsetted in 2015 in the House version rather than in the 5 years in the Senate bill. This section allows for law enforcement to examine library and financial records of any person in connection with a Federal investigation. This provision is possibly the most controversial in the entire bill. My colleagues on one side of the aisle say that this is an unconscionable invasion of privacy, never justified, even in wartime. Others, however, argue that this particular provision is rarely, if ever, used, so why worry about it?

Well, let us be frank and admit that searching library and financial records of our citizens is hugely intrusive, even if it is rarely used. Nonetheless, this section 215 may be needed in a time of war to secure our country and to make sure our people are safe.

While granting the expansion of this police power with a reasonable time limit, such as the expansion of a shorter term of years to ensure section 215 is not abused, that seems reasonable. But it may, again, 215 may be justified now. We may have a justification to find out if someone who checked out a book on radical Islam has also checked out books on how to make bombs. That is why sunsetting this provision 4 years from now, rather than 10 years, is the right thing to do. We do not want to have that kind of power in the hands of the Federal police authorities after this war is over.

Finally, we need to ask, why do the radical Islamists hate us? They hate the openness of our society. They hate our tolerances, our belief in the equality before the law, the right of those of other faiths to worship, and the right of us to express our beliefs. In short, radical Islam is the enemy of freedom; thus, they are our enemy.

If we permanently alter the traditional limitations of our government here in America, the terrorists have won. They have changed our way of

life. During no war in the past, whether World War II or the Cold War, were the police powers of the Federal Government permanently changed so that after the war a new standard of government would exist.

Well, Ronald Reagan would never have supported such an expansion of Federal power and neither should we.

I ask my colleagues to vote on this motion to instruct conferees, and I would ask them to search their consciences about voting for a new PATRIOT Act at all that threatens to permanently change the American way of life.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I am really disappointed that the gentleman from California (Mr. ROHRABACHER), whom I consider to be my friend, has said that the extensive oversight and the 12 hearings that the Judiciary Committee has done on a bipartisan basis is irrelevant. Because what he is saying is that the results of that oversight and the results of those hearings really do not make any difference when we are dealing with the extension of the PATRIOT Act.

I think they do. Because if you accept the argument that he has made, then the Congress should never do oversight because the results of the oversight are not going to make any difference in the policy.

To repeat myself, first, the Inspector General has not found a civil liberties violation. Secondly, of the 16 provisions where law enforcement powers were expanded, there were no allegations of misuse by the Justice Department in 14 of those 16 provisions. And when we had the hearings before the Judiciary Committee Subcommittee on Crime, the minority had at least one and, in some cases, two witnesses that could come in and present any information that they wanted to present.

Now, the way we make sure that there is not government overreaching in our system of government is to give the courts the power to declare unconstitutional overreaching by government agencies. The fourth amendment is alive and well, and the Supreme Court of the United States will never allow the Congress or State legislatures to ignore the provisions of the fourth amendment.

There has been not one of the 16 expanded powers in the PATRIOT Act, signed by President Bush in October of 2001, that has been declared unconstitutional. There has been no declaration of unconstitutionality of any of those powers. But what has been declared unconstitutional was a provision on national security letters that was put in the PATRIOT Act as a renumbering, but which was enacted as a result of a bill that originated in the other body in 1986. That bill was signed by President Ronald Reagan.

To the gentleman from California, you are wrong.

Madam Speaker, I reserve the balance of my time.

Mr. BOUCHER. Madam Speaker, I am pleased to yield 4 minutes to the distinguished ranking member of the House Committee on Intelligence, the gentlewoman from California (Ms. HARMAN).

(Ms. HARMAN asked and was given permission to revise and extend her remarks.)

Ms. HARMAN. Madam Speaker, I thank the gentleman for yielding me this time and I commend him for his leadership. And I am pleased to see that, so far, this debate has all been in favor of support of this motion to instruct, which I think is a very important statement for this House to make.

Madam Speaker, I take my responsibilities as ranking member of the Intelligence Committee very seriously. I spend a lot of my day and a lot of my weekend, and most of my nights thinking and dreaming about how I can add value to protecting Americans and American interests.

Earlier today, hotels in Amman, Jordan, were bombed. Over 50 people are dead, scores are wounded. The terrorists are there, and let us not make any mistake about it, they are trying to be here again. So it is absolutely correct that we need modern and appropriate legal authorities to find them, and prevent and disrupt their plans before they are able to execute them. Prevention and disruption is much better than response, and I think everyone in this Chamber is dedicated to making sure we have the right tools. That is why the PATRIOT Act passed 45 days after 9/11, overwhelmingly, and that is why the House bill passed again recently by a large margin.

However, consistent with statements that Mr. ROHRABACHER has just made, as we give these expanded authorities, we also need to assure the law-abiding public of America that we will be vigilant in supervising these authorities. Not just today, not just in the oversight hearings we held during this last year and, yes, we held a lot of them, but tomorrow and next year and the year after.

Having sunsets for these controversial provisions matters. That is why in the Intelligence Committee Mr. RUPPERSBERGER and Mr. HASTINGS offered amendments to impose sunsets. Some amendments passed, but they did not survive in the final House bill.

Sunsets are a good idea, and I think with very strong bipartisan support in this Chamber, that these new authorities need to carry with them the promise that Congress will be vigilant and, that 4 years from now, we will reconsider whether they are necessary.

Let me also add a word about national security letters, which were a remedy designed in the 1970s.

I think national security letters, a tool not in the PATRIOT Act, need to be reviewed as well by this House, and I think we need to consider whether the authority is too broad or whether, using a magistrate system or some other system, they should be reviewed before they are issued. They should not become the backdoor route to using PATRIOT Act authorities without going through this careful system we have set up.

So, in conclusion, Madam Speaker, it is a dangerous world. We need the tools necessary to find the so-called ''bad guys'' before they attack us, but we also need the tools necessary to assure law-abiding Americans that we are paying careful attention, and that the Congress, an independent branch, will not now, not ever, let down our responsibility to safeguard civil liberty for American citizens.

□ 1545

Mr. ROHRABACHER. Madam Speaker, I yield 1½ minutes to my colleague from Florida (Mr. MACK).

Mr. MACK. Madam Speaker, first of all I want to associate myself with the comments made by my colleague from California and also to state for the record that I support the motion to instruct. I also would like to thank the chairman for his comments today regarding the motion to instruct.

I ran on a platform of freedom like most people did in this Congress. And I believe it was Ronald Reagan, and I am paraphrasing, who said freedom is a fragile thing that must be defended by each generation. And that is what I am here to do. That is what I am here to do today. I believe that we ought to look for other or additional sections of this bill to sunset, but I am happy to see that this Congress is taking a hard look at the provisions and the sections that have already been mentioned to ensure that the freedoms that our families enjoy and the people in this country enjoy so much will be protected.

I also understand the arguments that have been made about the oversight of the committee; and, Mr. Chairman, I know that as the chair of that committee that will be done. My concern is for future generations and to make sure that none of the freedoms that Americans enjoy today will ever be taken away from them in the future.

Mr. BOUCHER. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a distinguished member of the House Judiciary Committee.

Mr. NADLER. Madam Speaker, I rise in support of the motion to instruct. This bill makes permanent the most dangerous and intrusive provisions of the PATRIOT Act, 14 of the 16 previously sunsetted provisions. The remaining two sunsetting provisions are renewed for 10 years. Ten years is not a sunset. Ten years is quasi-permanent.

These provisions are particularly worrisome because they expand the powers of the police to pry into the privacy of ordinary Americans, to go into their homes, into their papers, into their Internet records, their telephone records, their medical records, their bank records.

Reinstating the sunset is about accountability. The breadth of these provisions providing for roving wiretaps,

for sneak-and-peek searches, for invading library privacy and section 505, expanding the use of national security letters invites abuse.

The administration assures us, the chairman assures us that these provisions have not been abused. But how do we know? It is all secret. We were told repeatedly that section 215 we should not worry about; it is rarely if ever used to demand library records. Now we know why.

The Washington Post revealed last Sunday that the FBI issues more than 30,000 section 505 national security letters a year, many to libraries for ''preliminary investigations and threat assessments'' before deciding whether or not to launch an investigation. These tens of thousands of invasive government demands for sensitive and private information which never even go before a judge have resulted in the collection of probably hundreds of millions of personal facts regarding innocent Americans, innocent American residents, citizens, and businesses. And the Bush administration has decided to file all this personal information in government databases even if no basis is found for a real investigation and they will not even rule out selling this information to private conditions.

Sunsets have been the major check, albeit probably inadequate checks, on abuse of the PATRIOT Act. They mean that at least every 4 years Congress is required to look at the law again, to revisit it, and has the opportunity to ask tough questions on the use or abuse of these powers, and most important, the administration cannot stonewall these questions except for every 4 years.

We should have to look into these burdens on our civil liberties at least one in four years and ask are these powers being abused, should they be fine tuned? Should they be narrowed? Have we made the right balance between security and liberty? What can we do to ensure that our constitutional rights are not violated?

I wish, Madam Speaker, that this motion to instruct were broader than it is, that it kept all the sunsetting provisions from being made permanent. The FBI will still have all the powers it needs. It will simply have to hold itself accountable to Congress and the American people every 4 years about how these powers are used. Why is that so terrible?

I call on all my colleagues, Democrats and Republicans, liberals and conservatives, to begin to safeguard the national security, not adequately, but to begin to safeguard the civil liberties of all Americans by voting for this very, very skimpy motion to instruct.

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

The discussion today is not whether or not the Federal Government after 9/11 should have had expanded police powers and investigative authority. That is not the issue. And I voted for that expansion of the police power, just as most of my colleagues on the other side of the aisle and all of my colleagues on this side of the aisle did, almost all of my colleagues on this side of the aisle voted. That is not the question, because when we voted for those expansions, we put in a sunset clause that after a certain number of years, 4 years, that the issues of those expanded authorities would be re-examined.

The only question at hand in the debate today is whether or not those expanded powers for wartime expansion in the war against radical Islam should be made permanent even now in this time of crisis. This is not a good strategy for free government to change permanently its law during a moment of crisis. I would vote for the PATRIOT Act again because I think that these powers that were just described are needed at this moment, even the ones that were just described by my friends on the other side of the aisle.

But that still does in no way justify permanently expanding those powers so that once the gentleman from Wisconsin is no longer here to conduct hearings that the Federal Government still has those powers perhaps for people who are less, let us say less responsible than Mr. SENSENBRENNER in overseeing those expanded powers. Our Founding Fathers understood limitations on government is a guarantee of freedom. Now is not the time for us to permanently change law and permanently put freedom at risk.

Mr. BOUCHER. Madam Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip of the House.

Mr. HOYER. Madam Speaker, I thank my friend for yielding, and I urge my colleagues to vote for this important motion to instruct on the PATRIOT Act. Like so many, I voted for the PATRIOT Act the first time and the second time. But I agree with the gentleman from California and the gentleman from Virginia, and as I understand it, perhaps the chairman as well. I simply do not understand the reticence to include sunset provisions on a law that affects the civil liberties of every American citizen.

In fact, when we reauthorized the PATRIOT Act in July, the Republican bill permanently authorized 14 of the 16 provisions. The other two provisions, one for roving wiretaps and the other dealing with the FBI's power to demand business records, were extended for 10 years. Democrats fought to sunset these provisions last summer; and we do so again today, apparently successfully, because, I think, people have, upon reflection, thought that this is a better policy. Because when it comes to the government's power to intrude on the private lives of citizens, the United States Congress should not give the government unchecked power to do so.

Just last Sunday the Washington Post documented, and it has been referenced here, the hundredfold increase in the issuance of national security letters seeking information about U.S. citizens and visitors who are not even alleged to be terrorist or spies. There are terrorists. Terrorism is a serious threat, and we need to be serious in our response. But privacy concerns must not be casually dismissed. In fact, it was not until several sections of the PATRIOT Act were set to expire that the Justice Department began to respond to congressional inquiries and we had the opportunity to assess, examine, and recalibrate our policies.

I submit to my colleagues they have given the Justice Department carte blanche. No matter how good the leadership is in the Justice Department, it is not a policy that we ought to pursue and would be an abdication of our congressional oversight responsibility and contrary to the interests of the American people.

Madam Speaker, this motion would recede to the Senate and create a 4-year sunset on the most controversial provisions in the PATRIOT Act, orders by the secret Foreign Intelligence Court, blank wiretap orders and the surveillance of agents of a foreign power who act alone. This motion, in my opinion, is a step in the right direction, and I hope the Members support it.

As I said, and I will echo the comments of so many here, terrorism is an immediate and proximate threat, as we lawyers say; and we need to respond effectively to keep America safe. But in the process, we must also protect the basic rights that our Founding Fathers knew were the bedrock of the United States democracy.

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

Madam Speaker, I am the author of the sunsets that were put in the PATRIOT Act that was signed by the President in October of 2001 because I agreed with what I heard from the gentleman from Maryland (Mr. HOYER), that we ought to look at what the Justice Department had done with these expanded powers. We have looked at those actions. We have looked at how those expanded powers have been utilized; and in 14 of the 16 cases, nobody had any complaint about how those expanded powers have been utilized.

Now, sunsets are very rare in congressional action. I am proud of the fact that I put the sunsets in almost 4 years ago. But what I will say is that we do not sunset a whole host of other programs. Social Security is not sunsetted, nor should it be. Amtrak is not sunsetted, maybe it should be, but it is not. And I have, I am looking at the Federal criminal code and the national security letters that have been complained of by people on the other side of the aisle; they are not sunsetted. The authority for the national security letters was passed in 1986 when, I recall, the current minority party had a significant majority in the House of Representatives.

Now, if sunsets were so important when we are dealing with the civil liberties of the people of the United States of America, why did you forget about them 19 years ago?

Madam Speaker, I reserve the balance of my time.

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

Mr. RUPPERSBERGER. Madam Speaker, I rise in support of the motion to instruct. Let me say up front that I think the PATRIOT Act provided essential tools that were not available before the 9/11 terrorist attacks. These tools are essential to identifying and tracking terrorists inside the United States, and that is the way it should be. It has to be national security first. But the PATRIOT Act was passed just 7 weeks after 9/11. When it was passed, there were concerns that some of the authorities were too broad or too susceptible to abuse. The proposal emerged to sunset 16 of the most controversial provisions. That was a sensible idea. The sunsets would allow the Justice Department and the public to evaluate the effectiveness of these provisions and decide whether there was a continuing need for them or a need to modify them.

The House bill includes important refinements to the PATRIOT Act passed 4 years ago. Honest people can disagree about whether these provisions were too broad or just right; but the point is, the sunset provisions worked. They compelled Congress to take a second look at key provisions in the PATRIOT Act and improve them. The sunsets forced us to have accountability as we expanded law enforcement authorities. That is a game plan that we should stick with. We should continue to scrutinize these authorities from time to time. That is why I offered an amendment to extend the PATRIOT Act sunsets during the Intelligence Committee markup of H.R. 3199.

□ 1600

Like my amendment, this instruction to conferees to accept the Senate sunsets would not alter the original PATRIOT Act authorities. After all, national security has to be our number one priority, but accepting the Senate sunsets would also force us to reevaluate again 4 years from now whether they are truly effective in fighting terrorism. Oversight and accountability is an essential element of the PATRIOT Act.

I would also like to respond to the chairman's point that there were not any abuses. The issue is not whether there were abuses. The issue is setting a system that we need to have in effect.

Mr. BOUCHER. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), another distinguished member of the House Judiciary Committee.

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the gentleman from the Judiciary Committee for the wisdom of this motion, and I applaud the joining by the chairman of the full committee and offer an explanation for the reason our colleagues should join us in supporting this motion to instruct, and frame it in the context of the crisis of the recent weeks, asking Congress to accept its responsibility to investigate the CIA leaks and now to investigate further the leaking of the CIA sites, some call it sites of torture, incarceration, of individuals around the world who have been charged or are alleged to have committed acts of terrorism.

It is important now to speak to the American people and argue that this motion to instruct does simply one thing. It now brings the American people into the focus of being the priority of the actions of this Congress.

Yes, the PATRIOT Act in some minds has offered to provide us more protection. There were aspects of the PATRIOT Act that I did support. The original writing was a bipartisan product. Unfortunately, the ultimate product was not as bipartisan.

But what is bipartisan is our responsibility to protect the American people. The 4-year sunset gives us that opportunity so that we can begin in 4 years to assess whether authorizing secret intelligence, going into libraries and getting a list of your library books helps or hurts the American people; whether the authorizing of a blank wiretap helps or hurts the American people; whether or not the lone wolf, where you can be one individual, not part of a terrorist organization or an association or to be part of a large massive group, but one individual who may be part of, words may have suggested that they are giving some comfort to those whose views we disagree with can be hauled in as a terrorist. This sunset allows us to protect the American people.

Many of us are familiar with the recent film that said ''Good Night and Good Luck.'' It reminded us of the days of the McCarthy era when no one seemed to want to rise to support the rights of the American people. I ask my colleagues to support this motion to instruct and sunset in 4 years so Congress can have the ability to protect the rights of the American people.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the motion to instruct currently pending.

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

There was no objection.

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

Mr. Speaker, we have had a pretty extensive debate on this motion to instruct. I think the motion to instruct is constructive and would urge the Members to support it.

On the other hand, after listening to the debate that has been going on here for the last 40 or 45 minutes or so, what we have heard from the people who have complained about the PATRIOT Act is the potential for abuse rather than abuse itself. I would point out that there is a potential for abuse of practically everything law enforcement does.

There is a tremendous amount of discretion that the law and the Constitution have given to our law enforcement personnel, to our prosecutors, to those who apply for search warrants as well as other tools that law enforcement utilizes to keep us safe and to try to track down those who commit crimes or who conspire to commit crimes or acts of terrorism.

I do not know why there seems to be a greater suspicion that law enforcement already abuses provisions under the PATRIOT Act rather than other provisions of law which are not sunset, including the national security letters, because the facts simply are not there that there has been abuse.

What I would like to ask the Members as we are debating the PATRIOT Act as it goes forward through conference and to the floor is to look at what the Justice Department has done; and where the Justice Department has done it right, the Justice Department should be told they have done it right. And that means eliminating the sunsets from those areas where it has done it right.

And where there has to be a greater scrutiny on it, such as the two provisions in the House-passed bill and the lone wolf provision that are being talked about, we can talk about future sunsets; and I support the concept of doing that.

But simply going around and painting with a broad brush the Justice Department for the potential of abuse which has not happened, I think, is unfair and does not go to the debate of whether the PATRIOT Act has actually served to protect the people of the United States without trampling on their civil liberties. It has done that.

That is why it is a good law and that is why some provisions should be made permanent and some provisions should be sunsetted to be looked at in the future.

Mr. Speaker, again I urge the Members to support the motion to instruct. When we come back with a conference report, I will urge the Members to support that as well.

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

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

Mr. Speaker, first of all, I want to commend the gentleman from California (Mr. ROHRABACHER) and the gentleman from Florida (Mr. MACK) for

partnering with us and structuring this motion to instruct conferees. I want to express appreciation to the gentleman from Wisconsin (Mr. SENSENBRENNER) for his constructive comments and for his support of the motion to instruct.

The motion to instruct promotes accountability. It assures that we remain in a strong position in our oversight function. Recent history clearly shows that in the absence of a near-term sunset we will not get answers to our questions about how controversial law enforcement powers are being used. In the absence of a near-term sunset, we cannot ensure that civil liberties are being protected.

This is not a matter about what the Department of Justice has done in the past, and I differ with the gentleman from Wisconsin on this matter. This is all about what the Department of Justice may do in the future. And having near-term sunsets will ensure that we can perform oversight over that performance.

Sunsets do not prevent law enforcement from using the broad powers the PATRIOT Act confers, but sunsets promote accountability. They ensure we get the information necessary to conduct oversight and to make decisions about whether powers that are subject to abuse should be contended.

Adopt this motion, let us adopt the Senate's 4-year sunsets and, in doing so, further the cause of protecting Americans' civil liberties. Mr. Speaker, I urge approval of the motion to instruct.

Mr. JONES of North Carolina. Mr. Speaker, I rise in support of this motion to instruct.

The American people want us to protect them from the terrorists—but the American people also want us to protect their liberties and constitutional rights from an overreaching government.

Our system of government is made up of checks and balances and this motion to instruct only expands these checks and balances.

A review every 4 years is the right action to assure American citizens that their civil liberties are protected.

Let me close with a quote attributed to Patrick Henry:

> The Constitution is not an instrument for the government to restrain the people, it is an instrument for the people to restrain the government—lest it come to dominate our lives and interests.

I ask that we restore the Senate's Sunsets in the Conference Report.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Virginia (Mr. BOUCHER).

The motion was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

From the Committee on the Judiciary, for consideration of the House bill (except section 132) and the Senate amendment, and modifications committed to conference: Messrs. SENSENBRENNER, COBLE, SMITH of Texas, GALLEGLY, CHABOT, JENKINS, CONYERS, BERMAN, BOUCHER, and NADLER.

Provided that Mr. SCOTT of Virginia is appointed in lieu of Mr. NADLER for consideration of sections 105, 109, 111–114, 120, 121, 124, 131, and title II of the House bill, and modifications committed to conference.

From the Permanent Select Committee on Intelligence, for consideration of sections 102, 103, 106, 107, 109, and 132 of the House bill, and sections 2, 3, 6, 7, 9, and 10 of the Senate amendment, and modifications committed to conference: Mr. HOEKSTRA, Mrs. WILSON of New Mexico, and Ms. HARMAN.

From the Committee on Energy and Commerce, for consideration of sections 124 and 231 of the House bill, and modifications committed to conference: Messrs. NORWOOD, SHADEGG, and DINGELL.

From the Committee on Financial Services, for consideration of section 117 of the House bill, and modifications committed to conference: Messrs. OXLEY, BACHUS, and FRANK of Massachusetts.

From the Committee on Homeland Security, for consideration of sections 127–129 of the House bill, and modifications committed to conference: Messrs. KING of New York, WELDON of Pennsylvania, and Ms. ZOE LOFGREN of California.

There was no objection.

GENERAL LEAVE

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1751.

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

There was no objection.

SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT OF 2005

The SPEAKER pro tempore (Mrs. CAPITO). Pursuant to House Resolution 540 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 1751.

□ 1610

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1751) to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes, with Mr. SIMPSON in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 30 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005.

Violent attacks and intimidation against courthouse personnel and law enforcement officers present a threat to the integrity of the justice system that Congress has a duty to confront. The murder of family members of United States District Judge Joan Lefkow, the brutal slayings of Judge Rowland Barnes, his court reporter, his deputy sheriff, and a Federal officer in Atlanta, and the cold-blooded shootings outside the Tyler, Texas, courthouse all underscore the need to provide better protection for judges, courthouse personnel, witnesses, law enforcement and their family members.

This bill is an important bipartisan measure introduced by the gentleman from Texas (Mr. GOHMERT) and the gentleman from New York (Mr. WEINER). It will help address the problem of violence in and around our Nation's courthouses.

Statistics show that aggravated assaults against police officers are a serious national problem. According to the Bureau of Justice Statistics, 52 law enforcement officers were killed in the United States in 2002 and 56 were killed in 2001. From 1994 through 2003 a total of 616 law enforcement officers were feloniously killed in the line of duty. Approximately 100 of these officers were murdered after being entrapped or ambushed by their killers. These attacks are simply unacceptable.

The lives of judicial personnel are also at great risk. According to the Administrative Office of the United States Courts, Federal judges receive nearly 700 threats a year and several Federal judges require security personnel to protect them and their families from terrorist associates, violent gangs, drug organizations and disgruntled litigants. The intimidation of judges directly assaults the impartial administration of justice our Constitution demands.

Court witnesses are also at risk. Threats and intimidation toward witnesses continue to grow, particularly at the State and local level. In 1996, a witness intimidation study by the Justice Department included that witness intimidation is a pervasive and insidious problem. No part of the country is spared and no witness can feel entirely free or safe.

Prosecutors interviewed in this study estimated that witness intimidation

occurs in 75 to 100 percent of the violent crimes committed in some gang-dominated neighborhoods.

This bill passed the Committee on the Judiciary by an overwhelming vote of 26–5. The legislation enhances criminal penalties for assaults and the killing of Federal, State and local judges, witnesses, law enforcement officers, courthouse personnel and their family members.

□ 1615

It provides grants to State and local courts to improve security services and improves the ability of the United States Marshals to protect the Federal judiciary.

The bill also prohibits public disclosure, on the Internet and other public sources, of personal information about judges, law enforcement, victims and witnesses to protect Federal judges and prosecutors from organized efforts to harass and intimidate them through false filings of liens and other encumbrances against their property and improves coordination between the marshals and the Federal judges.

The bill also contains vital security measures for Federal prosecutors handling dangerous trials against terrorists, drug organizations, and other organized crime figures.

Finally, the bill incorporates key provisions of the Peace Officer Justice Act, legislation introduced by the gentleman from California (Mr. DREIER), to bring justice to those who murder law enforcement personnel and flee to foreign nations to escape prosecution and justice in this country.

The bill is supported by those on the front lines of our criminal justice system and is backed by the Conference of Chief Justices and the Conference of State Court Administrators; the Federal Bar Association; the Federal Criminal Investigators Association; and the Fraternal Order of Police; the National Association of Assistant U.S. Attorneys; the International Union of Police Associations AFL–CIO; the Major County Sheriffs' Association; the National Law Enforcement Council; the National Sheriffs' Association; the National Troopers Coalition; the International Association of Campus Law Enforcement Administrators; and the American Federation of State, County and Municipal Employees.

When judges, prosecutors, law enforcement and courthouse personnel speak in a clear and unanimous voice, we have a duty to listen and to act to give their members the tools and resources necessary for their protection.

Mr. Chairman, Congress has an obligation to ensure that America's courts and the brave men and women of law enforcement render justice without fear of assault or retaliation. Judges, witnesses, courthouse personnel, and law enforcement officers must operate without fear in order to administer the law without bias.

I urge my colleagues to strengthen the integrity of America's justice system and the security of court and law enforcement personnel by supporting this vital and bipartisan legislation.

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

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

It is, I think, a very clear statement to make that we have faced extensive violence in our courts in recent times. The problem of violence and threats against judges, court officials, employees, witnesses, and victims is not a new one, but one that is growing rapidly.

Recent events, including the killing of a Fulton County judge and other court personnel in Atlanta, the murders of United States district judge Joan Lefkow's family members outside Chicago, Illinois, and the murders immediately outside the Tyler, Texas, courthouse have underscored the increasing significance of the problem.

According to the Administrative Office of United States Courts, there are almost 700 threats a year made against Federal judges; and in numerous cases, Federal judges have had security details assigned to them for fear of attack by members of violent gangs, drug organizations and disgruntled litigants.

With such tragic incidents, Mr. Chairman, we are in collaboration, if you will, on H.R. 1751, at least the premise, the Secure Access to Justice and Court Protection Act of 2005.

I commend the gentleman from Michigan (Mr. CONYERS), the ranking member, and the gentleman from Wisconsin (Mr. SENSENBRENNER), the chairman, for their collaborative efforts, and the gentleman from Texas (Mr. GOHMERT), my colleague, a former judge, and I guess one would say once a judge always a judge, who has taken the leadership on this issue.

None of us would step away from the purpose and the necessity of this legislation. In fact, I am very gratified to have secured an amendment that will allow State courts to establish a threat assessment database similar to that of the U.S. Marshals where they will be able to determine the threat status or situation against a respective court, and then, of course, to hopefully have an amendment that would pass that would provide grants to the highest State courts to be able to disseminate those moneys to create that database and that threat assessment database.

In addition, I would say that this hard work and commitment of Democratic members on the committee have also now provided for offers of grants to State courts so they can make meaningful enhancements to courtroom safety and security.

It provides the U.S. Marshal Service with an additional $100 million over the course of the next 5 years to increase ongoing investigations and expand the protective services it currently offers to members of the Federal judiciary.

It authorizes the Attorney General to establish a grant program for States to establish threat assessment databases.

Even with these valuable improvements, however, the bill still suffers from a number of fatal flaws, specifically its inclusion of 16 mandatory minimum sentences and its establishment of one new death-penalty-eligible offense.

Let me comment briefly on those mandatory sentences. Mandatory minimum penalties have been studied extensively; and the vast majority of available research clearly indicates that they do not, in many instances, work. Among many other things, they have been shown to distort the sentencing process to discriminate against minorities in their application and to waste valuable taxpayer money.

But the real emphasis is, although we are here today to protect our court systems and our court officials and our law enforcement officials, we are also here to recognize the discretion necessary for our courts; and in many instances, the judicial conference itself has indicated its desire to have more discretion in sentencing.

The Judicial Conference of the United States would see the impact of mandatory minimum sentences on individual cases, as well as on the criminal justice system as a whole, and has expressed its deep opposition to mandatory minimum sentencing over a dozen times to Congress, noting that these sentences severely distort and damage the Federal sentencing system. Yes, we must have deterrence, and I have supported enhancements of penalties, adding more time for individuals to serve; but at the same time, we must allow the courts to make that determination.

If heinous acts against our Federal courts have been perpetrated, then that judge hearing that particular case would then have the discretion to yield or to render, along with a jury and a jury trial, the highest sentence; but the mandatory minimum would not be there in place of a judge's discretion.

As I was saying, the Federal sentencing system, the Judicial Conference has said, and the mandatory sentencing undermine the sentencing guideline regimen established by Congress to promote fairness and proportionality and destroy honesty in sentencing by encouraging charge and fact plea bargains.

In fact, in a recent letter to members of the Crime Subcommittee regarding H.R. 1279, the Gang Deterrence and Community Protection Act of 2005, the conference noted that mandatory minimum sentences create the opposite of their intended effect. Far from fostering certainty in punishment, mandatory minimums result in unwarranted sentencing disparity, and mandatory minimums treat dissimilar offenders in a similar manner, although those offenders can be quite different with respect to the seriousness of their conduct or their danger to society.

So I would suggest that we are united around the necessity of this legislation. We must protect our courts and those officials. I might add that I hope

that we will have further discussion about lawyers who are engaged in the practice of law in cases where they come under particular threats, whether it is in particular the prosecutor who is covered by this or defense lawyers and other lawyers who engage in cases which generate threats against their lives. We might consider hearings that would discuss that propensity.

I might also say that the inconsistent and arbitrary nature of mandatory minimum sentences is made readily apparent by a quick analysis of section 2 of the bill. Section 2 establishes a 1-year mandatory minimum with 10-year maximum criminal penalty for assaulting the immediate family member of a law enforcement officer or judge, if the assault results in bodily injury. However, just a few lines later in the same section, an identical criminal penalty is established for a simple threat.

So, Mr. Chairman, I think it is important that as we support this legislation that we also take note of some of the inconsistencies that might warrant consideration as this bill makes its way through the House, through the Senate and, of course, conference.

On the issue of the death penalty, let me suggest these few thoughts. In creating a new death-penalty-eligible offense for anyone convicted of killing a federally funded public safety officer, there is no disagreement in the value of our public safety officer. It is just whether or not in addition to such an offense of death penalty, whether or not a substitute of life imprisonment without parole could have equally been used. Expansion of the use of the Federal death penalty in the current environment seems to warrant consideration.

The public is clearly rethinking the appropriateness of the death penalty in general due to the evidence that it is ineffective in deterring crime and is racially discriminatory and is more often than not found to be erroneously applied.

I know that for a fact in a recent case we had in Texas, Frances Newton, a young woman accused of killing her children and her husband, a horrific and heinous crime, certainly one would suggest that she warrants the ultimate penalty. However, unfortunately, in petitioning to get a new trial on the basis of real definitive new evidence, the courts would not consider such; and, of course, Frances Newton has gone to her death. I believe that she has gone to her death with raising the question of whether or not she was, in fact, innocent or guilty.

In a 23-year comprehensive study of death penalties, 68 percent were found to be erroneously applied. So it is not surprising that 119 people sentenced to death for murder over the past 12 years been completely exonerated of those crimes.

This is a good bill. It would have been even better if we had considered life without parole and considered the viability or the necessity of creating a new eligibility for the death penalty.

I would ask my colleagues to consider this legislation.

Let me begin by saying that I strongly support the need to protect judges and court officials from threats and violence. Despite this fact, I do have major concerns with this bill. For example, H.R. 1751 proposes to add 16 new mandatory minimum sentences to the current criminal code. Mandatory minimum penalties have been studied extensively and the vast majority of available research clearly indicates that they do not work. Among other things, they have been shown to distort the sentencing process, to discriminate against minorities in their application, and to waste valuable taxpayer money.

The Judicial Conference of the United States, which sees the impact of mandatory minimum sentences on individual cases as well as on the criminal justice system as a whole, has expressed its deep opposition to mandatory minimum sentencing over a dozen times to Congress, noting that these sentences "severely distort and damage the Federal sentencing system . . . undermine the Sentencing Guideline regimen" established by Congress to promote fairness and proportionality, and "destroy honesty in sentencing by encouraging charge and fact plea bargains."

In fact, in a recent letter to Members of the Crime Subcommittee regarding H.R. 1279, the "Gang Deterrence and Community Protection Act of 2005," the Conference noted that mandatory minimum sentences create "the opposite of their intended effect."

Far from fostering certainty in punishment, mandatory minimums result in unwarranted sentencing disparity. Mandatory minimums treat dissimilar offenders in a similar manner, although those offenders can be quite different with respect to the seriousness of their conduct or their danger to society.

The inconsistent and arbitrary nature of mandatory minimum sentences is made readily apparent by a quick analysis of section 2 of the bill. Section 2 establishes a one year mandatory minimum (with a 10 year maximum criminal penalty) for assaulting the immediate family member of a law enforcement officer or judge—if the assault results in bodily injury. However, just a few lines later in the same section, an identical criminal penalty is established for a simple threat. Thus, the same section of the bill makes two completely different actions, with considerably varying outcomes, subject to the same term of imprisonment.

Furthermore, H.R. 1751 unwisely creates a new death penalty eligible offense for anyone convicted of killing a federally funded public safety officer. Expansion of the use of the federal death penalty in the current environment is patently unwarranted. The public is clearly rethinking the appropriateness of the death penalty, in general, due to the evidence that it is ineffective in deterring crime, is racially discriminatory, and is more often than not found to be erroneously applied. In a 23-year comprehensive study of death penalties, 68 percent were found to be erroneously applied. So, it is not surprising that 119 people sentenced to death for murder over the past 12 years have been completely exonerated of those crimes. Nor is it surprising with that such a lackluster record of death penalty administrations that several states have abolished the death penalty. For example, Connecticut has not executed anyone in 45 years.

Without a doubt, the increasing numbers of innocent people released from death row illustrates the fallibility of the current system. Last year, a University of Michigan study identified 199 murder exonerations since 1989, 73 of them in capital cases. Moreover, the same study found that death row inmates represent a quarter of 1 percent of the prison population but 22 percent of the exonerated.

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

Mr. SENSENBRENNER. Mr. Chairman, I yield 6 minutes to the gentleman from Texas (Mr. GOHMERT), the author of the bill.

Mr. GOHMERT. Mr. Chairman, I thank the gentleman very much. I do appreciate the time. I appreciate all the assistance in this bill. The chairman has been wonderful in helping with this and making this a reality.

Mr. Chairman, I rise today in strong support of H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005. This bill prevents, protects, and punishes. It prevents future attacks, it protects the entire courthouse family, and it punishes those who threaten the safety and security of our Nation's courthouses. The time has come to restore some sanity and security, and it is the responsibility of the government to assure our citizens have a safe courtroom.

The legislation will work to prevent future attacks in our Nation's courthouses such as what happened at my former courthouse in east Texas. That tragic day in February, we lost a brave man, Mark Wilson, who stepped up to attempt to save the lives of innocent citizens at the courthouse and was killed the same day. Also, Deputy Sherman Dollison was badly injured while he attempted to protect those at the courthouse. With passage of the Secure Access to Justice and Court Protection Act, we are taking an important step toward prevention of similar events happening again.

This bill has garnered a lot of support across the country since its introduction in April, and I want to take a moment to thank some of those who have supported H.R. 1751.

First of all, I thank Judge Cynthia Kent, who hails from the Rose City of Tyler, Texas. Judge Kent is a talented judge and a good friend. She testified before the Crime, Terrorism and Homeland Security Subcommittee about the tragic events that took place right outside the courtroom she presides over. She, too, knows personally about threats against her and her family. Her input and support have been extremely helpful in developing this legislation.

Judge Jane Roth, former chairwoman of the Judicial Conference Committee on Security and Facilities, also testified and was very helpful; Honorable Paul McNulty, who was then the U.S. Attorney for the Eastern District of Virginia; and also Honorable John Clark, who at that time was a U.S. Marshal for the Eastern District of Virginia.

I would also like to thank Judge Joan Lefkow for her testimony before

the Senate supporting the court security legislation. I have spoken with her personally and again just in the last hour, and she is most gracious and also grateful for the overall bill. She had also mentioned previously when I talked with her a concern about provisions regarding writs of habeas corpus procedure. That has been pulled from the bill itself. It is not part of the overall bill today. We also know that her elderly mother and husband were tragically murdered by a disgruntled gentleman who was upset by a ruling she had made in a case.

This bill requires consultation and coordination of U.S. courts between U.S. Marshals and the courts themselves. It will open the lines of communication between the marshals and the courts and, therefore, help with the prevention, protection, and penalties in this bill.

Those of us who have had threats against us as judges, but particularly against our families, understand all too well the importance of this bill.

I would also like to thank Chairman SENSENBRENNER for shepherding this legislation as he has through his committee, through the rules and here to the floor. It is an honor to serve with him on the Judiciary Committee that he chairs, and I thank the chairman for that continued support.

□ 1630

This legislation will protect immediate family members of federally funded public safety officers and judges at all levels. It also provides enhanced penalties where the victims are U.S. judges, Federal law enforcement officers, federally funded public safety officers, and includes now a provision to protect National Guard troops when they are acting as public safety officers.

It increases the maximum punishment for crimes against victims, witnesses, jurors and informants.

This bill adds a new Federal crime prohibiting recording a fictitious lien by covering officers and employees of the United States, including the Federal judiciary and its employees. It provides a 30-year mandatory minimum to life in prison, or the death penalty for killing a federally funded public safety officer. Of course, for the defendant to get the death penalty, a death must have resulted from their actions. The bill includes killing members of the National Guard, as I mentioned, and gives them added protection.

There has been some mention by the gentlewoman from Texas regarding mandatory minimums, and it should be noted that we removed a number of mandatory minimums in this bill for things like simple assault and threats. So the court has that consideration. But when it comes to seriously threatening, killing, kidnapping, conspiring to do these things, there should be a mandatory minimum and there is. The folks that we attempt to protect are on the front lines. They need protection.

Mr. Chairman, I want to thank the Rules Committee chairman, the gentleman from California (Mr. DREIER). His bill was added to this, the David March provision, making a new Federal criminal offense for flight to avoid prosecution for killing a peace officer. It imposes 10 years in prison in addition to whatever the defendant receives. So it stacks it.

This is not intended to usurp State authority but to assist the States where they need it and where they are unable. This valuable piece of legislation is seeking to ensure the safety and security of America's last bastion of civility, our Nation's courthouses. I urge all Members to vote yes.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself 1 minute.

Let me simply say that I think we will continue to have discussions as relates to mandatory minimums. I think this bill has great purpose; I think it is important, however, for us to raise those issues.

I will conclude by saying that we have a long way to go in the criminal justice system, and I hope that we will also bring to the floor of the House this whole issue of early release for those who are languishing in prisons. I hope the Good Time Early Release bill for nonviolent prisoners in our Federal prisons who are over 40 years old will have an opportunity for full debate, because they all go hand-in-hand.

Mr. SCOTT of Virginia. Mr. Chairman, can you advise how much time remains?

The CHAIRMAN. The gentleman from Virginia has 20½ minutes remaining and the gentleman from Wisconsin has 18½ minutes remaining.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to H.R. 1751. With several sensational incidents in recent years involving the murders of judges, family members of judges, court personnel, witnesses and other victims, we have seen the consequences of insufficient security for our court operations and personnel associated with the courts.

All are agreed that enhancement of security for our courts and all persons associated with them is imperative. However, the main focus of this bill is not the things that the courts have asked for to enhance their security, but on extraneous death penalties and mandatory minimum sentences which will do nothing to improve the security of our courts or personnel associated with them.

Mr. Chairman, I want to acknowledge and thank Chairman SENSENBRENNER for making significant improvements in this bill since our initial consideration of the bill in subcommittee, by removing a number of the superfluous mandatory minimum sentences and death penalties from the bill. However, all such provisions were not removed.

The notion that Congress has to direct judges on how to sentence those who harm or threaten judges and their families and others associated with court activities, or that Congress has to replace the States in prosecution of murders of State judges and other State officials is absurd. The kinds of people we are talking about clearly have not been deterred by death penalties and mandatory minimum sentences already on the books and applicable to them for those kinds of crimes, so they certainly will not be deterred by adding more such mandatory minimums. And judges facing such defendants clearly do not need congressional guidance on what the appropriate sentences may be.

Accordingly, I have prepared an amendment which would remove the provisions allowing the Federal Government, simply on the basis of someone's salary being paid in part by Federal funds, to take over traditional State prosecutions of State murder cases. I have also prepared an amendment which would remove the mandatory minimum sentencing in Federal cases involving judges, their family members or other court personnel, and replaced them with higher maximums that would allow even greater sentences than the bill allows in cases which warrant it, but would not require sentences which violate common sense.

The courts have not requested mandatory minimums or death penalties because they do nothing to protect the court. Nevertheless, here we go again with more mandatory minimums and more death penalties. In fact, Mr. Chairman, the Federal courts have consistently and loudly expressed their strong opposition to mandatory minimum sentences.

Through rigorous study and analysis, as well as through their everyday experiences in sentencing major players and bit players in crime, the courts have determined mandatory minimums to be less effective than regular sentencing. They have found them to be racially discriminatory in their application. They have found mandatory minimums to waste money compared to traditional sentences, and they have found mandatory minimums to be a violation of common sense.

The Judicial Conference has written us often to express their opposition to mandatory minimum sentencing and has just written us again with this bill to state their opposition to mandatory minimum sentences as a violation of the systemic sentencing scheme designed to ''reduce unwarranted disparity and to provide proportionality and fairness in punishment.'' That idea is violated with mandatory minimums.

The Judicial Conference and everyone concerned supports the grant programs in the bill aimed at strengthening court security and personnel and providing security for persons associated with the courts. Absent mandatory minimums and the extension of the death penalties, this bill would be one that we could all support.

Unfortunately, Mr. Chairman, because of the mandatory minimums and death penalty it is not one we can all support.

JUDICIAL CONFERENCE OF THE UNITED STATES,
Washington, DC, November 8, 2005.

Hon. JOHN CONYERS, Jr.,
Ranking Democrat, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR REPRESENTATIVE CONYERS: On behalf of the Judicial Conference of the United States, the policy-making body of the federal judiciary. I am writing to convey its views regarding several of the provisions contained in H.R. 1751, the ''Secure Access to Justice and Court Protection Act of 2005.''

Much of the impetus for portions of this bill arose from the tragic circumstances surrounding the attempted murder of Judge Joan Lefkow of the United States District Court for the Northern District of Illinois. Although Judge Lefkow survived the attack, her mother and husband were shot and killed by the assailant, a disgruntled litigant.

The current bill contains several provisions that are of particular interest to the federal courts. Section 13 of the bill requires the U.S. Marshals Service to consult with the Administrative Office of the U.S. Courts regarding the security requirements of the Judicial Branch. While the provision does not extend to a requirement that the Marshals Service ''coordinate'' with the judiciary, we believe the proposed change is positive and will enhance judicial security. Section 14 of the bill is positive in that it will help protect judges from the malicious recording of fictitious liens and is supported by the Judicial Conference. Section 16 of the bill is of particular interest to federal judges and their security because it will allow them to continue to redact sensitive information from their financial disclosure forms. Not a day goes by without some unauthorized incursion into an information database containing personal information and this provision is an important tool in protecting such personal information.

Unfortunately, the bill also contains various provisions that expand the application of mandatory minimum sentences. The Judicial Conference opposes mandatory minimum sentencing provisions because they undermine the sentencing guideline regime Congress established under the Sentencing Reform Act of 1984 by preventing the systematic development of guidelines that reduce unwarranted disparity and provide proportionality and fairness in punishment.

The bill also contains a provision that would allow the presiding judge, at all levels of the judicial process, to permit the photographing, electronic recording, broadcasting, or televising to the public of the court proceedings over which that judge presides. The Judicial Conference believes that the circuit councils of each circuit should retain the authority to establish rules for the photographing, recording, or broadcasting of appellate arguments in their courts. The Judicial Conference does not support legislation that would allow trial court judges the discretion to broadcast their courts' proceedings.

I appreciate having the opportunity to express the views of the Judicial Conference in relation to H.R., 1751, the ''Secure Access to Justice and Court Protection Act of 2005.'' If you have any questions regarding this legislation please contact Arthur White at (202) 502–1700.

Sincerely,

LEONIDAS RALPH MECHAM,
Secretary.

AMERICAN BAR ASSOCIATION,
GOVERNMENTAL AFFAIRS OFFICE,
Washington, DC, November 8, 2005.

HON. BOBBY SCOTT,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE SCOTT: We understand that during consideration by the House of Representatives of H.R. 1751, the Safe Access to Justice and Court Protection Act of 2005, an amendment will be offered by Representative Jeff Flake (R–AZ) to propose a range of changes in the law governing federal habeas corpus review of capital cases. The ABA strongly opposes this amendment and urges House members to reject it.

This amendment proposes a number of technical changes in a complicated area of law without the benefit of hearings or any previous consideration by the House Judiciary Committee. It is inconsistent with other pending House and Senate legislation and its enactment would create more confusion and chaos in a complex area of law.

We are particularly concerned about a provision in the amendment that would completely remove federal court jurisdiction for all sentencing phase claims, not just those found harmless by the state courts. Under this proposal, unless the claim goes to the validity of the conviction itself, it is not cognizable in the federal courts.

If such a profound change in law were enacted, there would no longer be a federal forum for claims of ineffective assistance of counsel at the sentencing phase. As a result, no matter how inadequate the representation (e.g., the sleeping lawyer case), the court would be without jurisdiction. Claims of prosecutorial misconduct relating to the penalty phase would not be cognizable. For example, if the prosecution suppressed evidence about the identity of the trigger-man, that would also not be cognizable. At a resentencing proceeding ordered by a state court on direct appeal, a prosecutor could commit a flagrant violation of Batson v. Kentucky by striking all African-Americans from the jury, and a federal court would be powerless to do anything about it. In short, no matter how unreasonable the state court decision was, there would be no federal jurisdiction for sentencing phase issues. The House should not act on such far-reaching changes in the law of federal habeas corpus jurisdiction without more careful consideration and should reject the Flake amendment when it considers H.R. 1751. Fairness and justice demand no less.

Sincerely,

ROBERT D. EVANS.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, November 9, 2005.

Re House Floor Vote on November 9, 2005, regarding H.R. 1751, Secure Access to Justice and Court Protection Act of 2005.

DEAR REPRESENTATIVE: On behalf of the American Civil Liberties Union, we write to express our opposition to H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005. This legislation would create a 30-year mandatory minimum sentence for second-degree murder in federal criminal cases, add numerous other discriminatory mandatory minimum sentences as well as expand the number of crimes eligible for the federal death penalty. H.R. 1751 is scheduled for a floor vote on Wednesday, November 9; we urge you to oppose this legislation.

The House Rules Committee has made a number of amendments in order for the floor debate on H.R. 1751; we urge your support for the following amendments:

(1) Scott (VA) #8: This amendment replaces all mandatory minimum sentences with higher maximum sentences. This bill creates many new mandatory minimums and changes the criminal penalties for several existing federal crimes to mandatory minimum sentences. For instance, H.R. 1751 would make the punishment for second-degree murder a 30-year mandatory sentence. Mandatory minimum sentences deprive judges of the ability to impose sentences that fit the particular offense and offender. Although mandatory minimums were designed to reduce the racial inequalities that too often resulting from judicial sentencing discretion, in practice they shift discretion from the judge to the prosecutor. Prosecutors retain the power to plea bargain and choose which defendants they will offer plea agreements to in order for those defendants to avoid the mandatory penalty. It is not clear what standards (if any) prosecutors use to offer plea bargains, therefore only a few defendants get the benefit of avoiding the mandatory sentence. This creates unfair and inequitable sentences for people who commit similar crimes, thus contributing to the very problem mandatory minimums were created to address.

(2) Scott (VA) #9: This amendment strikes the death penalty for the killing of federally funded public safety officers. According to the Death Penalty Information Center, 121 prisoners on death row have now been exonerated since 1973. Chronic problems, including inadequate defense counsel and racial disparities, plague the death penalty system in the United States. As a matter of principle, Congress should not be expanding the federal death penalty while these problems remain unresolved.

We urge you to oppose the following amendment:

(1) Flake #2: This amendment would eliminate federal jurisdiction for all sentencing phase claims in habeas corpus proceedings, unless the claim went to the validity of the state conviction in a capital cases. For example, this would result in federal courts not having jurisdiction to review habeas petitions involving claims in state capital cases that were based on ineffective assistance of counsel or prosecutorial misconduct during the sentencing phase of the case—errors that could mean the difference between life and death for the petitioner. In addition, this amendment would authorize the U.S. Attorney General to determine whether in a capital case a state's indigent defense counsel system passes constitutional muster. The Attorney General, our nation's top federal prosecutor, is not an objective party and therefore should not decide whether states have provided competent defense counsel in death penalty cases.

For the above-mentioned reasons, we urge members to oppose H.R. 1751 when the House votes on the bill on November 9, 2005.

Sincerely,

CAROLINE FREDRICKSON,
Director.

JESSELYN MCCURDY,
Legislative Counsel.

Mr. CONYERS. Mr. Chairman, the legislation under consideration today represents a vast improvement over the version of the bill as originally introduced.

Thanks to the hard work and commitment of Democratic members on the committee, it now offers grants to state courts so that they can make meaningful enhancements to courtroom safety and security. It provides the US Marshals Service with an additional $100 million, over the course of the next five years, to increase ongoing investigations and expand the protective services it currently offers to members of the federal judiciary. And it authorizes the Attorney General to establish a grant program for states to establish threat assessment databases.

Even with these valuable improvements, however, the bill still suffers from two fatal flaws. Specifically, its inclusion of 16 new mandatory minimum sentences and its establishment of one new death penalty eligible offense.

Mandatory minimums have been studied extensively and have been proven to be ineffective in preventing crime. They also have been proven to distort the sentencing process, and waste valuable taxpayer money.

With more than 2.1 million Americans currently in jail or prison—roughly quadruple the number individuals incarcerated in 1985—it's hard to see how anyone can continue with such a deeply flawed strategy.

Today, this country incarcerates its citizens at a rate 14 times that of Japan, 8 times the rate of France and 6 times the rate of Canada.

We spend an estimated $40 billion a year to imprison criminal offenders, we choose to build prisons over schools and we fail to provide inmates released from prison with the necessary tools and assistance for a successful re-entry into society.

Thanks to mandatory minimum sentences, almost 10 percent of all inmates in state and federal prisons are serving life sentences, an increase of 83 percent from 1992. In two states alone, New York and California, almost 20 percent of inmates are serving life sentences.

We've also noted the numerous problems that exist with regard to the death penalty. Namely, that all of the available evidence clearly demonstrates that the current system is flawed, defendants rarely receive adequate legal representation and that its application is racially discriminatory .

There are now over 100 Americans that have been sentenced to death, only later to be exonerated. Proving that many of the people convicted and sentenced to death are actually innocent.

In the end, the few grants that this bill purports to offer in the area of witness protection and court security can't make up for its two fatal flaws.

I urge my colleagues to oppose this measure.

Mr. SCOTT of Georgia. Mr. Chairman, the entire country witnessed what happened in my district, in the Fulton County Courthouse, on the morning of March 11, 2005.

On that day, Brian Nichols, was to appear in a retrial for charges of rape and false imprisonment. As he was escorted from his holding cell to change into civilian clothes for the proceeding, he over-powered the female sheriff's deputy overseeing his transfer, stole her gun, and shot her in the face. Mr. Nichols then proceeded to run through the courthouse complex, unimpeded, steal another firearm and shoot 3 more people, including long-time superior court judge Rowland Barnes, a revered judicial figure in the Atlanta area.

Mr. Nichols managed to escape the courthouse and evade police for more than two days during which time he used the fire arms that he stole in the courthouse, injuring several more people, stole multiple vehicles and held one woman hostage before he was finally apprehended.

Mr. Speaker, this episode highlights the merits of this bill not just because of the security failures that allowed it to happen. This much is self-evident.

In the aftermath of the security failures at the Fulton County Courthouse, the entire Atlanta metropolitan area, an area of more than 4 million people, was on edge. Schools were put on lock down in several counties. If we had proper security measures in place on that fateful Friday morning, we could have avoided the hysteria and disruptions of normal life that followed.

My constituents, the residents of the Atlanta area, and the law-abiding citizens of this great nation deserve the right to go about their daily lives knowing that our court rooms are secure. Therefore, I urge the passing of this bill.

Mr. KIRK. Mr. Chairman, I rise in support of H.R. 1751 and in support of the dedicated public servants working in our criminal justice system. The very nature of their work brings them in contact with dangerous criminals on a daily basis. After conviction, some of these criminals seek revenge against the prosecutors and judges who put them in prison. As unfortunate as it is, we must do more to protect those in the justice system who work to protect all of us.

We all remember the brutal murders of Michael Lefkow and Donna Humphrey, the husband and mother of U.S. District Judge Joan Lefkow. The initial investigation focused on a likely suspect, white supremacist Matthew Hale, who had been convicted of soliciting Judge Lefkow's murder only a year before. As it turns out, Hale was not behind the murders, but another disgruntled individual with a history in front of Judge Lefkow was. Bart Ross, a plaintiff in a medical malpractice case Judge Lefkow dismissed, wrote a letter to a Chicago television station admitting he killed Michael Lefkow and Donna Humphrey and that his target had been the Judge. Included in the note was a "hit list" of others he felt had wronged him, many of whom were involved in his medical malpractice case. One of the individuals on the "hit list" is a constituent of mine and while we are thankful he and his family are safe, it is a chilling reminder that the security of judicial officials cannot be taken for granted.

This tragic case is just one example of the danger prosecutors and judges can face simply for doing their jobs. Even though Matthew Hale and his white supremacist group were not responsible for the Letkow murders, they were vocal in their praise for the killings on the Internet. The fact remains that judges, prosecutors, and their families are often targeted and they can be in danger wherever they go, even in their own homes. Mr. Chairman, I support this legislation and I believe the Congress should do all it can to protect judges and their families and enhance courthouse security.

Mr. SCOTT of Virginia. Mr. Chairman, I yield back the balance of my time.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 1751

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 ''Secure Access to Justice and Court Protection Act of 2005''.

SEC. 2. PENALTIES FOR INFLUENCING, IMPEDING, OR RETALIATING AGAINST JUDGES AND OTHER OFFICIALS BY THREATENING OR INJURING A FAMILY MEMBER.

Section 115 of title 18, United States Code, is amended—

(1) in each of subparagraphs (A) and (B) of subsection (a)(1), by inserting ''federally funded public safety officer (as defined for the purposes of section 1123)'' after ''Federal law enforcement officer,'';

(2) so that subsection (b) reads as follows:

''(b)(1) Except as provided in paragraph (2), the punishment for an offense under this section is as follows:

''(A) The punishment for an assault in violation of this section is the same as that provided for a like offense under section 111.

''(B) The punishment for a kidnapping, attempted kidnapping, or conspiracy to kidnap in violation of this section is the same as provided for a like violation in section 1201.

''(C) The punishment for a murder, attempted murder, or conspiracy to murder in violation of this section is the same as provided for a like offense under section 1111, 1113, and 1117.

''(D) A threat made in violation of this section shall be punished by a fine under this title or imprisonment for not more than 10 years, or both.

''(2) If the victim of the offense under this section is an immediate family member of a United States judge, a Federal law enforcement officer (as defined for the purposes of section 1114) or of a federally funded public safety officer (as defined for the purposes of section 1123), in lieu of the punishments otherwise provided by paragraph (1), the punishments shall be as follows:

''(A) The punishment for an assault in violation of this section is as follows:

''(i) If the assault is a simple assault, a fine under this title or a term of imprisonment for not more than one year, or both.

''(ii) If the assault resulted in bodily injury (as defined in section 1365), a fine under this title and a term of imprisonment for not less than one year nor more than 10 years.

''(iii) If the assault resulted in substantial bodily injury (as defined in section 113), a fine under this title and a term of imprisonment for not less than 3 years nor more than 12 years.

''(iv) If the assault resulted in serious bodily injury (as defined in section 2119), a fine under this title and a term of imprisonment for not less than 10 years nor more than 30 years.

''(B) The punishment for a kidnapping, attempted kidnapping, or conspiracy to kidnap in violation of this section is a fine under this title and imprisonment for any term of years not less than 30, or for life.

''(C) The punishment for a murder, attempted murder, or conspiracy to murder in violation of this section is a fine under this title and imprisonment for any term of years not less than 30, or for life, or, if death results, the offender may be sentenced to death.

''(D) A threat made in violation of this section shall be punished by a fine under this title and imprisonment for not less than one year nor more than 10 years.

''(E) If a dangerous weapon was used during and in relation to the offense, the punishment shall include a term of imprisonment of 5 years in addition to that otherwise imposed under this paragraph.''.

SEC. 3. PENALTIES FOR CERTAIN ASSAULTS.

(a) INCLUSION OF FEDERALLY FUNDED PUBLIC SAFETY OFFICERS.—Section 111(a) of title 18, United States Code, is amended—

(1) in paragraph (1), by inserting ''or a federally funded public safety officer (as defined in section 1123)'' after ''1114 of this title''; and

(2) in paragraph (2), by inserting ''or a federally funded public safety officer (as defined in section 1123)'' after ''1114''.

(b) ALTERNATE PENALTY WHERE VICTIM IS A UNITED STATES JUDGE, A FEDERAL LAW ENFORCEMENT OFFICER, OR FEDERALLY FUNDED PUBLIC SAFETY OFFICER.—Section 111 of title 18, United States Code, is amended by adding at the end the following:

''(c) ALTERNATE PENALTY WHERE VICTIM IS A UNITED STATES JUDGE, A FEDERAL LAW ENFORCEMENT OFFICER, OR FEDERALLY FUNDED PUBLIC SAFETY OFFICER.—(1) Except as provided in paragraph (2), if the offense is an assault and the victim of the offense under this section is a United States judge, a Federal law enforcement officer (as defined for the purposes of section 1114) or of a federally funded public safety officer (as defined for the purposes of section 1123), in lieu of the penalties otherwise set forth in this section, the offender shall be subject to a fine under this title and—

''(A) If the assault is a simple assault, a fine under this title or a term of imprisonment for not more than one year, or both.

''(B) if the assault resulted in bodily injury (as defined in section 1365), shall be imprisoned not less than one nor more than 10 years;

''(C) if the assault resulted in substantial bodily injury (as defined in section 113), shall be imprisoned not less than 3 nor more than 12 years; and

''(D) if the assault resulted in serious bodily injury (as defined in section 2119), shall be imprisoned not less than 10 nor more than 30 years.

''(2) If a dangerous weapon was used during and in relation to the offense, the punishment shall include a term of imprisonment of 5 years in addition to that otherwise imposed under this subsection.''.

SEC. 4. PROTECTION OF FEDERALLY FUNDED PUBLIC SAFETY OFFICERS.

(a) OFFENSE.—Chapter 51 of title 18, United States Code, is amended by adding at the end the following:

''§ 1123. Killing of federally funded public safety officers

''(a) Whoever kills, or attempts or conspires to kill, a federally funded public safety officer while that officer is engaged in official duties, or arising out of the performance of official duties, or kills a former federally funded public safety officer arising out of the performance of official duties, shall be punished by a fine under this title and imprisonment for any term of years not less than 30, or for life, or, if death results, may be sentenced to death.

''(b) As used in this section—

''(1) the term 'federally funded public safety officer' means a public safety officer for a public agency (including a court system, the National Guard of a State to the extent the personnel of that National Guard are not in Federal service, and the defense forces of a State authorized by section 109 of title 32) that receives Federal financial assistance, of an entity that is a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands of the United States, Guam, American Samoa, the Trust Territory of the Pacific Islands, the Commonwealth of the Northern Mariana Islands, or any territory or possession of the United States, an Indian tribe, or a unit of local government of that entity;

''(2) the term 'public safety officer' means an individual serving a public agency in an official capacity, as a judicial officer, as a law enforcement officer, as a firefighter, as a chaplain, or as a member of a rescue squad or ambulance crew;

''(3) the term 'judicial officer' means a judge or other officer or employee of a court, including prosecutors, court security, pretrial services officers, court reporters, and corrections, probation, and parole officers; and

''(4) the term 'firefighter' includes an individual serving as an official recognized or designated member of a legally organized volunteer fire department and an officially recognized or designated public employee member of a rescue squad or ambulance crew; and

''(5) the term 'law enforcement officer' means an individual involved in crime and juvenile delinquency control or reduction, or enforcement of the laws.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 51 of title 18, United States Code, is amended by adding at the end the following new item:

''1123. Killing of federally funded public safety officers.''.

SEC. 5. GENERAL MODIFICATIONS OF FEDERAL MURDER CRIME AND RELATED CRIMES.

(a) MURDER AMENDMENTS.—Section 1111 of title 18, United States Code, is amended in subsection (b), by inserting ''not less than 30'' after ''any term of years''.

(b) MANSLAUGHTER AMENDMENTS.—Section 1112(b) of title 18, United States Code, is amended—

(1) by striking ''ten years'' and inserting ''20 years''; and

(2) by striking ''six years'' and inserting ''10 years''.

SEC. 6. MODIFICATION OF DEFINITION OF OFFENSE AND OF THE PENALTIES FOR, INFLUENCING OR INJURING OFFICER OR JUROR GENERALLY.

Section 1503 of title 18, United States Code, is amended—

(1) so that subsection (a) reads as follows:

''(a)(1) Whoever—

''(A) corruptly, or by threats of force or force, endeavors to influence, intimidate, or impede a juror or officer in a judicial proceeding in the discharge of that juror or officer's duty;

''(B) injures a juror or an officer in a judicial proceeding arising out of the performance of official duties as such juror or officer; or

''(C) corruptly, or by threats of force or force, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice;

or attempts or conspires to do so, shall be punished as provided in subsection (b).

''(2) As used in this section, the term 'juror or officer in a judicial proceeding' means a grand or petit juror, or other officer in or of any court of the United States, or an officer who may be serving at any examination or other proceeding before any United States magistrate judge or other committing magistrate.''; and

(2) in subsection (b), by striking paragraphs (1) through (3) and inserting the following:

''(1) in the case of a killing, or an attempt or a conspiracy to kill, the punishment provided in section 1111, 1112, 1113, and 1117; and

''(2) in any other case, a fine under this title and imprisonment for not more than 30 years.''.

SEC. 7. MODIFICATION OF TAMPERING WITH A WITNESS, VICTIM, OR AN INFORMANT OFFENSE.

(a) CHANGES IN PENALTIES.—Section 1512 of title 18, United States Code, is amended—

(1) in each of paragraphs (1) and (2) of subsection (a), insert ''or conspires'' after ''attempts'';

(2) so that subparagraph (A) of subsection (a)(3) reads as follows:

''(A) in the case of a killing, the punishment provided in sections 1111 and 1112;'';

(3) in subsection (a)(3)—

(A) in the matter following clause (ii) of subparagraph (B) by striking ''20 years'' and inserting ''30 years'' ; and

(B) in subparagraph (C), by striking ''10 years'' and inserting ''20 years'';

(4) in subsection (b), by striking ''ten years'' and inserting ''30 years''; and

(5) in subsection (d), by striking ''one year'' and inserting ''20 years''.

SEC. 8. MODIFICATION OF RETALIATION OFFENSE.

Section 1513 of title 18, United States Code, is amended—

(1) in subsection (a)(1), by inserting ''or conspires'' after ''attempts'';

(2) in subsection (a)(1)(B)—

(A) by inserting a comma after ''probation''; and

(B) by striking the comma which immediately follows another comma;

(3) in subsection (a)(2)(B), by striking ''20 years'' and inserting ''30 years'';

(4) in subsection (b), by striking ''ten years'' and inserting ''30 years'';

(5) in the first subsection (e), by striking ''10 years'' and inserting ''30 years''; and

(6) by redesignating the second subsection (e) as subsection (f).

SEC. 9. INCLUSION OF INTIMIDATION AND RETALIATION AGAINST WITNESSES IN STATE PROSECUTIONS AS BASIS FOR FEDERAL PROSECUTION.

Section 1952 of title 18, United States Code, is amended in subsection (b)(2), by inserting ''intimidation of, or retaliation against, a witness, victim, juror, or informant,'' after ''extortion, bribery,''.

SEC. 10. CLARIFICATION OF VENUE FOR RETALIATION AGAINST A WITNESS.

Section 1513 of title 18, United States Code, is amended by adding at the end the following:

''(g) A prosecution under this section may be brought in the district in which the official proceeding (whether or not pending, about to be instituted or completed) was intended to be affected or was completed, or in which the conduct constituting the alleged offense occurred.''.

SEC. 11. WITNESS PROTECTION GRANT PROGRAM.

Title I of the Omnibus Crime Control and Safe Streets Act of 1968 is amended by inserting after part BB (42 U.S.C. 3797j et seq.) the following new part:

''PART CC—WITNESS PROTECTION GRANTS

''SEC. 2811. PROGRAM AUTHORIZED.

''(a) IN GENERAL.—From amounts made available to carry out this part, the Attorney General may make grants to States, units of local government, and Indian tribes to create and expand witness protection programs in order to prevent threats, intimidation, and retaliation against victims of, and witnesses to, crimes.

''(b) USES OF FUNDS.—Grants awarded under this part shall be—

''(1) distributed directly to the State, unit of local government, or Indian tribe; and

''(2) used for the creation and expansion of witness protection programs in the jurisdiction of the grantee.

''(c) PREFERENTIAL CONSIDERATION.—In awarding grants under this part, the Attorney General may give preferential consideration, if feasible, to an application from a jurisdiction that—

''(1) has the greatest need for witness and victim protection programs;

''(2) has a serious violent crime problem in the jurisdiction; and

''(3) has had, or is likely to have, instances of threats, intimidation, and retaliation against victims of, and witnesses to, crimes.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2006 through 2010.''.

SEC. 12. GRANTS TO STATES TO PROTECT WITNESSES AND VICTIMS OF CRIMES.

(a) IN GENERAL.—Section 31702 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13862) is amended—

(1) in paragraph (3), by striking ''and'' at the end;

(2) in paragraph (4), by striking the period at the end and inserting ''; and'' ; and

(3) by adding at the end the following:

''(5) to create and expand witness and victim protection programs to prevent threats, intimidation, and retaliation against victims of, and witnesses to, violent crimes.''.

(b) AUTHORIZATION OF APPROPRIATIONS.—Section 31707 of the Violent Crime Control and Law

Enforcement Act of 1994 (42 U.S.C. 13867) is amended to read as follows:

"SEC. 31707. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated $20,000,000 for each of the fiscal years 2006 through 2010 to carry out this subtitle.''.

SEC. 13. JUDICIAL BRANCH SECURITY REQUIREMENTS.

(a) ENSURING CONSULTATION AND COORDINATION WITH THE ADMINISTRATIVE OFFICE OF THE UNITED STATES COURTS.—Section 566 of title 28, United States Code, is amended by adding at the end the following:

''(i) The United States Marshals Service shall consult with the Administrative Office of the United States Courts on a continuing basis regarding the security requirements for the Judicial Branch, and inform the Administrative Office of the measures the Marshals Service intends to take to meet those requirements.''.

(b) CONFORMING AMENDMENT.—Section 604(a) of title 28, United States Code, is amended—

(1) by redesignating existing paragraph (24) as paragraph (25);

(2) by striking ''and'' at the end of paragraph (23); and

(3) by inserting after paragraph (23) the following:

''(24) Consult with the United States Marshals Service on a continuing basis regarding the security requirements for the Judicial Branch, and inform the Administrative Office of the measures the Marshals Service intends to take to meet those requirements; and''.

SEC. 14. PROTECTIONS AGAINST MALICIOUS RECORDING OF FICTITIOUS LIENS AGAINST A FEDERAL EMPLOYEE.

(a) OFFENSE.—Chapter 73 of title 18, United States Code, is amended by adding at the end the following:

"§ 1521. Retaliating against a Federal employee by false claim or slander of title

''Whoever, with the intent to harass a person designated in section 1114 on account of the performance of official duties, files, in any public record or in any private record which is generally available to the public, any false lien or encumbrance against the real or personal property of that person, or attempts or conspires to do so, shall be fined under this title or imprisoned not more than 10 years, or both.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 73 of title 18, United States Code, is amended by adding at the end the following new item:

''1521. Retaliating against a Federal employee by false claim or slander of title.''.

SEC. 15. PROHIBITION OF POSSESSION OF DANGEROUS WEAPONS IN FEDERAL COURT FACILITIES.

Section 930(e) of title 18, United States Code, is amended by inserting ''or other dangerous weapon'' after ''firearm''.

SEC. 16. REPEAL OF SUNSET PROVISION.

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App) is amended by striking subparagraph (E).

SEC. 17. PROTECTION OF INDIVIDUALS PERFORMING CERTAIN FEDERAL AND OTHER FUNCTIONS.

(a) OFFENSE.—Chapter 7 of title 18, United States Code, is amended by adding at the end the following:

"§ 117. Protection of individuals performing certain Federal and federally assisted functions

''(a) Whoever knowingly, and with intent to harm, intimidate, or retaliate against a covered official makes restricted personal information about that covered official publicly available through the Internet shall be fined under this title and imprisoned not more than 5 years, or both.

''(b) It is a defense to a prosecution under this section that the defendant is a provider of Internet services and did not knowingly participate in the offense.

''(c) As used in this section—

''(1) the term 'restricted personal information' means, with respect to an individual, the Social Security number, the home address, home phone number, mobile phone number, personal email, or home fax number of, and identifiable to, that individual; and

''(2) the term 'covered official' means—

''(A) an individual designated in section 1114;

''(B) a public safety officer (as that term is defined in section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968); or

''(C) a grand or petit juror, witness, or other officer in or of, any court of the United States, or an officer who may be serving at any examination or other proceeding before any United States magistrate judge or other committing magistrate.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 of title 18, United States Code, is amended by adding at the end the following new item:

''117. Protection of individuals performing certain Federal and federally assisted functions.''.

SEC. 18. ELIGIBILITY OF COURTS TO APPLY DIRECTLY FOR LAW ENFORCEMENT DISCRETIONARY GRANTS AND REQUIREMENT THAT STATE AND LOCAL GOVERNMENTS CONSIDER COURTS WHEN APPLYING FOR GRANT FUNDS.

(a) COURTS TREATED AS UNITS OF LOCAL GOVERNMENTS FOR PURPOSES OF DISCRETIONARY GRANTS.—Section 901 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791) is amended in subsection (a)(3)—

(1) by redesignating subparagraphs (C) and (D) as subparagraphs (D) and (E), respectively; and

(2) by inserting after subparagraph (B) the following new subparagraph:

''(C) the judicial branch of a State or of a unit of local government within the State for purposes of discretionary grants;''.

(b) STATE AND LOCAL GOVERNMENTS TO CONSIDER COURTS.—The Attorney General shall ensure that whenever a State or unit of local government applies for a grant from the Department of Justice, the State or unit demonstrate that, in developing the application and distributing funds, the State or unit—

(1) considered the needs of the judicial branch of the State or unit, as the case may be; and

(2) consulted with the chief judicial officer of the highest court of the State or unit, as the case may be.

SEC. 19. REPORT ON SECURITY OF FEDERAL PROSECUTORS.

Not later than 90 days after the date of the enactment of this Act, the Attorney General shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report on the security of assistant United States attorneys and other Federal attorneys arising from the prosecution of terrorists, violent criminal gangs, drug traffickers, gun traffickers, white supremacists, and those who commit fraud and other white-collar offenses. The report shall describe each of the following:

(1) The number and nature of threats and assaults against attorneys handling those prosecutions and the reporting requirements and methods.

(2) The security measures that are in place to protect the attorneys who are handling those prosecutions, including measures such as threat assessments, response procedures, availability of security systems and other devices, firearms licensing (deputations), and other measures designed to protect the attorneys and their families.

(3) The Department of Justice's firearms deputation policies, including the number of attorneys deputized and the time between receipt of threat and completion of the deputation and training process.

(4) For each measure covered by paragraphs (1) through (3), when the report or measure was developed and who was responsible for developing and implementing the report or measure.

(5) The programs that are made available to the attorneys for personal security training, including training relating to limitations on public information disclosure, basic home security, firearms handling and safety, family safety, mail handling, counter- surveillance, and self-defense tactics.

(6) The measures that are taken to provide the attorneys with secure parking facilities, and how priorities for such facilities are established—

(A) among Federal employees within the facility;

(B) among Department of Justice employees within the facility; and

(C) among attorneys within the facility.

(7) The frequency such attorneys are called upon to work beyond standard work hours and the security measures provided to protect attorneys at such times during travel between office and available parking facilities.

(8) With respect to attorneys who are licensed under State laws to carry firearms, the Department of Justice's policy as to—

(A) carrying the firearm between available parking and office buildings;

(B) securing the weapon at the office buildings; and

(C) equipment and training provided to facilitate safe storage at Department of Justice facilities.

(9) The offices in the Department of Justice that are responsible for ensuring the security of the attorneys, the organization and staffing of the offices, and the manner in which the offices coordinate with offices in specific districts.

(10) The role, if any, that the United States Marshals Service or any other Department of Justice component plays in protecting, or providing security services or training for, the attorneys.

SEC. 20. FLIGHT TO AVOID PROSECUTION FOR KILLING PEACE OFFICERS.

(a) FLIGHT.—Chapter 49 of title 18, United States Code, is amended by adding at the end the following:

"§ 1075. Flight to avoid prosecution for killing peace officers

''Whoever moves or travels in interstate or foreign commerce with intent to avoid prosecution, or custody or confinement after conviction, under the laws of the place from which he flees or under section 1114 or 1123, for a crime consisting of the killing, an attempted killing, or a conspiracy to kill, an individual involved in crime and juvenile delinquency control or reduction, or enforcement of the laws or for a crime punishable by section 1114 or 1123, shall be fined under this title and imprisoned, in addition to any other imprisonment for the underlying offense, for any term of years not less than 10.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 49 of title 18, United States Code, is amended by adding at the end the following new item:

''1075. Flight to avoid prosecution for killing peace officers.''.

SEC. 21. SPECIAL PENALTIES FOR MURDER, KIDNAPPING, AND RELATED CRIMES AGAINST FEDERAL JUDGES AND FEDERAL LAW ENFORCEMENT OFFICERS.

(a) MURDER.—Section 1114 of title 18, United States Code, is amended—

(1) by inserting ''(a)'' before ''Whoever''; and

(2) by adding at the end the following:

''(b) If the victim of a murder punishable under this section is a United States judge (as defined in section 115) or a Federal law enforcement officer (as defined in 115) the offender shall be punished by a fine under this title and

imprisonment for any term of years not less than 30, or for life, or, if death results, may be sentenced to death.''.

(b) KIDNAPPING.—Section 1201(a) of title 18, United States Code, is amended by adding at the end the following: ''If the victim of the offense punishable under this subsection is a United States judge (as defined in section 115) or a Federal law enforcement officer (as defined in 115) the offender shall be punished by a fine under this title and imprisonment for any term of years not less than 30, or for life, or, if death results, may be sentenced to death.''.

SEC. 22. MEDIA COVERAGE OF COURT PROCEEDINGS.

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

(1) The right of the people of the United States to freedom of speech, particularly as it relates to comment on governmental activities, as protected by the first amendment to the Constitution, cannot be meaningfully exercised without the ability of the public to obtain facts and information about the Government upon which to base their judgments regarding important issues and events. As the United States Supreme Court articulated in Craig v. Harney, 331 U.S. 367 (1947), ''A trial is a public event. What transpires in the court room is public property.''.

(2) The right of the people of the United States to a free press, with the ability to report on all aspects of the conduct of the business of government, as protected by the first amendment to the Constitution, cannot be meaningfully exercised without the ability of the news media to gather facts and information freely for dissemination to the public.

(3) The right of the people of the United States to petition the Government to redress grievances, particularly as it relates to the manner in which the Government exercises its legislative, executive, and judicial powers, as protected by the first amendment to the Constitution, cannot be meaningfully exercised without the availability to the public of information about how the affairs of government are being conducted. As the Supreme Court noted in Richmond Newspapers, Inc. v. Commonwealth of Virginia (1980), ''People in an open society do not demand infallibility from their institutions, but it is difficult for them to accept what they are prohibited from observing.''.

(4) In the twenty-first century, the people of the United States obtain information regarding judicial matters involving the Constitution, civil rights, and other important legal subjects principally through the print and electronic media. Television, in particular, provides a degree of public access to courtroom proceedings that more closely approximates the ideal of actual physical presence than newspaper coverage or still photography.

(5) Providing statutory authority for the courts of the United States to exercise their discretion in permitting televised coverage of courtroom proceedings would enhance significantly the access of the people to the Federal judiciary.

(6) Inasmuch as the first amendment to the Constitution prevents Congress from abridging the ability of the people to exercise their inherent rights to freedom of speech, to freedom of the press, and to petition the Government for a redress of grievances, it is good public policy for the Congress affirmatively to facilitate the ability of the people to exercise those rights.

(7) The granting of such authority would assist in the implementation of the constitutional guarantee of public trials in criminal cases, as provided by the sixth amendment to the Constitution. As the Supreme Court stated in In re Oliver (1948), ''Whatever other benefits the guarantee to an accused that his trial be conducted in public may confer upon our society, the guarantee has always been recognized as a safeguard against any attempt to employ our courts as instruments of persecution. The knowledge that every criminal trial is subject to contemporaneous review in the forum of public opinion is an effective restraint on possible abuse of judicial power.''.

(b) AUTHORITY OF PRESIDING JUDGE TO ALLOW MEDIA COVERAGE OF COURT PROCEEDINGS.—

(1) AUTHORITY OF APPELLATE COURTS.—Notwithstanding any other provision of law, the presiding judge of an appellate court of the United States may, in his or her discretion, permit the photographing, electronic recording, broadcasting, or televising to the public of court proceedings over which that judge presides.

(2) AUTHORITY OF DISTRICT COURTS.—

(A) IN GENERAL.—Notwithstanding any other provision of law, any presiding judge of a district court of the United States may, in his or her discretion, permit the photographing, electronic recording, broadcasting, or televising to the public of court proceedings over which that judge presides.

(B) OBSCURING OF WITNESSES AND JURORS.—(i) Upon the request of any witness (other than a party) or a juror in a trial proceeding, the court shall order the face and voice of the witness or juror (as the case may be) to be disguised or otherwise obscured in such manner as to render the witness or juror unrecognizable to the broadcast audience of the trial proceeding.

(ii) The presiding judge in a trial proceeding shall inform—

(I) each witness who is not a party that the witness has the right to request that his or her image and voice be obscured during the witness' testimony; and

(II) each juror that the juror has the right to request that his or her image be obscured during the trial proceeding.

(3) ADVISORY GUIDELINES.—The Judicial Conference of the United States is authorized to promulgate advisory guidelines to which a presiding judge, in his or her discretion, may refer in making decisions with respect to the management and administration of photographing, recording, broadcasting, or televising described in paragraphs (1) and (2).

(c) DEFINITIONS.—In this section:

(1) PRESIDING JUDGE.—The term ''presiding judge'' means the judge presiding over the court proceeding concerned. In proceedings in which more than one judge participates, the presiding judge shall be the senior active judge so participating or, in the case of a circuit court of appeals, the senior active circuit judge so participating, except that—

(A) in en banc sittings of any United States circuit court of appeals, the presiding judge shall be the chief judge of the circuit whenever the chief judge participates; and

(B) in en banc sittings of the Supreme Court of the United States, the presiding judge shall be the Chief Justice whenever the Chief Justice participates.

(2) APPELLATE COURT OF THE UNITED STATES.—The term ''appellate court of the United States'' means any United States circuit court of appeals and the Supreme Court of the United States.

(d) SUNSET.—The authority under subsection (b)(2) shall terminate on the date that is 3 years after the date of the enactment of this Act.

SEC. 23. FUNDING FOR STATE COURTS TO ASSESS AND ENHANCE COURT SECURITY AND EMERGENCY PREPAREDNESS.

(a) IN GENERAL.—The Attorney General, through the Office of Justice Programs, shall make grants under this section to the highest State courts in States participating in the program, for the purpose of enabling such courts—

(1) to conduct assessments focused on the essential elements for effective courtroom safety and security planning; and

(2) to implement changes deemed necessary as a result of the assessments.

(b) ESSENTIAL ELEMENTS.—As used in subsection (a)(1), the essential elements include, but are not limited to—

(1) operational security and standard operating procedures;

(2) facility security planning and self-audit surveys of court facilities;

(3) emergency preparedness and response and continuity of operations;

(4) disaster recovery and the essential elements of a plan;

(5) threat assessment;

(6) incident reporting;

(7) security equipment;

(8) developing resources and building partnerships; and

(9) new courthouse design.

(c) APPLICATIONS.—To be eligible for a grant under this section, a highest State court shall submit to the Attorney General an application at such time, in such form, and including such information and assurances as the Attorney General shall require.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $20,000,000 for each of fiscal years 2006 through 2010.

SEC. 24. ADDITIONAL AMOUNTS FOR UNITED STATES MARSHALS SERVICE TO PROTECT THE JUDICIARY.

In addition to any other amounts authorized to be appropriated for the United States Marshals Service, there are authorized to be appropriated for the United States Marshals Service to protect the judiciary, $20,000,000 for each of fiscal years 2006 through 2010 for—

(1) hiring entry-level deputy marshals for providing judicial security;

(2) hiring senior-level deputy marshals for investigating threats to the judiciary and providing protective details to members of the judiciary and Assistant United States Attorneys; and

(3) for the Office of Protective Intelligence, for hiring senior-level deputy marshals, hiring program analysts, and providing secure computer systems.

SEC. 25. GRANTS TO STATES FOR THREAT ASSESSMENT DATABASES.

(a) IN GENERAL.—From amounts made available to carry out this section, the Attorney General shall carry out a program under which the Attorney General makes grants to States for use by the State to establish and maintain a threat assessment database described in subsection (b).

(b) DATABASE.—For purposes of subsection (a), a threat assessment database is a database through which a State can—

(1) analyze trends and patterns in domestic terrorism and crime;

(2) project the probabilities that specific acts of domestic terrorism or crime will occur; and

(3) develop measures and procedures that can effectively reduce the probabilities that those acts will occur.

(c) CORE ELEMENTS.—The Attorney General shall define a core set of data elements to be used by each database funded by this section so that the information in the database can be effectively shared with other States and with the Department of Justice.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of fiscal years 2006 through 2009.

SEC. 26. GRANTS FOR YOUNG WITNESS ASSISTANCE.

(a) DEFINITIONS.—For purposes of this section:

(1) DIRECTOR.—The term ''Director'' means the Director of the Bureau of Justice Assistance.

(2) JUVENILE.—The term ''juvenile'' means an individual who is 17 years of age or younger.

(3) YOUNG ADULT.—The term ''young adult'' means an individual who is between the ages of 18 and 21.

(4) STATE.—The term ''State'' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, and the Northern Mariana Islands.

(b) PROGRAM AUTHORIZATION.—The Director may make grants to State and local prosecutors

and law enforcement agencies in support of juvenile and young adult witness assistance programs, including State and local prosecutors and law enforcement agencies that have existing juvenile and adult witness assistance programs.

(c) ELIGIBILITY.—To be eligible to receive a grant under this section, State and local prosecutors and law enforcement officials shall—

(1) submit an application to the Director in such form and containing such information as the Director may reasonably require; and

(2) give assurances that each applicant has developed, or is in the process of developing, a witness assistance program that specifically targets the unique needs of juvenile and young adult witnesses and their families.

(d) USE OF FUNDS.—Grants made available under this section may be used—

(1) to assess the needs of juvenile and young adult witnesses;

(2) to develop appropriate program goals and objectives; and

(3) to develop and administer a variety of witness assistance services, which includes—

(A) counseling services to young witnesses dealing with trauma associated in witnessing a violent crime;

(B) pre- and post-trial assistance for the youth and their family;

(C) providing education services if the child is removed from or changes their school for safety concerns;

(D) protective services for young witnesses and their families when a serious threat of harm from the perpetrators or their associates is made; and

(E) community outreach and school-based initiatives that stimulate and maintain public awareness and support.

(e) REPORTS.—

(1) REPORT.—State and local prosecutors and law enforcement agencies that receive funds under this section shall submit to the Director a report not later than May 1st of each year in which grants are made available under this section. Reports shall describe progress achieved in carrying out the purpose of this section.

(2) REPORT TO CONGRESS.—The Director shall submit to Congress a report by July 1st of each year which contains a detailed statement regarding grant awards, activities of grant recipients, a compilation of statistical information submitted by applicants, and an evaluation of programs established under this section.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $3,000,000 for each of fiscal years 2006, 2007, and 2008.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 109–279. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered 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.

AMENDMENT NO. 1 OFFERED BY MR. SENSENBRENNER

Mr. SENSENBRENNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 109–279 offered by Mr. SENSENBRENNER:

In the matter proposed to be inserted by section 2 as subsection (b)(2)(C) of section 115 of title 18, United States Code, after ''if death results'' insert ''and the offender is prosecuted as a principal''.

In the matter proposed to be inserted by section 4(a) as section 1123(a) of title 18, United States Code, after ''if death results'' insert ''and the offender is prosecuted as a principal''.

In the matter proposed to be inserted by section 18(a) as subparagraph (C) of section 901(a)(3) of the Omnibus Crime Control and Safe Streets Act of 1968 insert after ''within the State'' the following: ''or of an Indian tribe,''.

In section 18(b), strike ''local unit of government'' and insert ''unit of local government or Indian tribe'' and strike ''State or unit'' each place it appears and insert ''State, unit, or tribe''.

In the matter proposed to be inserted by section 13(b)(3) as paragraph (24) of section 604(a) of title 28, United States Code, strike '', and inform'' and all that follows through ''requirements''.

The CHAIRMAN. Pursuant to House Resolution 540, the gentleman from Wisconsin (Mr. SENSENBRENNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I offer this manager's amendment to clarify that offenders who attempt to murder or conspire to murder a Federal judge, Federal law enforcement officer, or a federally funded public safety officer are subject to a penalty of life imprisonment. If death results, the death penalty can be applied to offenders who are principals.

In addition, the amendment adds Indian tribes as eligible entities for court security grants in section 18 of the bill.

Finally, the amendment clarifies the language as to the coordination between the Marshals Service and the Administrative Office on security issues. I urge my colleagues to support the amendment to this important bill.

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

The CHAIRMAN. Who seeks time in opposition?

Mr. SCOTT of Virginia. Mr. Chairman, I think the amendment is clarifying in nature, and I have no objection. I am not aware of any objection.

Mr. SENSENBRENNER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin (Mr. SENSENBRENNER).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 printed in House Report 109–279 offered by Mr. SCOTT of Virginia:

In the matter proposed to be inserted by section 2 as a subsection (b)(2)(A)(ii) of section 115 of title 18, United States Code, strike ''and a term of imprisonment'' and all that follows through ''10 years'' and insert ''or a term of imprisonment for not more than 20 years, or both''.

In the matter proposed to be inserted by section 2 as a subsection (b)(2)(A)(iii) of section 115 of title 18, United States Code, strike ''and a term of imprisonment'' and all that follows through ''12 years'' and insert ''or a term of imprisonment for not more than 30 years, or both''.

In the matter proposed to be inserted by section 2 as a subsection (b)(2)(A)(iv) of section 115 of title 18, United States Code, strike ''and a term of imprisonment'' and all that follows through ''30 years'' and insert ''or a term of imprisonment for not more than 40 years, or both''.

In the matter proposed to be inserted by section 2 as a subsection (b)(2)(B), strike ''not less than 30''.

In the matter proposed to be inserted by section 2 as a subsection (b)(2)(C), strike ''not less than 30''.

In the matter proposed to be inserted by section 2 as a subsection (b)(2)(D) of section 115 of title 18, United States Code, strike ''and imprisonment'' and all that follows through ''10 years'' and insert ''or imprisonment for not more than 20 years, or both''.

In the matter proposed to be inserted by section 2 as a subsection (b)(2)(E) of section 115 of title 18, United States Code, strike ''5 years'' and insert ''not more than 10 years''.

In the matter proposed to be inserted by section 3(b) as a subsection (c)(1)(B) of section 111 of title 18, United States Code, strike ''not less'' and all that follows through ''10 years'' and insert ''not more than 20 years''.

In the matter proposed to be inserted by section 3(b) as a subsection (c)(1)(C) of section 111 of title 18, United States Code, strike ''not less'' and all that follows through ''12 years'' and insert ''not more than 30 years''.

In the matter proposed to be inserted by section 3(b) as a subsection (c)(1)(D) of section 111 of title 18, United States Code, strike ''not less'' and all that follows through ''30 years'' and insert ''not more than 40 years''.

In the matter proposed to be inserted by section 3(b) as a subsection (c)(2) of section 111 of title 18, United States Code, strike ''5 years'' and insert ''not more than 10 years''.

In the matter proposed to be inserted by section 20(a) as a section 1075 of title 18, United States Code, strike ''not less than 10'' and insert ''not more than 20''.

In the matter proposed to be inserted by section 21(a) as a subsection (b) of section 1114 of title 18, United States Code, strike ''and imprisonment'' and all that follows through ''or for life'' and insert ''or imprisonment for any term of years, or for life, or both''.

In the matter proposed to be inserted by section 21(b) in section 1201(a) of title 18, United States Code, strike ''and imprisonment'' and all that follows through ''or for life'' and insert ''or imprisonment for any term of years, or for life, or both''.

The CHAIRMAN. Pursuant to House Resolution 540, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Wisconsin (Mr. SENSENBRENNER) each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment eliminates the mandatory minimum sentences in the bill and replaces them with increases in maximum sentences

for which a defendant can be sentenced. This is not a soft-on-crime amendment but a sensible-on-crime amendment. In each instance in which it eliminates a mandatory minimum sentence, it raises the maximum term to which an offender can be sentenced, except in situations where they can already get life.

With the higher maximums, offenders who deserve it can be sentenced to even greater sentences than the bill allows. But those who are bit players in an offense or those who do not deserve as much time as ringleaders, do not have to be sentenced to that time anyway. What sense does it make to sentence an offender to more time than anyone believes they deserve? That is an inevitable result of mandatory minimum sentencing.

The notion that we have to have mandatory minimum sentences to force judges to sentence those who kill, injure or threaten judges or their families or others associated with the courts is obviously absurd. Judges have not asked for mandatory minimum sentences as a protection for themselves and their families. Indeed, they have asked for just the opposite.

Having the experience of sentencing people on an ongoing basis, judges see the differences in activities, roles, backgrounds of the offenders of crime. They know it makes no sense to sentence just on the basis of the name of the crime rather than on the basis of the facts and circumstances of the crime and the level of involvement and background of the offenders. Having heard all the facts and circumstances in the case, they are in a much better position to sentence offenders than Congress is in sentencing offenders with no knowledge of the individual case.

To ensure a systemic approach in sentencing like offenders in a similar manner, we have created the Sentencing Commission and the sentencing guideline system. By increasing the maximums, we signal to the Sentencing Commission to consider increasing the guideline minimums, which they characteristically do when we make such suggestions. The sentencing statistics do not establish that the courts have not followed the guidelines, especially when you take into account that most of the deviations result from government motions, or acquiescences in sentences, and guideline-sanctioned departures. Sentencing is not an exact science and should not be held to rigid statistical measurements.

Some have suggested that mandatory minimum sentencing is necessary because of recent Supreme Court decisions that prevent sentencing increases based on factors not established at the trial. Yet, their positions on mandatory minimum sentences appear to be no different before those cases were decided.

Mandatory minimums have been studied and have been found to disrupt an orderly sentencing scheme, to be discriminatory against minorities, to waste the taxpayers' money when compared to traditional sentencing where individual roles and culpability can be taken into account. If we do not trust judges to sentence offenders sufficient in other cases, the one instance where we should be able to trust judges is in the case where the charge is murder, injury, or threats to judges.

Certainly, Mr. Chairman, mandatory minimums are not indicated in this bill, so I urge my colleagues to support this amendment and remove the mandatory minimums from the bill.

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

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in opposition to the Scott amendment. It strips all of the mandatory minimum penalties out of the bill.

The amendment seeks to strip the core provisions of the bill. Let me remind everyone of the nature of the problem we face today. More than 57,000 law enforcement officers were assaulted in 2003, or one in every 10 officers serving in the United States. The numbers have been increasing since 1999, even as every other crime has decreased or held steady.

The Executive Director of the Fraternal Order of Police noted recently ''There is less respect for authority in general and police officers specifically. The predisposition of criminals to use firearms is probably at the highest point of our history.''

The secure access proposal addresses this problem by sending a message of deterrence. The existing penalty for assaulting a law enforcement officer is 8 years, 15 if with a weapon. Under current criminal law, a false statement made to an FBI agent in a terrorism investigation carries the same penalty as a violent assault of a police officer.

Federal, State, and local judges have suffered from rising threats, and deadly attacks have been directed against judges as well as courthouse participants.

□ 1645

According to the Administrative Office of United States Courts, there are almost 700 threats made a year against Federal judges, and in numerous cases Federal judges have had security details assigned to them for fear of attack by members of terrorist organizations, violent gangs, and disgruntled litigants.

H.R. 1751 provides a reasonable penalty structure for assaults against judges, prosecutors and public safety officers, as well as members of their families. The bill adopts a penalty structure requiring 1 to 10 years for an assault that results in bodily injury, such as a cut, abrasion, bruise, burn, disfigurement, pain or illness; 3 to 12 years for substantial bodily injury, temporary but substantial disfigurement, temporary but substantial loss or impairment; and 10 to 30 years for serious bodily injury, substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.

These penalties roughly correspond to existing guideline ranges and simply ensure that Federal judges impose the required penalty, but can exercise discretion to a higher penalty if warranted.

Law enforcement officers deserve our fullest protection, brazen criminals show less and less regard for the police and the hard work that they do. Our message is simple: If you attack a police officer or kill a police officer, you will be going to jail for a long time.

As revised, the mandatory minimums are commensurate with existing Federal sentencing guidelines, but in the absence of a mandatory minimum guideline system, there is too much at risk to leave the sentencing to judges who have already demonstrated their willingness to depart from the guidelines when presented with a case.

Mandatory minimum penalties are effective for ensuring consistency in sentencing. Since the Supreme Court's decision in United States v. Booker, judges now have virtually unlimited discretion to ignore the Federal sentencing guidelines and impose whatever sentence they like, all to the detriment of public safety and fairness and sentencing through consistent and clear punishment schemes. Judges are now completely unaccountable.

Congress has a duty to set sentencing policies for Federal crimes and to make sure that judges impose such sentences. Unfortunately, that has not been the experience since the Booker decision. Once freed from mandatory sentencing schemes, Federal judges are now starting to ignore the guidelines: In one of every 10 criminal cases, they are imposing sentences below the previously mandated guideline range.

In a recently released report, the Sentencing Commission data confirmed that this trend is continuing, and specifically broke out such data by circuits, which showed that judges in the Second and Ninth Circuits followed the guideline ranges in imposing sentences in a substantially lower percentage than the other circuits. Sentences now for similar crimes are being handed in disparate fashion, depending on the region where the offense occurs. This is not equal justice under the law in the Federal system.

Those judges, when they go to the Supreme Court, ought to look at the motto that is underneath the roof of the Court at the main entrance when they walk in. For these reasons, I urge my colleagues to oppose the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The amendment was rejected.

AMENDMENT NO. 3 OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 printed in House Report 109–279 offered by Mr. SCOTT of Virginia:

In the matter proposed to be inserted by section 4 as section 1123(a) of title 18, United States Code, strike ''shall be punished'' and all that follows through ''death'' and insert ''shall be fined under this title or imprisoned for any term or years or for life, or both''.

The CHAIRMAN. Pursuant to House Resolution 540, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Wisconsin (Mr. SENSENBRENNER) each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this amendment would eliminate the expansion of the Federal death penalty jurisdiction on the basis of any portion of the salary of a State or local official being covered with Federal funds. That means they could be eligible for a Federal death penalty. The notion that the Federal Government has to replace the States and localities in murder prosecutions against those who would murder a State judge or others associated with a judge or courts is absurd.

States have shown themselves quite capable of prosecuting murder cases and in obtaining death penalties where applicable. They have done far more of it, frankly, than the Federal Government, so there is no indication that this raw extension of Federal power is necessary or even desired. If a State has chosen to represent the will of its citizens by not authorizing a death penalty, why should Congress step in and impose it in spite of the State's public policy choice?

The States certainly have not asked that we add a Federal death penalty to apply to the murder of federally funded State or local officials. And there is no evidence that the kind of people who would kill or plot to kill a State court judge or other officials may be deterred by a Federal death penalty.

The public is clearly rethinking the appropriateness of the death penalty, in general, due to the evidence that it is ineffective in deterring crime, that it is racially discriminatory, and found more often than not to be erroneously applied.

A 23-year comprehensive study of the death penalty found that the death penalty had been erroneously applied 68 percent of the time. So it is not surprising that over 120 people sentenced to death over the last 10 years have been released from death row, having been completely exonerated of the crimes for which they are convicted or otherwise found to be not guilty.

Nor is it surprising that with such a sorry record of death penalty administration, that several States have abolished the death penalty or placed moratoriums on the applications of their death penalty while studies are being conducted, and why some, while they have it on the books, have not applied it in many years.

In recognition of the problems States and localities were having with administering the death penalty, Congress adopted the Innocence Protection Act just a few years ago. It provides funding to State and local entities to help ensure that there is competent counsel at all parts of the trial.

Mr. Chairman, during committee deliberations of the death penalty, we heard references to econometric research of economist Joanna M. Shepherd. I want to point out, more recently, she has done further analysis in elaboration of her research and found, in terms of deterring murders, executions deter murders in six States, have no effect on murders in eight States, and increased murders in 13 States.

Mr. Chairman, despite the fact that the death penalty is arbitrarily applied, it is discriminatory and we make mistakes, I would hope that we would delete the death penalty from this bill by adopting the amendment.

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

Mr. SENSENBRENNER. Mr. Chairman, I yield myself such time as I may consume.

I rise in opposition to the Scott amendment which eliminates the death penalty for the killing of a federally funded public safety officer, such as a judge, police officer, firefighter, prosecutor, or a family member of a public safety officer.

According to the Bureau of Justice Statistics, 52 law enforcement officers were feloniously killed in the United States in 2003 and 56 officers were killed in the previous year.

In the 10-year period from 1994 through 2003, a total of 616 law enforcement officers were feloniously killed in the line of duty in the United States, 100 of whom were killed in ambush situations, entrapment or premeditated situations. If not for the advent of bulletproof vests, an additional 400 officers would have been killed over the last decade, except for the fact that they were wearing protective armor.

Of those responsible for killing police officers between 1994 and 2003, 521 had a prior criminal arrest, including 153 who had a prior arrest for assaulting a police officer or resisting arrest, 264 for a crime of violence, 230 for a weapons violation, and 23 for murder.

Recent events include the killing of an individual with a grenade in the Seattle Federal courthouse; the killing of Judge Roland Barnes, his deputy sheriff and a Federal agent in Atlanta; the murders of Federal Judge Lefkow's husband and mother; and the murders immediately outside the Tyler, Texas, courthouse.

These recent attacks follow on the heels of the 1998 bombing of Circuit Judge Robert Vance in the 11th Circuit; the 1998 shooting of Judge Daronoco; and the 1979 shooting of Judge Wood outside his San Antonio home.

According to the Administrative Office, there are almost 700 threats a year made against Federal judges, and security detail have had to be assigned to those Federal judges because of the threats of attacks.

The Secure Access bill authorizes, but does not require prosecution of federally funded State and local judges and first responders if there is a threat or an assault against them.

First, jurisdiction only exists when it involves Federal funding and protection of Federal investment.

Second, under current Federal law, the Department of Justice pays survivor benefits to families of first responders who are killed in the line of duty. The Federal interest in minimizing these assaults and murders is obvious and cost-saving.

The intent underlying this provision is to authorize Federal prosecution after State and local prosecutors and Federal prosecutors determine where such prosecution would best be brought. Some States do not have a death penalty and Federal prosecution of a cop killer may be warranted. Federal prosecution may be advantageous over State or local prosecutions for a variety of reasons, such as laws relating to evidence, statute of limitations, or other reasons.

The provisions do not require Federal prosecution, but only add another tool in the arsenal to protect law enforcement officers, judges, and other courthouse personnel.

The need for a swift and effective death penalty is significant in the case of violent offenders who assault and kill law enforcement officers, judges and witnesses. Several scientifically valid statistical studies that examine a period of years and control for national trends consistently show that capital punishment is a substantial deterrent and saves lives. Recent estimates show that each execution deters 18 murders.

I urge a ''no'' vote on the amendment.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SENSENBRENNER. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. SCOTT) will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. CUELLAR

Mr. CUELLAR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 109–279 offered by Mr. CUELLAR:

Section 11(c) is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and

(3) by inserting after paragragraph (3) the following:

(4) shares an international border and faces a demonstrable threat from cross border crime and violence.

The CHAIRMAN. Pursuant to House Resolution 540, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CUELLAR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment is an amendment that adds a category of preferential consideration for witness protection grants for jurisdictions that share an international border and face a threat from cross-border crime.

Basically, this would allow the border prosecutors an opportunity to protect the witness that sometimes fears that they might get a threat from international cross-border threats. I believe this amendment is acceptable to Chairman SENSENBRENNER.

Mr. Chairman, Chairman SENSENBRENNER and Ranking Member CONYERS, Congressman SCOTT, thank you for this opportunity to offer my amendment to H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005.

Crime and violence along the US-Mexico border presents unique challenges to the law enforcement community. Border crimes can be especially difficult to prosecute: a witness to a crime along the border may be hesitant to testify if he or she fears it is related to criminal activity across the border in another country.

The Cuellar amendment is simple; it adds a category of preferential consideration for witness protection grants for jurisdictions that share an international border and face a demonstrable threat from cross-border crime. This category will benefit such jurisdictions that choose to apply for witness protection grants.

We must provide prosecutors every means possible to adjudicate crimes along the border, and giving them preferential consideration for witness protection grants will help that goal.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. CUELLAR. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, the amendment is a very good amendment. It is not acceptable, but it is something that I enthusiastically support.

Mr. CUELLAR. Mr. Chairman, I thank the gentleman.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. CUELLAR. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman for his very wise amendment. He comes from a region that has suffered an enormous amount of border violence. But his local officials, in working with the gentleman, has brought this to the Nation's attention.

This amendment will protect witnesses who I think are the crux of solving some of these heinous crimes. I have supported amendments such as this, which include language in legislation that I have which deals with rewarding informants in order to get them to tell the facts that would allow for busting drug cartels and others who are perpetrating violence. This is a wise amendment, and I am happy to support it.

Mr. CUELLAR. Mr. Chairman, I thank the gentlewoman for the work she has done.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 printed in House Report 109–279 offered by Ms. JACKSON-LEE of Texas:

In section 25, strike subsection (a) and insert the following:

''(a) IN GENERAL.—The Attorney General, through the Office of Justice Programs, shall make grants under this section to the highest State courts in States participating in the program, for the purpose of enabling such courts to establish and maintain a threat assessment database described in subsection (b).''.

The CHAIRMAN. Pursuant to House Resolution 540, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

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

I want to thank the ranking member and the chairman of the full committee and the chairman and the ranking member of the subcommittee to allow the amendment that I secured that has to do with providing courts the opportunity to establish a threat assessment database similar to that of U.S. Marshals.

□ 1700

This provides our courts hands-on immediate information in order to determine the threats that are waged against these particular courts. This simple amendment, rather than include the attorney, in essence, the change of this amendment would require the Attorney General to work through the Office of Justice Programs to make grants to the highest State courts in States participating in the Threat Assessment Database program.

Mr. SENSENBRENNER. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I support this amendment. It makes a technical change to section 25 of the bill, and it broadens the eligibility for grants. I think it is a good amendment and urge the committee to adopt it.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the distinguished chairman for his support.

Let me conclude by simply saying again I remind colleagues I hope that some day we will be able to discuss the Good Time Early Relief bill that speaks to the question of individuals languishing in Federal prisons who have been nonviolent and would welcome this discussion and this legislation.

I am grateful for this amendment, and I ask my colleagues to support the amendment.

Mr. Chairman, I rise to offer an amendment to H.R. 1751, the Secure Access to Justice and Court Protection Act of 2005. Before doing so, I want to thank the Chairman and the Ranking Minority Member of the House Judiciary Committee for their efforts on this bill. Let me briefly explain the thrust of my amendment. This amendment is only a small technical change to my original amendment that was adopted during the Full Committee Markup last week. In essence, the change would require the Attorney General to work, through the Office of Justice Programs, to make grants to the highest State courts in States participating in the threat assessment database program.

The rationale for changing the language to make State Supreme Courts eligible for receiving grants for the creation of a threat assessment database is that the State courts are on the ground and have the best understanding of what type of threats are out there and where they are coming from. In addition:

The Department of Justice has interpreted language giving ''grants to States'' as going directly to State executives (Governors) and they have sometimes bypassed the State courts.

The State court administrating agencies (led by the State supreme courts) are in a better position to know about the kind of threats and attacks they experience in a given year.

The State court administrating agencies are in a better position to know how to respond to attacks and develop procedures to counter threats to the State courts.

If the grants go to the State executive, there is a chance that money expended under this program will go to another part of the State budget such as roads or education, not court security.

I respectfully request that my amendment be made in order.

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

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON-LEE).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. FILNER

Mr. FILNER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 printed in House Report 109–279 offered by Mr. FILNER:

Section 26(d)(3) is amended

(1) by redesignating subparagraphs ''(D)'' and ''(E)''as subparagraphs ''(E)'' and ''(F)'', respectively; and

(2) by inserting after subparagraph (C) the following:

''(D) support for young witnesses who are trying to leave a criminal gang and information to prevent initial gang recruitment.''.

The CHAIRMAN. Pursuant to House Resolution 540, the gentleman from California (Mr. FILNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. FILNER. Mr. Chairman, I yield myself such time as I may consume.

I thank Chairman SENSENBRENNER and the Rules Committee for allowing this amendment to proceed. There is a very good section of the bill talking about grants for young witness assistance, and I think when we talk about that, as the bill does, very importantly, we also must explicitly talk about gangs because we know that youth witness intimidation generally comes at the hands of criminal gangs. So my amendment adds language to this section that provides for this bill to allow the use of witness protection grants by youths who are trying to leave a criminal gang or to prevent initial gang recruitment.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. FILNER. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I am happy to support this amendment. I think it plugs a hole in the original bill, and we certainly want to do whatever we can to prevent people from going into gangs and from being threatened if they are witnesses and are sworn to tell the truth, the whole truth, and nothing but the truth in criminal trials involving gang members.

Mr. FILNER. Mr. Chairman, I thank the chairman for his support.

Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATSON).

Ms. WATSON. Mr. Chairman, I am here to support the gentleman from California (Mr. FILNER) and his amendment to H.R. 1751. I would like to thank the chair for accepting that amendment.

What he is trying to do is to help that young person extricate him or herself and let the courts and law enforcement know aspects of gang crime that are key in convicting our most dangerous criminals on the streets.

In my district I think we have exported gang activities around the country and maybe even around the world, South Central Los Angeles. So as a result, I started a series of youth violence summits with intervention specialists, educators, counselors, and the youth themselves. And one clear message that has resonated amongst all of them is the dire need to promise our youth that if they are involved in gang activity and remove themselves, they will not be harmed or killed by the very gang that they wisely ostracize themselves from.

So this amendment clearly provides much-needed witness protection for our youth who are fearful of leaving a gang and who will come forward to testify about the inner workings of these gangs.

So I thank the gentleman very much for recognizing that we need to have options for the young people that are trying to be responsible in the process. And we are going to come back next year with a comprehensive bill because we have been studying this issue, working with it for the last 20 years; and I thank Mr. FILNER and Mr. SENSENBRENNER so much for recognizing the need to have these programs.

Mr. FILNER. If I may conclude, Mr. Chairman, according to the past president of the National District Attorneys Association, Mr. Robert P. McCullough, he said that ''prosecutors across the country believe that the issue of witness intimidation is the single biggest hurdle facing any successful gang prosecution.''

So I appreciate the chairman's acceptance of this amendment. I look forward to these grants helping our young people avoid gangs or at least avoid intimidation.

I believe when you talk about witness assistance programs for children, which this bill does, you have to talk about gangs because as many know youth witness intimidation generally comes at the hand of criminal gangs.

My amendment adds language to the witness protection grants provided in this bill to allow their use by youths who are trying to leave a criminal gang or to prevent initial gang recruitment.

Unfortunately, my district like many others across the country has a problem with gangs, which is why I introduced this amendment.

In San Diego, police department records count no fewer than 3,750 gang members on the street. Most are young—pre-teens to mid–20s. During the first six months of this year, gang violence resulted in eight homicides in San Diego, nearly a third of the total of 23.

However, don't let these statistics mislead you, gang violence is not limited to California and or big urban areas—that might have been true a while ago but it is no longer the case today. While big cities still have the majority of gangs their tentacles reach out from the cities into every aspect of our society. For example, Mara Salvatrucha, also known as MS–13, has grown from a gang that once numbered a few thousand and was involved in street violence and turf battles in Southern California into a gang that operates in at least 33 states, with an international membership in the hundreds of thousands.

Three thousand jurisdictions across the U.S. are estimated to have had gang activity in 2001. In 2002, 32% of cities with a population of 25 to 50 thousand reported a gang-related homicide. Furthermore, it is estimated that there are 840,000 active gang members in the U.S. operating in every state of the Union.

These gangs are effective because they bind their members to loyalty and create fear throughout the community in which they operate. This fear, most noticeable in children, prevents residents from cooperating with law enforcement officials and testifying against gang members. My amendment, while not a panacea for the gang problem, is a step in the right direction. It provides support to prevent initial gang recruitment and helps those young witnesses who are trying to leave criminal gangs. Passage of my amendment will decrease youth witness intimidation by gangs and as a result lead to improved prosecution of gang members.

According to the past president of the National District Attorneys Association, Robert P. McCullough, "prosecutors across the country believe that the issue of witness intimidation is the single biggest hurdle facing any successful gang prosecution." I could not agree with him more, which is why I am urging you to support my amendment.

Finally, as a matter of clarification, my amendment does not "require" states to provide such criminal gang witness assistance to be eligible for young adult witness assistance grants.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. FILNER).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. WEINER

Mr. WEINER. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 printed in House Report 109–279 offered by Mr. WEINER:

At the end of the bill add the following:

SEC. . STATE AND LOCAL COURT ELIGIBILITY.

(a) BUREAU GRANTS.—Section 302(c)(1) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3732(c)(1)) is amended by inserting ''State and local courts,'' after ''contracts with''.

(b) EDWARD BRYNE GRANTS.—

(1) FORMULA GRANTS.—Section 501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751) is amended—

(A) in subsection (a), by striking ''and units of local government'' and inserting '', units of local government, and State and local courts''; and

(B) in subsection (b), by inserting '', State and local courts,'' after ''use by States''.

(2) DISCRETIONARY GRANTS.—Section 510(a) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3760(a)) is amended by inserting '', State and local courts,'' after ''private agencies,''.

(c) ARMOR VESTS.—Section 2501 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (3796ii) is amended—

(1) in subsection (a), by inserting ''State and local court,'' after ''local,''; and

(2) in subsection (b), by inserting ''State and local court'' after ''government,''.

(d) CHILD ABUSE PREVENTION.—Section 105 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106) is amended—

(1) in the section heading, by inserting ''**STATE AND LOCAL COURTS,**'' after ''**AGENCIES**'';

(2) in subsection (a), by inserting ''and State and local courts'' after ''such agencies or organizations)''; and

(3) in subsection (a)(1), by inserting ''and State and local courts'' after ''organizations''.

The CHAIRMAN. Pursuant to House Resolution 540, the gentleman from New York (Mr. WEINER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. WEINER. Mr. Chairman, I yield myself such time as I may consume.

This is a technical amendment that fixes an oversight in the bill that left out four programs that would be helpful for courts, court officers, and court security personnel to take advantage of: the Bulletproof Vest Partnership Grant program; the Byrne Memorial State and Local Law Enforcement Assistance Discretionary Grant program; the Assistance for Children's Justice Act, CJA, grants; and State Justice Statistics program for Statistical Analysis Centers.

These four grant programs, I think, the authors of the bill, Mr. GOHMERT, myself and members of the committee, had intended to be available to courts as a result of this bill, and this amendment would include those.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. WEINER. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I thank the gentleman for yielding to me.

The gentleman from New York is absolutely correct in that there was an oversight in that State and local courts would not be eligible for the four grant programs that the gentleman outlined in his remarks. This amendment corrects the oversight, and I am happy to support it and hope that the committee adopts it.

Mr. WEINER. Mr. Chairman, reclaiming my time, I thank the chairman for his support.

For the balance my time here, I do want to point out one other provision that has gone largely unnoticed, but is a very important part of this bill.

I have beside me, and it is difficult to read from afar and, frankly, it is difficult to even read from up close, a Web site that distributes the personal information about judges, police officers, elected officials, and the like. This Web site, and we have obviously obscured the URL, goes so far as to talk about the comings and goings of undercover officers in New York City. It provides sensitive details of about 79 different officers, things such as what type of car they drive, things about what the comings and goings of their families are, personal habits. This is an example where we find the matrix, or perhaps I would call it the conflict, of the virtues of the Internet, how it is a place to bring information far and wide and the ability to use the Internet for what is in this case a very pernicious, mean-spirited, and perhaps deadly cause.

We know from the examples we have had judges' families stalked based on information the criminals were able to find on the Internet. In this bill we essentially incorporate H.R. 1710, the Internet Police Protection Act, that I offered. It becomes section 18 of this bill. What it says is there is a lot of publicly accessible information about judges; there is a lot of publicly accessible information about police officers. If someone wants to, if they really want to harass or harm a police officer or a judge, we should not allow the Internet to be used as a repository for information like that.

I am someone who spends a great deal of time as a member of the Judiciary Committee and a Member of this House fighting for the rights of people to free speech. I know there are going to be things on the Internet that are troubling to us, and we are always going to be in a tug and a push to try to figure out where we draw the line.

In this case, the line clearly gets drawn in the following place: if people are going to use the Internet to harass, intimidate, or harm law enforcement personnel, to harm court officers, to harm judges, then they should be illegal. This makes the test very simple. If they simply compile the database and a police officer's name happens to be on it with no intention of ill will, then obviously this would not make that illegal. But if it is clear that they are compiling a Web site like this one, which starts out, I should point out, the very first line says: ''Welcome to this legal, noncriminal Web site which provides publicly available information about NYPD, New York City Police Department, officers. This page is this Web site's most visited page,'' and it goes on to talk about how the information that was gathered was gathered in a lawful way. That is probably right. But it should be illegal. This is just the type of harassment tool, and perhaps even worse, that we need to keep off of the Internet.

I also draw another distinction, Mr. Chairman. When one is an elected official, a public official, their comings and goings are going to be more public than others. That is part of the cost of doing business. Any information about where a Congressman shows up obviously is not going to be covered by this legislation. But if one is a police officer, if one is an undercover police officer, imagine what it feels like to go home after a hard day at work dealing with some very bad people and find information about their comings and goings posted on a Web page.

This bill, the Court Protection Act, is going to make that illegal, as it should. And there may be tests that we have to figure out where the line gets drawn. Courts have come down in different places, but one thing we know: threatening speech is not protected speech. Speech that endangers someone's livelihood, endangers someone's life is not protected speech, and this provision in the Court Security Act will make that abundantly clear.

I ask for a ''yes'' vote on the Weiner amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. WEINER).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. KING OF IOWA

Mr. KING of Iowa. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 printed in House Report 109–279 offered by Mr. KING of Iowa:

At the end of the bill, add the following:

SEC. _____. AUTHORITY OF FEDERAL JUDGES AND PROSECUTORS TO CARRY FIREARMS.

(a) IN GENERAL.—Chapter 203 of title 18, United States Code, is amended by inserting after section 3053 the following:

''§ 3054. Authority of Federal judges and prosecutors to carry firearms

''Any justice of the United States or judge of the United States (as defined in section 451 of title 28), any judge of a court created under article I of the United States Constitution, any bankruptcy judge, any magistrate judge, any United States attorney, and any other officer or employee of the Department of Justice whose duties include representing the United States in a court of law, may carry firearms, subject to such regulations as the Attorney General shall prescribe. Such regulations shall provide for training and regular certification in the use of firearms and shall, with respect to justices, judges, bankruptcy judges, and magistrate judges, be prescribed after consultation with the Judicial Conference of the United States.''.

(b) CLERICAL AMENDMENT.—The table of sections for such chapter is amended by inserting after the item relating to section 3053 the following:

''3054. Authority of Federal judges and prosecutors to carry firearms.''.

The CHAIRMAN. Pursuant to House Resolution 540, the gentleman from Iowa (Mr. KING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Iowa.

Mr. KING of Iowa. Mr. Chairman, I yield myself such time as I may consume.

First, Mr. Chairman, I want to thank Chairman SENSENBRENNER and Mr. GOHMERT for bringing this underlying bill to the floor, H.R. 1751.

My amendment specifically addresses the problem of violence in and around Federal courthouses. The amendment authorizes any Federal judge, magistrate, United States Attorney, or any other officer of the Department of Justice who represents the U.S. in a court of law to carry firearms. They would be subject to training and regulation as prescribed by the Attorney General.

Currently, a number of States permit State prosecutors to carry firearms. However, this right is not extended to all Federal prosecutors and Federal judges. My amendment would allow both Federal judges and Federal prosecutors to carry firearms for their and their families' protection and provide for training and regular certification.

The need for my amendment was made clear by the recent tragedies involving, and we have heard the chairman speak to these issues, the brutal

murder of family members of U.S. District Judge Joan Lefkow; the slaying of Judge Rowland Barnes, his court reporter, deputy sheriff, and a Federal officer in Atlanta; the cold-blooded shootings outside the Tyler, Texas courthouse, among others. These situations underscore the importance of security for judges and prosecutors.

There is a significant need to allow judges and U.S. Attorneys to carry firearms because threats and dangerous assaults upon them are steadily increasing. By virtue of their positions, United States judges and prosecutors are high-profile targets. They and their families have often been victims of violent crimes, murder, and threats to their personal safety.

United States judges, justices, and U.S. Attorneys bravely serve the people of the United States of America. They prosecute our most serious, sophisticated, and violent offenders. These offenders range from international terrorists to armed career criminals.

Protecting the courthouse is important, Mr. Chairman, but the courthouse is just a building. This amendment is designed to provide meaningful protection to the actual person and his or her family. My amendment extends protection from the courthouse to the homes in the areas where the judges and prosecutors live.

Our Nation relies and depends upon the sound and unintimidated judgment of these dedicated public servants. We owe them every reasonable tool to protect themselves and their families. This includes the right to carry an effective personal security tool.

Mr. Chairman, I urge a ''yes'' vote on this amendment.

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

Mr. SCOTT of Virginia. Mr. Chairman, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. SCOTT of Virginia. Mr. Chairman, I wonder if the gentleman from Iowa would respond to a couple of questions. I would ask the gentleman whether or not this applies to Federal officials only; we are not imposing this on State officials.

Mr. KING of Iowa. Mr. Chairman, will the gentleman yield?

Mr. SCOTT of Virginia. I yield to the gentleman from Iowa.

Mr. KING of Iowa. Yes, Mr. Chairman, it applies only to Federal officials who will represent the United States of America in a court of law, the voice of the Federal Government in a court of law.

Mr. SCOTT of Virginia. Mr. Chairman, reclaiming my time, also, did the Federal officials ask for this new power?

I yield to the gentleman.

□ 1715

Mr. KING of Iowa. Mr. Chairman, on that specific question, I cannot answer ''yes'' to or ''no'' to. I am working with a piece of language I believe in, and I have not looked a Federal official in the eye that specifically asked me.

Mr. SCOTT of Virginia. Mr. Chairman, reclaiming my time, it is my understanding that this was in fact their request, in fact, their number one request. Does the gentleman have any evidence or know anything contrary to that?

Mr. KING of Iowa. I have been informed that, yes, we have Federal officials that have asked for this legislation. I would point out that it is not mandatory that they accept carrying a firearm; it is their option that they exercise under the regulation provided by the Attorney General.

Mr. SCOTT of Virginia. Reclaiming my time, I would finally ask, is this the right to carry, subject to training and regulation prescribed by the Attorney General? I yield to the gentleman.

Mr. KING of Iowa. It is subject to training and regulation as prescribed by the Attorney General.

Mr. SENSENBRENNER. Mr. Chairman, will the gentleman yield?

Mr. SCOTT of Virginia. I yield to the gentleman from Wisconsin.

Mr. SENSENBRENNER. Mr. Chairman, I appreciate the gentleman yielding. I support the amendment as well, and I understand why Federal officials who are designating the amendment would feel a need for this. As long as it is optional and as long as it requires training and certification, I think that this is an appropriate thing, to empower those Federal officials designated who feel the need to carry a firearm to be able to do so.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa (Mr. KING).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY SCOTT OF VIRGINIA

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 97, noes 325, not voting 11, as follows:

[Roll No. 583]

AYES—97

Abercrombie
Ackerman
Allen
Baldwin
Bartlett (MD)
Berman
Blumenauer
Brown (OH)
Capuano
Carson
Clay
Cleaver
Clyburn
Conyers
Cummings
Davis (IL)
DeGette
Delahunt
Dingell
Ehlers
Engel
Eshoo
Evans
Farr
Fattah
Filner
Frank (MA)
Green, Al
Gutierrez
Hinchey
Hoekstra
Holt
Honda
Jackson (IL)
Jackson-Lee (TX)
Johnson, E. B.
Kildee
Kilpatrick (MI)
Kucinich
Lee
Levin
Lewis (GA)
Lowey
Lynch
Maloney
Markey
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meeks (NY)
Michaud
Millender-McDonald
Miller, George
Mollohan
Moore (WI)
Nadler
Neal (MA)
Oberstar
Obey
Olver
Owens
Pastor
Paul
Payne
Pelosi
Rahall
Rangel
Roybal-Allard
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Scott (VA)
Serrano
Slaughter
Smith (NJ)
Smith (WA)
Solis
Stark
Tierney
Towns
Udall (CO)
Van Hollen
Velázquez
Wasserman Schultz
Waters
Watson
Watt
Waxman
Woolsey

NOES—325

Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baird
Baker
Barrett (SC)
Barrow
Barton (TX)
Bass
Bean
Beauprez
Becerra
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 (PA)
Brady (TX)
Brown (SC)
Brown, Corrine
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Emanuel
Emerson
English (PA)
Etheridge
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Gene
Grijalva
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Holden
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
Matheson
Matsui

McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Meek (FL)
Melancon
Menendez
Mica
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neugebauer
Ney
Northup
Nunes
Nussle
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Pearce
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (WI)
Ryun (KS)
Salazar
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Snyder
Sodrel
Souder
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Turner
Udall (NM)
Upton
Visclosky
Walden (OR)
Walsh
Wamp
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)

NOT VOTING—11

Boswell
Brown-Waite, Ginny
Conaway
Davis (FL)
Hastings (FL)
Norwood
Pence
Sessions
Strickland
Sweeney
Young (FL)

□ 1745

Messrs. BRADY of Pennsylvania, GARRETT of New Jersey, GARY G. MILLER of California, RYAN of Wisconsin, McCAUL of Texas, MORAN of Virginia, BUTTERFIELD, UDALL of New Mexico, Ms. HARRIS, Ms. CORRINE BROWN of Florida, Ms. DELAURO and Ms. MATSUI changed their vote from ''aye'' to ''no.''

Mr. UDALL of Colorado and Ms. SOLIS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. TERRY) having assumed the chair, Mr. SIMPSON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1751) to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes, pursuant to House Resolution 540, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. HIGGINS

Mr. HIGGINS. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HIGGINS. Yes, in its current form, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Higgins moves to recommit the bill H.R. 1751 to the Committee on the Judiciary with instructions to report the same back to the House forthwith with the following amendment:

Insert at the appropriate place the following:

SEC. ____. PROHIBITION OF PROFITEERING AND FRAUD IN CONNECTION WITH MILITARY ACTIONS AND DISASTER RELIEF.

(a) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by adding at the end the following:

''§ 1351. Profiteering and fraud in connection with military actions and disaster relief

''(a) PROHIBITION.—Whoever, directly or indirectly, in any matter involving a contract with the Federal Government or the provision of goods or services to or on behalf of the Federal Government, in connection with military action, or relief or reconstruction activities in Iraq or Afghanistan or any other foreign country, or relief or reconstruction efforts provided in response to a major disaster declaration under section 401 of the Disaster Relief Act of 1974, or an emergency declaration under section 501 of the Disaster Relief Act of 1974, knowingly and willfully—

''(1) executes or attempts to execute a scheme or artifice to defraud the United States;

''(2) falsifies, conceals, or covers up by any trick, scheme, or device a material fact;

''(3) makes any materially false, fictitious, or fraudulent statements or representations, or makes or uses any materially false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; or

''(4) materially overvalues any good or service with the specific intent to excessively profit from the federal disaster or emergency;

shall be fined under subsection (b), imprisoned not more than 30 years, or both.

''(b) FINE.—A person convicted of an offense under subsection (a) may be fined the greater of—

''(1) $1,000,000; or

''(2) if such person derives profits or other proceeds from the offense, not more than 3 times the gross profits or other proceeds.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 63 of title 18, United States Code, is amended by adding at the end the following new item:

''1351. Profiteering and fraud in connection with military actions and disaster relief.''.

Mr. HIGGINS (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

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

Mr. SENSENBRENNER. Mr. Speaker, reserving the right to object, the majority was recently, within the last 2 or 3 minutes, given a copy of this motion to recommit. This comes as a complete surprise. This is not the way to legislate, Mr. Speaker. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will continue the reading.

The Clerk continued to read the motion to recommit.

PARLIAMENTARY INQUIRY

Mr. RANGEL (during the reading). Parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. RANGEL. Mr. Speaker, I have no idea as to what the objection was raised to. The House was not in order when the gentleman was speaking. The House has no way to know as to what objection he raised.

Is it possible for the Chair to edify the House as to why the objection was made to dispensing with the reading?

The SPEAKER pro tempore. The gentleman from Wisconsin objected to the dispensing of the reading.

The Clerk will continue to read.

Mr. RANGEL. Mr. Speaker, my parliamentary inquiry was, could the Chair share with us the reason given by the distinguished objector?

The SPEAKER pro tempore. An objection has already been heard.

Mr. RANGEL. I cannot hear the Chair.

The SPEAKER pro tempore. An objection has been heard.

The Clerk will continue reading the motion.

The Clerk continued reading the motion to recommit.

Mr. SENSENBRENNER (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the motion to recommit be dispensed with.

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

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York is recognized for 5 minutes in support of his motion to recommit.

Mr. HIGGINS. Mr. Speaker, when this Nation has been hit with terrorist attacks or national disasters, America has always responded with a strong, decisive, generous spirit. Four years ago on September 11, 2001, without warning, like missiles from hell, two planes filled with the most innocent of victims slammed into the World Trade Center's twin towers, 3,000 dead seemingly in an instant. America's response was quick, decisive and powerful.

On that day, we as Americans took a hit, but we stood united and we responded with confidence, blue States and red States, suburban and urban, black and white, rich and poor, together, united. Everyone suffered equally and resolved collectively to rebuild, to sacrifice, to reaffirm boldly what the scum terrorists had tried to destroy. People reached deep within themselves and from the collective heart a supremely compassionate response for and from the ages, a source of national pride forever. Confidence in public officials and institutions soared.

Today, Mr. Speaker, we are a nation that is stumbling. We have lost our confident and compassionate way. In the wake of Hurricane Katrina, the Federal Government's response was slow and sluggish, sloppy and uneven. No one took responsibility and there was no leadership. None. Our collective and national compassion was reduced to internal retreat and rapacious impulses. While so-called leaders spun blame, the poor, the sick and the stranded continued to suffer. We, as a nation, collectively fell down and hard, and against and away from the greater good that is in all of us.

Mr. Speaker, government-sponsored no-bid contractors at politically motivated firms like Halliburton are exploiting our Nation's generosity here in America and abroad. In the gulf coast region of this Nation and in the Middle East region of this world, contractors are pillaging the very people whose economic interests we have been sent here to protect. In the midst of war and in the aftermath of natural disaster, hundreds of millions in taxpayer-funded relief and recovery are being wasted, squandered, lost forever.

Mr. Speaker, the motion I offer today will impose stiff fines and criminal penalties on contractors who knowingly falsify information in order to win approval of government contracts during Presidentially declared emergencies. While in this Chamber the proper role of government is often debated, the one undisputed and unifying principle is that above all else, our responsibility to each other and to the American people is to protect the Nation from entities who seek to injure and destroy us and from natural disasters that devastate our community.

Mr. Speaker, the motion I offer today at this defining moment in our Nation's history will either reaffirm the promise of our Nation's greatness or condemn us from this moment on for failing to live up to our obligations as a nation that deserves and demands only from us fairness and goodness.

Mr. Speaker, I urge all the Members to support this motion to end this culture of corruption.

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

Mr. SENSENBRENNER. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Wisconsin is recognized for 5 minutes.

Mr. SENSENBRENNER. Mr. Speaker, this motion is offered by a Member who stated to the Speaker that he is opposed to this bill. He is opposed to providing additional security to judges, to prosecutors, to witnesses, to victims and their family members. He is opposed to a bill that has been worked on significantly on a bipartisan basis. And he has stated that he is opposed to doing something where there is a crying need, given the threats and the murders in courthouses all around the country, and not just Federal courthouses but State and local courthouses as well.

Now, what does he propose to do in the motion to recommit? He proposes to add additional criminal penalties for things that are already criminal. And all that does is to confuse juries, to confuse prosecutors, to confuse people who are attempting to do business with the government.

Profiteering in an illegal manner is already criminal under the United States Code. We do not need to confuse the issue with an additional statutes. And we do not need to defeat this bill by this motion that has been offered by several proclaimed opponents of this bill.

□ 1800

The bill is a good one. In order to get it passed and signed into law to protect the judicial branch and those who do business and work for it, vote this silly motion down and pass the bill as has been worked out on a bipartisan basis.

Mr. FARR. Mr. Speaker, I rise in support of the motion to instruct conferees on the PATRIOT and Terrorism Prevention Reauthorization bill.

This Motion to Instruct would take the most contentious provisions of this bill and sunset them in 4 years. These provisions include section 215, which allows officials to order the surrender of anything when relevant to a terror investigation, section 206 which allows secret wiretap orders without definition of who and where the tap will go, and the "Lone Wolf" provision which allows the government to surveil so called "agents of a foreign power" who act alone.

Egregious law that robs the civil liberties of law abiding Americans should be reviewed sooner than later, therefore I strongly support these sunset provisions proposed in this motion to instruct.

My constituents agree that the American people should not have to compromise their civil liberties in order to combat extremism. The local governments of Pacific Grove, Salinas, Santa Cruz, and Watsonville, CA have all passed resolutions expressing their concerns with the anti-privacy and anti-liberty nature of the PATRIOT Act.

I also would like to note my disappointment that the fiscal year 2006 State-Science-Justice-Commerce Appropriations bill included one of the most invasive provisions of the PATRIOT Act that permits sweeping searches and seizures of library and bookstore patron records, despite this body's condemnation of the provision earlier this year.

Voices in the Congress echo voices of people across America.

I urge a "yea" vote on the motion to instruct.

The SPEAKER pro tempore (Mr. TERRY). Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. HIGGINS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 201, noes 221, not voting 11, as follows:

[Roll No. 584]

AYES—201

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

Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—221

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

NOT VOTING—11

Boswell
Brown-Waite, Ginny
Conaway
Davis (FL)
Hastings (FL)
Norwood
Pence
Sessions
Strickland
Sweeney
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. TERRY) (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1818

Mr. CLEAVER changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 375, nays 45, not voting 13, as follows:

[Roll No. 585]

YEAS—375

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
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
Carter
Case
Castle
Chabot
Chandler
Chocola
Cleaver
Clyburn
Coble
Cole (OK)
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cunningham
Davis (AL)
Davis (CA)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
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 (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Moore (KS)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Nunes
Nussle
Obey
Ortiz
Osborne
Otter
Oxley
Pallone
Pascrell
Pastor
Pearce
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Radanovich
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Ryun (KS)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Watson
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)

NAYS—45

Baldwin
Carson
Clay
Conyers
Cummings
Davis (IL)
Delahunt
Filner
Grijalva
Hinchey
Holt
Jackson (IL)
Kildee
Kilpatrick (MI)
Kucinich
Lee
Lewis (GA)
Markey
McDermott
McGovern
McKinney
Michaud
Miller, George
Mollohan
Moore (WI)
Nadler
Oberstar
Olver
Owens
Paul
Payne
Rahall
Roybal-Allard
Rush
Sabo
Schakowsky
Scott (VA)
Solis
Stark
Tierney
Velázquez
Waters
Watt
Waxman
Woolsey

NOT VOTING—13

Boswell
Brown-Waite, Ginny
Conaway
Davis (FL)
Hastings (FL)
McCollum (MN)
Norwood
Pence
Price (GA)
Sessions
Strickland
Sweeney
Young (FL)

□ 1831

Ms. KILPATRICK of Michigan and Mr. OWENS changed their vote from ''yea'' to ''nay.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. PRICE of Georgia. Mr. Speaker, on roll-call No. 585 I was inadverently detained. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

Mr. PENCE. Mr. Speaker, I was detained this afternoon. Had I been present, I would have voted in the following manner: Rollcall 581 (On passage—H.R. 2862)—"aye"; rollcall 582 (On passage—S. 1894)—"aye"; rollcall 583 (On Agreeing to the Scott #9 Amendment)—"nay"; rollcall 584 (On Motion to Recommit with Instructions—H.R. 1751)—"nay"; and rollcall 585 (On Passage—H.R. 1751)—"aye."

PERSONAL EXPLANATION

Mr. NORWOOD. Mr. Speaker, though I was absent on Wednesday, November 9, 2005, for medical reasons, I wish to have my intended votes recorded in the CONGRESSIONAL RECORD for the following votes: Rollcall vote 577 on H. Res. 539—"aye"; rollcall vote 578 on H. Res. 538—"aye"; rollcall vote 579 on H. Res. 540—"aye"; rollcall vote 580 on the Adoption of Conference Report on H.R. 2419—"nay"; rollcall vote 581 on the Adoption of Conference Report on H.R. 2862—"aye"; rollcall vote 582 on S. 1894—"aye"; rollcall vote 583 on Amendment numbered 3 in House Report 109–279—"nay"; rollcall vote 585 on H.R. 1751—"aye."

PARLIAMENTARY INQUIRY

Mr. SENSENBRENNER. Mr. Speaker, do the House rules not require that the proponent of an unsuccessful motion to recommit, who has stated that he or she is opposed to the bill in its present form, vote against the bill on final passage?

The SPEAKER pro tempore (Mr. TERRY). A Member must state his opposition to the bill in order to qualify to offer a motion to recommit.

Mr. SENSENBRENNER. Mr. Speaker, further parliamentary inquiry. I noticed that the proponent of the motion to recommit, who stated his opposition, voted in favor of the bill after the motion to recommit was rejected by the House.

Is that not in violation of the rules?

The SPEAKER pro tempore. The positive rule is satisfied when the gentleman states his opposition to the bill in qualifying to be recognized to offer the motion.

Mr. SENSENBRENNER. Mr. Speaker, further parliamentary inquiry. If the gentleman states his opposition to the bill and then does not follow up his statement, are not the rules violated or the House misled?

The SPEAKER pro tempore. The Chair accepts the gentleman's statement as final, but it does not bind his vote on passage as a matter of positive rule.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1751, SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT OF 2005

Mr. SENSENBRENNER. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 1751, the Clerk be authorized to make technical corrections and conforming changes to the bill.

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

There was no objection.

SAYING FAREWELL TO HOUSE PARLIAMENTARIAN MUFTIAH McCARTIN

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

Mr. DREIER. Mr. Speaker, I would like to say that all of us as Members of this great institution owe a tremendous debt of gratitude to our Parliamentarian and his staff of Parliamentarians who do a phenomenal job for us.

One of the very best examples of success from those Parliamentarians who work daily to ensure the orderly operation of this great institution is our friend, Muftiah McCartin.

After nearly three decades in the Office of the Parliamentarian, Muftiah is retiring to spend more time with her family. As anyone who has worked with Muftiah can attest, speaking with her is like having a double espresso. Her enthusiasm for her job is infectious, and there is no doubt that we will sorely miss her, for after working here 30 years, she is retiring.

Muftiah has worked in the House longer than most Members. This year I marked my 25th year of service in this institution, and she was working here 5 years before I arrived. Over the course of those three decades, she has served under six Speakers and during the tenure of six Presidents. Most importantly, she has worked for three Parliamentarians of the House.

Mr. Speaker, throughout her career in this institution, Muftiah has strived for personal and professional excellence; and she, without a doubt, achieved both. After earning her bachelor's degree and law degree while working in the office as a clerk, Muftiah became the first woman to be appointed a Parliamentarian in January, 1991.

In my position chairing the House Rules Committee, we have a special bond with Muftiah. She has worked very closely with the staff members of the Rules Committee in drafting many of the rules for considering legislation on the floor. As Members know, at this moment, we are in the process of dealing with something of a challenge as we put together the manager's amendment for the measure that we will be passing out of this House tomorrow.

She also served as the long-time editor of the House Rules and Manual. I have my appropriate prop right here for those who have not seen that. And she edited two editions of House Practice. I know she takes great pride in both the contents and the craftsmanship of these beautiful, leather-bound volumes that each of us has in our office.

Muftiah has always had a passion for service and an endearment for this institution and a commitment to our great democracy. Over many years and many late nights, she has been essential to the work of the House. Her unvarnished advice has helped countless bills receive a proper hearing on the floor. We were very lucky to have her. Though they may not have known her name, the American people have been very, very fortunate to have had Muftiah McCartin working on their behalf.

Mr. Speaker, on behalf of all of the Members and the staff Muftiah so ably served over these past 30 years, I would like to offer my sincere thanks and very best wishes for a happy and fulfilling retirement to Muftiah.

Congratulations, Muftiah.

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

Mr. DREIER. I yield to my very good friend from Peoria, Illinois.

Mr. LAHOOD. Mr. Speaker, I thank the chairman of the Rules Committee for taking time this evening to honor Muftiah, because as some Members know, when we came here in 1994, which is the class I was elected to, not one of us had ever really served as Speaker pro tem because we had been out of the majority for 40 years. For those of us who have had the privilege of acting as Speaker pro tem, we have relied almost exclusively on the Parliamentarians to give us good advice, to share with us the importance of chairing the House in a way that dignifies this body, by following the rules, doing it in a fair and bipartisan way; and for the kind of opportunity that I think Muftiah has provided to those of us who have had this privilege, we are very, very grateful to her.

As one who was a former staffer of 17 years for two previous Members, one who served as the longest-serving Republican leader, Bob Michel, in the minority we relied a great deal on the Parliamentarians to help guide us through meeting the challenges of trying to get things done as a minority party. Muftiah was certainly a part of that team that really helped us do that.

Then coming into the majority party and serving with great privilege and honor as Speaker pro tem, I can tell you that Muftiah was extraordinary in her ability to help us get through some very, very important legislation not only for those of us in the majority party, but for the country. We could not have done it without her great assistance and great knowledge.

She is an extraordinary person, outside of the work she does here in the House and aiding all of us who sit in the Chair, but in her own personal life, as the mother of four children, having a spouse, and having to work long hours. As one who has served here as a staffer, I can tell you that the staff does not get enough credit for the good work that goes on around here in helping us do the work that we do.

In particular, the Parliamentarians do an extraordinary job in making sure that things are done correctly, by the book, and Muftiah has certainly been a part of a great team and will be greatly missed.

Muftiah, thank you for the wonderful, wonderful, good, solid advice and the professional manner with which you have distinguished yourself in this House of Representatives. I know it is very difficult to walk away.

Mr. Speaker, we owe her a great deal for what she has done for those of us who have had the privilege of presiding and for her great advice.

Good luck and Godspeed. We are very grateful to you.

Mr. DREIER. Mr. Speaker, reclaiming my time, I would say to my friend that so many of us have seen the gentleman from Illinois, in an extraordinarily able manner, preside over this institution. The word is now out that it is not RAY LAHOOD who is presiding so ably over this great institution, it is Muftiah McCartin who is, in fact, making that happen.

When it comes to appreciation, the gentleman is absolutely right, Mr. Speaker, we do not express enough appreciation to our staff.

Muftiah, I will say to you, you saw what RAY LAHOOD did to ensure that he was adequately appreciated. He went from serving as a staff member to becoming a Member of Congress. I don't want to necessarily recommend that to you as you head into retirement, but if you do want to follow the LaHood model, it is certainly something you might consider.

Let me say again, congratulations to Muftiah for her phenomenal service. I know on behalf of Speaker HASTERT, the House leadership, and all the Members of this institution on both sides of the aisle, we are very, very honored to have had you serve here so ably.

Ms. PELOSI. Mr. Speaker, I rise today to honor the many years of service of House parliamentarian, Muftiah McCartin, who completes her excellent work in this body later this week.

Ms. McCartin joined the Parliamentarian's office in 1976, and has served during the tenure of six Speakers of the House, and six Presidents.

In 1991, she became the first woman to be appointed a Parliamentarian. As someone who understands the importance of breaking glass ceilings, I am particularly honored to acknowledge her outstanding work.

Muftiah has always had a wonderful smile and a warm demeanor on the House floor. As we know, it can get pretty heated in debate and very partisan.

But Muftiah has always been a calm and rationale presence to Members of both sides of the aisle and their staff who seek parliamentary advice. She has brought a keen mind, and a clear understanding of House rules that has served this institution very well.

In addition to the long, grueling hours that she has spent on the House floor, Muftiah McCartin has managed to raise four wonderful children: Marissa, Elaine, Sandra, and Luke. I'm sure she will welcome spending the extra time with her family and her husband, Terry.

Muftiah, today we thank you for your service to this great institution and wish you the very best. You have been a tremendous asset to the work that we do every day. And we will miss you.

Thank you again for your many years of commitment toward making this House of Representatives a better place.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on the 1-minute speech I just offered.

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

There was no objection.

SAYING FAREWELL TO MUFTIAH McCARTIN

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

Mr. DEFAZIO. Mr. Speaker, I rise today to honor the many years of service of House Parliamentarian Muftiah McCartin, who completes her excellent work in this body later this week. Ms. McCartin joined the Parliamentarian's Office in 1976, and has served during the tenure of six Speakers and six Presidents. In 1991, she became the first woman to be appointed a Parliamentarian.

The minority leader, Ms. PELOSI, is someone who understands the importance of breaking glass ceilings. She had hoped to be here personally to congratulate Muftiah on her outstanding work and her dedication over the many years.

She goes on to say Muftiah always had such a wonderful smile and warm demeanor on the House floor, which I might comment often lacks smiles and warm demeanors. Well, it is warm; sometimes heated. As we know, it can get heated in debate and very partisan, but she has always been a calm and rational presence to Members on both sides of the aisle and their staff who seek parliamentary advice. She brought a keen mind and a clear understanding of House rules that have served this institution very well.

In addition to the long, grueling hours she has spent on the House floor, she has managed to raise four wonderful children: Marissa, Elaine, Sandra, and Luke, one of whom has the great, good sense to have moved to my congressional district. That is my district, not Ms. PELOSI's. I am sure she will welcome spending the extra time with her family and her husband, Terry.

Muftiah, today we thank you for your service to this great institution and wish you the very best. You have been a tremendous asset to the work we do every day, and we will miss you. Thank you again for your many years of commitment toward making the House of Representatives a better place.

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

Mr. DEFAZIO. I yield to the gentleman from Georgia.

Mr. KINGSTON. Mr. Speaker, I find it a great irony and some goodness that I can get some time from my friend.

I was sitting in my office and I did not know, frankly, that Muftiah was old enough to retire, take on another job, or leave the nest here, or whatever she is doing, but as somebody who has personally benefited from her expertise and wisdom, as I have had the honor to sit in the Chair, I can say we could not have laymen go up there and hold the gavel without somebody like Muftiah at our right arm telling us sometimes what to say and what not to say. I am sure she never would sit down when I had the gavel because she was nervous something would go awry.

The other thing that is important, when school kids and visitors come to the House Chamber, I often point to the picture of George Washington and the fact that you can still see the sword painted out of his hand. I explain to school kids the reason the sword was painted out of his hand in his portrait in the House Chamber is that we philosophically believe that our debate here, our spirited debate, sometimes our acrimonious debate, sometimes our bitter debate, is still better than the alternative, and that alternative is civil war or civil disruption, as we see around the world.

□ 1845

I believe that all of our Parliamentarians aid that in that sometimes we get out of line, Democrats or Republicans, in the spirit of the moment, in the emotion of the moment, and we say something that we regret saying; and it is at that time when all eyes turn to a nonpartisan, objective third party who can say everybody sit down, a little calmness here, let us get through this maze of parliamentary mystery and then get back on the course of civil discussion.

I want to say, Muftiah, thank you for being part of that team and thank you for everything that you are doing. Your job is a profound one, and it is one that should be studied in every civics class in every school at every level of education in America.

And I want to say to my friend from the west coast who does not always vote green when I vote red and vice versa, we always agree that this is the place where we can come and have good, open debate thanks to people like Muftiah and the Parliamentarians.

Mr. DEFAZIO. Mr. Speaker, reclaiming my time, that is correct. I only regret that she trained him too well.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. FORTENBERRY). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the

House, the following Members will be recognized for 5 minutes each.

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

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

HONORING THE 100TH TEXAN: MARINE STAFF SERGEANT RUSSELL SLAY

Mr. POE. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Indiana.

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

There was no objection.

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, it has been said that ''never in the history of the world has any soldier sacrificed more for the freedom and liberty of total strangers than the American soldier,'' said by Zell Miller about the American fighting men.

I rise today to honor a young American marine from my southeast Texas district, Marine Staff Sergeant Russell Slay, who valiantly served the Nation in Iraq and who died doing so. He was a member of the 2nd Assault Amphibian Battalion of the 2nd Marine Division at Camp Lejeune, North Carolina.

Russell Slay grew up in my hometown of Humble, Texas. As a student at Humble High School, he played football and was in the band. After he graduated from Humble High School, he started working, but quickly realized that he needed something more in his life. His high school friend Jason Tucker had joined the Marine Corps, and he had made the decision to join him and fight for his country. His father, Roy, a retired Houston police officer and a long-time friend of mine, said of his son, ''Russell wanted to be somewhere that would teach and inspire him.''

During his 10-year military career, he was trained to drive armored vehicles that carried combat troops from ships to beachheads during amphibious attacks. During his first tour of Iraq in 2002, Slay took part in overtaking Baghdad. He had been in charge of a section of four armored all-terrain vehicles. He left for his second mission on September 11, 2004.

Upon receiving his orders to report for a second tour in Iraq, Staff Sergeant Slay told his family and friends that he did not think he would make it back. A year ago today, Russell Slay's perceptive premonition became a reality. He was the 100th Texas member of the Armed Forces to be killed in Iraq. And, by the way, Mr. Speaker, one out of every 10 Americans wearing the uniform today is from the State Texas. Russell Slay was 28 years old. He died in combat with seven others in Fallujah when his armored vehicle was attacked by terrorists.

His funeral was a moving memorial to him as a devoted father, son, and friend. More than 450 people paid their respects to a man that was remembered for his engaging spirit and his love of life. Family and friends expressed that Slay was nothing short of spectacular. His sense of humor was contagious. He was a loving, loyal, and dedicated father.

He left behind a 9-year-old daughter, Kinlee, and a 5-year-old son, Walker. At the funeral, Marine Captain Mike Evans read letters that Slay had prepared for his children in anticipation of his death. He told his daughter, Kinlee: ''I love you and never knew what life was before you were born. You will always be Daddy's little girl.'' He encouraged her to have the best life possible and to be sure that she went to college. He said: ''Daddy will always be with you and watching out for you. Hugs and kisses. I'll miss you.''

He also wrote to his son, Walker, and told him that watching him grow up was ''like reliving his own youth. He said: ''You're the best little man there ever was. Be a studious son and stay in school. Always be a man. If you make mistakes, stand up and say so.'' Russell Slay encouraged his son to have children of his own so he too could feel the joy and happiness that had been brought to him.

He insisted in his letter that his family know how much he loved them, and he wrote: ''I promise you my family was my last thought. Don't mourn for me, but celebrate my life.''

Nine-year-old daughter Kinlee spoke at her father's funeral, and through tears she talked about playing cars with her dad and brother and shopping at Wal-Mart. She spoke fondly about the weekend family ritual of washing the car.

Charlie Flannigan, who officiated the funeral service, told of Slay's skills in the band that he and his buddies had created in Iraq. They called it the Texas Trio. He said Russell was not the best athlete, but he sure knew how to play a guitar.

Staff Sergeant Russell Slay in 28 short years had already exhibited a lifetime of bravery and boldness. Mr. Speaker, Thomas Jefferson once said: ''From time to time the tree of liberty must be watered with the blood of tyrants and patriots.'' Russell Slay was a true American patriot. Russell Slay died for Americans. He died for Iraqis. He died for freedom.

Staff Sergeant Russell Slay, we will never forget the price you paid for America, and we thank you for devoting your life to your country. You are a true American hero. You make us proud.

So Semper Fi, Staff Sergeant Slay, Semper Fi.

HONORING THE AMERICAN FALLEN IN IRAQ AND AFGHANISTAN

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, Veterans Day marks the 87th anniversary of the armistice ending World War I. On this date we honor the soldiers, sailors, marines, and aviators who have protected the United States in times of war.

Today, we are again a Nation at war; 2,058 American military personnel have now given their lives fighting in Iraq; 247 Americans have fallen in Afghanistan.

This Veterans Day we must honor those who have served, those who have been wounded, and those who have fallen.

For this reason, I have introduced a resolution, with 73 cosponsors, honoring each of the fallen from Iraq and Afghanistan by name.

I have also led a bipartisan group of 21 Members of Congress in reading the names of the fallen into the CONGRESSIONAL RECORD. Tonight, we continue this tribute with the names of the most recently fallen, completing all 2,300.

God bless each of the brave Americans, men and women, whose memory we honor tonight; and their families are in our prayers.

Sergeant Eric A. Fifer, Private 1st Class Nicholas J. Greer, Lance Corporal Sergio H. Escobar, Staff Sergeant Gary R. Harper Jr., Staff Sergeant Jerry L. Bonifacio Jr., Specialist Jeremy M. Hodge, Lieutenant Colonel Leon G. James II, Sergeant Leon M. Johnson, Sergeant 1st Class Brandon K. Sneed, Staff Sergeant Matthew A. Kimmell, Sergeant Donald D. Furman, Specialist James T. Grijalva, Master Sergeant Kenneth E. Hunt, Jr., Sergeant Lorenzo Ponce Ruiz, Petty Officer 1st Class Howard E. Babcock IV, Specialist Robert W. Tucker, Specialist Samuel M. Boswell, Specialist Bernard L. Ceo, Sergeant Brian R. Conner, Sergeant Mark P. Adams, Specialist Thomas H. Byrd, Specialist Jeffrey W. Corban, Specialist Richard Allen Hardy, Staff Sergeant Vincent E. Summers, Specialist Timothy D. Watkins, Lance Corporal Daniel Scott R. Bubb, Lance Corporal Chad R. Hildebrandt, Chief Warrant Officer Paul J. Pillen, Lance Corporal Christopher M. Poston, Specialist Lucas A. Frantz, Lance Corporal Norman W. Anderson III, Specialist Daniel D. Bartels, Staff Sergeant Tommy Ike Folks, Jr., Specialist Kendall K. Frederick, Sergeant Arthur A. Mora, Jr., Specialist Russell H. Nahvi, Specialist Jose E. Rosario, Sergeant Jacob D. Dones, Staff Sergeant Dennis P. Merck, Staff Sergeant Richard T. Pummill, Lance Corporal Andrew D. Russoli, Lance Corporal Steven W. Szwydek, Lance Corporal Kenneth J. Butler, Corporal Benny Gray Cockerham III, Corporal Seamus M. Davey, Captain Tyler B. Swisher, Petty Officer 3rd Class Christopher W.

Thompson, Staff Sergeant George T. Alexander, Jr., Lance Corporal Jonathan R. Spears, Corporal Benjamin D. Hoeffner, Specialist Christopher T. Monroe, Sergeant Michael T. Robertson, Sergeant 1st Class Ramon A. Acevedoaponte, Staff Sergeant Lewis J. Gentry, Sergeant Evan S. Parker, Master Sergeant Thomas A. Wallsmith, Sergeant James Witkowski, Lance Corporal Robert F. Eckfield, Jr., Lance Corporal Jared J. Kremm, Staff Sergeant Daniel R. Lightner, Jr., Captain Michael J. Mackinnon, Colonel William W. Wood, 1st Lieutenant Debra A. Banaszak, Private 1st Class Dillon M. Jutras, Sergeant Shaker T. Guy, Captain Raymond D. Hill II, Staff Sergeant Travis W. Nixon, Private 1st Class Kenny D. Rojas, Staff Sergeant Joel P. Dameron, Sergeant Michael Paul Hodshire, Specialist William J. Byler, Specialist Derence W. Jack, Private Adam R. ''A.J.'' Johnson, Sergeant 1st Class Matthew R. Kading, Staff Sergeant Wilgene T. Lieto.

Mr. Speaker, Veterans Day is Friday. Let us remember each of these fallen heroes and all who came before them. In the words of 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 in its blessings.''

Let us also remember the brave men and women who continue to serve our Nation with distinction in Iraq, Afghanistan, and throughout the world. Our thoughts and prayers and gratitude are with you and your families at this time until you return home safely to your fellow man and woman, citizens of this country.

This Friday we will remember the 2,058 military personnel who have fallen in Iraq and the 247 Americans who have fallen in Afghanistan.

□ 1900

The SPEAKER pro tempore (Mr. FORTENBERRY). 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.)

HEARINGS TO ADDRESS WASTE, FRAUD, AND ABUSE

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that I might speak at this time.

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

There was no objection.

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

Mr. JONES of North Carolina. Mr. Speaker, I came to the floor last week and read part of an article that appeared on October 23 in the article by Knight Ridder reporters about the Pentagon program costing taxpayers millions in inflated prices. I came to the floor and I reported that there was some reports that we were paying anywhere from $20 for a plastic ice tray that should cost about 89 cents. In addition to that, we were paying $81 for coffee makers that you can buy at a retail store for $29. In addition, I said that we were paying for a 5-cubic-foot refrigerator $27,000 that should cost about $3,000 or $4,000, and these are the kinds of refrigerators that are put on aircraft.

I wanted to report to the House tonight that I am extremely pleased. I wrote a letter to the chairman and ranking member, Chairman DUNCAN HUNTER and Ranking Member IKE SKELTON, and today we held hearings on this issue of inflated prices. I want to say that the hearing was attended by a fair number of those on the Armed Services Committee.

The witnesses, the Admiral and the Under Secretary that were there present, we were able to ask about these inflated prices. They explained this program that is called the Prime Vendor program. We talked about how it used to be when there were competitive prices, and now we have gone to where there is a middleman that works with the prime vendors.

From that, Mr. Speaker, the reason I wanted to come to the floor tonight is because I was so encouraged by the response of the chairman and the ranking member that next week we are going to bring the prime vendors to the committee to talk about these inflated prices.

Mr. Speaker, as I said today on the Armed Services Committee, there is one thing that the American people, maybe they do not follow us when we talk about deficits and debt and some of these other issues that are very important to the future of this Nation; but there is one thing they know, that if you are paying $20 for a plastic ice cube tray that you can buy for 89 cents, they know that is not right. I also said to those on the panel today that when you are paying $24,000 or $25,000 for a 5-cubic-foot refrigerator, the taxpayers know that is not a wise investment as well.

So tonight I want to give credit to the chairman and the ranking member of the Armed Services Committee. It was a very informative hearing today that will lead to additional hearings next week. And what I am hoping will come from this is that the taxpayers will know that we do care about abuses and we do care about inflated prices.

We are going to get to the bottom of this, thanks to the leadership of Chairman HUNTER and Ranking Member SKELTON and the committee members, both Republican and Democrat. We are going to get to the bottom of this and we are going to be able to say to the taxpayers and to the reporters for Knight Ridder that wrote this article that we are going to see that wrongs are made right and we are going to do exactly what is in the best interests of the taxpayers.

Mr. Speaker, before I close, I know that my friend from Texas and my friend from Illinois talked about those who serve in this Nation and who have given their lives. As I close this way all over my district, I will close this way tonight.

I ask God to please bless our men and women in uniform, to please bless their families. I ask God to please hold in his loving arms the families who have given a child, dying for freedom.

IRAQ AND THE 250TH MILITARY INTELLIGENCE BATTALION

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, usually, when I speak on the House floor each evening, I voice my concern about some of the Bush administration's woeful policies in Iraq. Trust me, there is no shortage of material to speak about.

But tonight I want to boast a little bit. I want to share how very proud I am to represent the 250th Military Intelligence Battalion, an Army unit that returned home from Iraq today. They returned home to Marin County, just north of the Golden Gate Bridge in California's Sixth Congressional District.

I had the great pleasure to meet and enjoy dinner with the members of the 250th battalion this past September during my visit to Iraq. Their vigilance and dedication to the welfare of the United States is admirable. Everything they do, they do to serve their country. And I could not be more proud to represent them as their voice in Congress. They are truly American heroes.

Unfortunately, the members of the 250th Military Intelligence Battalion and other military units that have served or are currently serving in Iraq have not always gotten the treatment they deserve from their government. Far too often, the Bush administration has failed to live up to its promise to the troops, whether it is denying them full veterans' benefits, sending them on second, third, and now fourth deployments to Iraq and/or to Afghanistan, or failing to provide them with the life-saving body armor or equipment that they need. One thing is clear: This administration has failed our troops time and again.

Sadly, the hundreds of thousands of soldiers who have been deployed to Iraq, and their families, were not the only ones affected by the war in Iraq. That is because just about every single American will suffer from the billions of dollars in budget cuts to important domestic programs since the U.S. invaded Iraq. These budget cuts are directly related to not only the tax cuts for the wealthiest among us, but also to the ludicrous spending for the military misadventures around the world

of the civilian leadership, with the White House, the Pentagon, and this Congress making decisions that cost our country billions, in fact, $1 billion a week, actually. Anyone who thinks that the more than $200 billion that Congress has allocated for the Iraq war so far has not affected important domestic programs is just kidding himself or herself.

In the last example and the very latest example, tomorrow, the House will vote on a reconciliation bill that would give tax breaks to the wealthy of $70 billion to $100 billion in tax breaks, while slashing safety net programs for the poor, programs like Medicaid, student loans, child support enforcement, and veterans' health care. This is just wrong.

If he wants to get things right, President Bush and his administration would actually send a clear message that it has let the American people down, and now it is time to start anew. First and foremost, that means leaving Iraq.

After all, the President's notion that we are fighting the terrorists in Iraq so we will not have to fight them here at home is pure nonsense. If that were true, how could the President explain the London subway bombings earlier this year? How could he explain the terrible bombs that went off at three hotels in Jordan earlier today, already killing over 50 people and wounding more than 100?

Mr. Speaker, our troops and the American people have endured enough sacrifice. We need to end this war and bring our fine soldiers home. We need to give Iraq back to the Iraqi people through a range of economic, political, and humanitarian partnerships.

The American people deserve better than a war that has destroyed the social safety net here at home, and the extraordinary men and women whom I met in Iraq certainly deserve better. In return for their unfailing loyalty, they deserve basic competence and integrity from their Federal Government. They deserve leaders as courageous as they are.

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

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

NOVEMBER IS NATIONAL HOSPICE AND PALLIATIVE CARE MONTH

Mr. GINGREY. Mr. Speaker, I ask unanimous consent to speak out of turn.

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

There was no objection.

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

Mr. GINGREY. Mr. Speaker, I rise today to encourage all Americans to take the time to prepare an advance directive. November is National Hospice and Palliative Care Month, and this month should serve as a reminder for individuals to take the time to discuss with their loved ones important end-of-life and medical decisions.

As people discuss their end-of-life health care wishes, there are two legal documents that can help. The first is a living will. Living wills are probably the most recognizable and familiar document to aid individuals in communicating their wishes.

However, Mr. Speaker, today I would like to draw the attention of the American public to a different type of advance directive, a medical power of attorney. A medical power of attorney, or health care proxy, allows you to appoint a person whom you trust to serve as your health care agent.

Each State government has a medical power of attorney form that a citizen can fill out and have witnessed. This then authorizes the appointed agent to make health care decisions on an individual's behalf. Mr. Speaker, people should not be scared away by these forms; they are written in plain English, and they are very easy to fill out.

I have brought with me an example from my home State of Georgia in order to illustrate how easy this process can be for the American public. The form is simple and straightforward, and is only 6 pages long. I have highlighted two sections for us to look at today.

First is the portion where you identify yourself and then name your power of attorney, and I call my colleagues' attention to the first poster. It may be a little bit difficult to read from the back of the Chamber but basically, Georgia's statuary short form durable power of attorney for health care. And the instructions, again, pretty simple. Print the date, print your name and address, print the name and address of your agent. It is that simple. This authorizes the individual to act for you and, as my colleagues can see, in Georgia, you have the opportunity to initial the statement also. This is the second poster, Mr. Speaker, to check the box really that best reflects your wishes, and there are three. It is just a simple, initial process.

The first one is, I do not want my life to be prolonged, nor do I want life-sustaining or death-delaying treatment, et cetera.

The second check box: I want my life to be prolonged, and I want life-sustaining or death-delaying treatment to be provided, under certain circumstances.

And then the last box, and again, a simple check: I want my life to be prolonged to the greatest extent possible without regard to my condition, the chances I have for recovery, or the cost of the procedure. It is as simple as that.

In addition to State government and public health departments, many organizations and hospitals around the country have advance directives available for patients and loved ones who may find themselves facing these tough decisions.

Mr. Speaker, executing living wills and powers of attorney are so important, I plan to introduce legislation next week that encourages all Americans at all stages of life to prepare these advance directives. My legislation will offer a one-time, refundable tax credit to those individuals who prepare an advance directive.

The refundability of this tax credit is essential in incentivizing lower-income Americans, who often are unaware or unable to adequately prepare for end-of-life medical decisions, to prepare advance directives to ensure that their wishes are honored and valuable health care resources are used where they are needed and wanted.

Mr. Speaker, it has been shown that medical care at the end of life consumes almost 15 percent of our country's health care budget and nearly 30 percent of the Medicare budget. In addition, according to an article in the Journal of the American Medical Association, it has been estimated that hospice care and advance directives can save between 25 and 40 percent of health care costs just during the last month of life.

Mr. Speaker, the Federal Government needs to provide an incentive to the American people to have these conversations and to take these important actions. It is not only in the best interests of patients and families, but also our country's health care system and the American taxpayer.

Mr. Speaker, I would like to encourage my colleagues on both sides of the aisle to join me in cosponsoring this important piece of legislation.

FISCAL RESPONSIBILITY

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

Mr. DEFAZIO. Mr. Speaker, there seems to be a new-found sense of fiscal responsibility on the Republican majority side of the aisle. There should be.

Last year, the fiscal year was a record deficit, nearly $600 billion. Not only did the United States of America borrow over $400 billion from investors, and a great deal from China and other foreign interests, they also borrowed the entire Social Security trust fund surplus for the year, about $180 billion, money that was intended to pay for future benefits for Social Security retirees to ensure that those benefits would be there to pay for the looming retirement of the baby boomers.

Mr. Speaker, $180 billion extracted only from people who earn salary and wages and earn less than $90,000 a year was borrowed and spent. Some of it was

spent to give tax refunds to profitable corporations, some of it was spent to give huge new tax breaks to people who earn over $300,000, and some of it was spent on other Federal Government purposes.

Now, they are projecting that the first quarter next year, we will borrow more money in one quarter than any quarter in the history of the United States of America. So they maybe should get some new-found fiscal responsibility on that side of the aisle. They have raised the Federal debt by 62 percent in 5 short years. George Bush has more than doubled the Federal debt in 5 short years.

Now, DICK CHENEY, the Vice President, of course says deficits do not matter, but I think they do, and I think the American people know they do. They know they cannot spend more money than they know they have in income every month forever. They know they cannot continuously borrow money on their credit cards or from the bank.

□ 1915

Likewise, the United States of America. Now, what are they doing about it. Well, they are bringing up with great fanfare a bill tomorrow called the reconciliation bill, $53.9 billion of supposed new income or cuts and programs. There are some real cuts. There are real cuts that will hit hard at middle-income and struggling families. The biggest cuts are to the student loan programs, $14.3 billion, adding about 6,000 bucks to the average kid's public school 4-year cost with new interest charges and up-front charges. Cuts in foster care, cuts in long-term care. This is the family values side of the aisle over here, they like to claim, remember. And many other vital Federal programs.

And then they are assuming some phony revenues, 50 times as much per acre to lease out the Alaska National Wildlife Refuge with unknown reserves, as we just got a few months ago for the naval petroleum reserve with known reserve closer to the pipeline. So phony baloney and mean cuts.

But that is not even the end of the story. They are going to follow these mean cuts and the phony baloney with $70 billion in real cuts to the richest among us, predominantly weighted toward those who earn over $300,000 a year, particularly toward those who earn over a $1.2 million a year. They are averaging $120,000 a year in tax cuts now. Under their proposal, it will be even more generous, and that is because those wealthy people, also their contributors, are going to trickle down on the rest of us and bring new prosperity to America and wipe out the deficits with that new prosperity.

After all, when we wax their yachts, when we cut their lawns, when we do other things that they will employ us to do when they are not spending the money overseas or on luxury items produced overseas that will bring jobs to America. As they say famously on that side, they never saw a poor person give anybody a job. No, those poor people are doing the work and paying taxes, unlike the rich people who they are favoring and showering money upon, and they are borrowing money and taking money from programs that are important to middle-income and poor people to give to the rich people.

Trickle down economics. And in the end, guess what? They are actually going to increase the debt of the United States and the deficit because they are going to cut taxes for rich people by $70 billion. They are going to assume some phony baloney and make mean cuts against middle-income and working families for $54 billion. They are going to increase the deficit by $16 billion although they claim that is not true because the rich people are going to trickle on us and that will create more revenue than the $16 billion of new deficit that is created.

You might think it is April Fools, but it is not. It is just another move by the arrogant majority, thinking that America is not watching. Well, I think America is beginning to pay attention; and I urge my colleagues to oppose this mean-spirited, short-sighted legislation. Assume real fiscal responsibility, reimpose tax fairness for this country, and let us give a fair deal to the American people.

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

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

ACCOUNTABILITY OF CONGRESS

Mr. BURGESS. Mr. Speaker, I ask unanimous consent to go out of order and address the House for 5 minutes.

The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). Is there objection to the request of the gentleman from Texas?

There was no objection.

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

Mr. BURGESS. Mr. Speaker, indeed, tomorrow this House will hear the debate on the budget resolution, and I think the country needs to hear the debate. I think the country needs to see that all of us in Congress, on both sides of aisle, are accountable. They need to see that we are results driven. We are results oriented, and they need to see some success from this body.

Now, our commitment, my commitment is to the hard-working Americans who pay taxes in this country. I think we have an obligation to the taxpayers of this country to redesign government when necessary, to reform programs if they are not working well, and always ensure that those Federal programs, those Federal agencies are working at peak performance.

Mr. Speaker, it would not be saying too much to say we need to rebuild some confidence in America. If we can cut some red tape then I think we should. Where local solutions will work, we need to empower local authorities to envision and utilize those solutions. The Secretary of Health and Human Services was addressing our committee yesterday and talked about preparation for pandemic flu and he was challenged and someone said, Mr. Secretary, you need to have a plan. Do not let the local people have to come up with a plan. And the Secretary does have a plan. But he said, local activities are going to be important as well. You do not need the Secretary of HHS telling every school district across the country when they can and cannot open their doors.

I could not agree with him more. Mr. Speaker, we need to modernize some of our Federal programs, where we are using tin-can telephones when the rest of the world is using satellite communications, and it is not right. We need to reform government. We need to set priorities. And sometimes that means making some tough choices. Certainly, Mr. Speaker, we need to learn from the past, learn from the past, whether it be the Spanish flu outbreak of 1918, learn from the past of previous wars this country has fought; but along those same lines, we need to utilize that information from the past to plan for our future.

Now, Mr. Speaker, a few weeks ago, 2 weeks ago, my committee, the Committee on Energy and Commerce, spent 3 days, 3 days on a markup to produce a plan, a plan that reforms government and leads to greater value for dollars spent, particularly in the Medicaid program. We held hearings through the spring and the summer leading up to this legislation. We heard testimony from Members; leaders of the National Governors Association, a body of 35 bipartisan Governors in this country, who came to us with a set of principles and said we had a lot of ideas that we put out on the table, but here are seven things that everyone of us, 35 out of 35 agreed upon.

And, Mr. Speaker, we crafted legislation that incorporated at least six of those seven principles. We left out some judicial reforms that I would have liked to have seen in the bill, but maybe that is for another day. But those other reforms were crafted in legislation and then we spent 3 days, 3 days on the Committee of Energy and Commerce talking about that.

Mr. Speaker, at the end of the day, I think we have crafted a legislation that is going to save Medicaid for the poor, the truly infirm, the people that really need it in this country. The default position was to see more and more people turned off the Medicaid roles by the States as they could know longer afford to keep up with the expenditures in Medicaid. So we are

going to provide more services. And maybe we are going to deliver a little greater value. And, Mr. Speaker, if that means that a few dollars are saved in the process, well, I am all for that.

But consider the numbers involved here. Medicaid, with no reform, is going to grow at a rate of 7.3 percent over the next 5 years. With the reforms we put in place, Medicaid is going to grow at a rate of 7 percent over the next 5 years. We are talking about a miniscule amount of savings by adding some value to the program as it exists today. As a consequence, more patients will be served by this program.

Now, Mr. Speaker, I know, because I sat in that markup for 3 days, I know right now it is popular to vilify the productive segment of American society. I have heard it done from every angle. There is angst, genuine angst over reinvesting in the productive segment of American society. We hear it all the time, why $55 billion was given to people who really do not need it.

But, Mr. Speaker, those are the taxpayers. Those are the people who create the jobs. I know, because I was one three short years ago. That 38 percent tax rate I paid on my business allowed me to employ 50 people in my town of Lewisville, Texas. It allowed me to purchase equipment for my practice. But what do we hear out of the other side? They want that $55 billion back, but that $55 billion that we reinvested produced $262 billion for the American Treasury this year in additional tax revenue. So they would have to double the tax and double it again to even approach the amount of money.

Well, this is the default position on the other side. This fall is not the time for Democrats to roll out positive agenda, said a House Democrat aide. That is a shame. We need their ideas. We need their enthusiasm. We need their energy. I look forward to this debate tomorrow. I think at the end of the day we are going to have a good product for the American people.

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

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

WHO NEEDS THE FIRST AMENDMENT?

Mr. MCDERMOTT. Mr. Speaker, I ask unanimous consent to address the House for 5 minutes out of order.

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

There was no objection.

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

Mr. MCDERMOTT. Mr. Speaker, who needs the first amendment when we have the Republican Party? Their view is that the American people just do not need to know what their government is doing in their name. We just do not need to know that this country now has secret CIA-un prisons around the world where prisoners are sent or sentenced because they get no representation. After all, DICK CHENEY, our President of foreign policy, supports us looking and acting like Cold War countries we used to fear. We do not have any skills in building facilities to be ashamed of, so we rent those old Cold War prison camps in places where people went in and were never heard from again.

Republican leaders just do not think this is the kind of information the American people need to know. After all, we might talk about it. Someone might write about it. Someone might question why we want to behave like the Cold War all over again. But this time, we are on the other side. The American people would not know any of this except for The Washington Post reporting about prisoners and policies that sound more like the enemy than the good guys.

□ 1930

This did not sit well with DICK CHENEY and he let Republican leaders on Capitol Hill know it, behind closed doors of course, his favorite location. Almost immediately Republican leaders fell in behind the President of Foreign Policy and carried out their orders. Find the person who dared let America know what is really going on behind those closed doors.

Republican leaders intend to find out who let the American people know about the dirty little secret that the administration did not want us to know. It is detention at a whole new level where suspects simply vanish, and they did not want us to know. And we would not have known except for journalism's ability to report all the news thanks to the first amendment.

Why do they want to keep us in the dark? Because Americans would be appalled, because American know that we can fight and win a war without sacrificing the principles that made us America in the first place. America does not need a mask over its face to beat the people wearing masks over theirs. And America does not need secret prisons hidden in other countries as if that somehow that absolves us from responsibility. This kind of perverse policy says a lot about how out of touch this administration is, especially its President of Foreign Policy, with the values and strengths of America.

Do you think Americans will not be ashamed or that the world will not be appalled again by our actions? Did we not learn anything from Abu Ghraib? What will it take for this administration to stop acting in ways that cause the average American to shake his head and avert his eyes? What will it take for this administration to realize that every time it deploys another deplorable policy, it puts our soldiers in Iraq and everywhere else at greater risk. What kind of arrogance and abuse?

This happened before in another Republican administration that became so flushed with power they forgot who they worked for. They too tried to hide black ops aimed at subverting political opponents and anyone who dared challenge their power. Nixon and his cronies almost got away with it except for the reporting of the same paper.

In the end, the corruption ate away at the pillars of the Republican power until it all came crashing down around them. A Vice President and a President resigned from office. The country was appalled by their conduct.

The first amendment of the Constitution was America's last defense against the Nixon administration and it is true again today. It is no wonder Republicans want to replace the first amendment with amendment 1–R. That is where one Republican will tell the American people what you are supposed to know and attack anyone who dares challenge them. Everything you need to know will come out only from the Republicans in power. That is what they want, government behind closed doors.

We used to recognize the rule of law and the Geneva Convention. Now we are at the point that we do not recognize America's strengths and values. Dare to challenge these Republicans and they will out you one way or another.

Prisoners are not the only ones vanishing under the policies and direction of the Bush administration, so is the truth. And the first amendment is America's last line of defense.

Mr. Speaker, we cannot let the Republicans do away with the first amendment. It is our only hope in a democracy.

DEMOCRATS CONTINUE TO SING THE SAME OLD SONG

(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, I rise today on behalf of the majority that is committed to fiscal responsibility. The Democrats' needle is stuck in a groove and it is playing the same song over and over: Tax and spend.

Republicans have already passed a budget that cut $100 million from the deficit. Democrats refuse to vote for this budget. In fact, over the last 3 years Democrats have tried to bust the discretionary budget in the appropriations process by over $60 billion in additional spending. Along with the billions more in spending, Democrats also offered amendments totaling almost $400 billion in additional taxes.

I guess it is hard to learn a new tune when the old one is playing over and over again in your head.

Republicans have recommended the termination of 98 inefficient and duplicative programs which would bring American taxpayers a savings of more than $4.3 billion. Yet the Democrats continue to obstruct while singing the tax-and-spend tune. It is time to change the record.

The American people have repeatedly rallied against more taxes and more spending. It is time we listen to their song.

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

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

FIFTH ANNIVERSARY OF THE VETERANS HISTORY PROJECT

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

Mr. KIND. Mr. Speaker, this year marks the 30th anniversary of the end of Vietnam War and the 60th anniversary of the end of Second World War. It also marks the fifth anniversary of the Veterans History Project.

Five years ago Congress unanimously passed legislation that I authored creating the Veterans History Project. It was ushered through Congress with the help of Representative Amo Houghton, the gentleman from Maryland (Mr. HOYER), and Senators CLELAND and HAGEL.

The idea behind the project is simple, to collect, preserve and share with current and future generations alike the stories and history of American veterans and those who supported them on the home front. The project spans from World War I to the present, covering both World Wars, the Korean War, the Vietnam War, the Gulf War and the current conflicts in Afghanistan and Iraq.

It acts as both a learning tool and a living memorial to our Nation's veterans. Since its inception in 2000, the Veterans History Project's success has far exceeded our expectations. Despite modest funding, the Veterans History Project has an ever-increasing collection with more than 40,000 histories contributed by America's veterans, making it the largest oral history collection in the world today. Each story is unique, but taken together as a whole, the compilation puts a familiar face on the universal realities of war, courage and fear, horror and exhilaration, sorrow and triumph.

These collections include oral interviews, written, audio and video recordings, and authentic diaries, maps, letters and photographs. Thanks to the dedicated staff at the Library of Congress, where it is being housed, and the thousands of contributions from our many veterans across the country, the Veterans History Project has captured the American spirit better than any history book ever could.

The project also provides a way for local veterans to connect with students, community groups and each other. Across the country teachers have used the project as an eye-opening history lesson for their students. Veterans have been able to meet with classes, sharing their experiences with students and having their stories recorded as part of the project.

Two of the biggest supporters of the Veterans History Project in my congressional district are Bill Bruning, a veteran and Patriotic Officer for American Legion Post 52 in LaCrosse, Wisconsin, and Karen Schoenfeld. Karen teaches at a charter school in LaCrosse and includes the Veterans History Project in her class. Inspired by the veterans she and her class have met as part of the project, Karen wrote this beautiful poem that I would like to share. It is entitled ''I Never Saw Your Face Before.''

''I never saw your face before, I never knew your name. But now our paths have crossed, and I will never be the same.

''I never saw the flag before. Not really, not its soul. I only saw the stars, the stripes, a fabric on a pole.

''Now as I gaze upon our flag, I can see young faces, all called away from our proud land to other distant places.

''They did what they were called to do. They put their dreams on hold. They knew that others needed them. They did what they were told.

''And you, my friend, have taught me this, the sacrifices made. You helped me know what I have earned from the price that others paid.

''I've been in class, I've read the books. I've seen the movies, too. But now I know our freedom's price, all this I've learned from you.''

This beautiful poem is a testament to the power this project has had in educating Americans about our bravest men and women.

The Veterans History Project is a salute and an ongoing memorial to these many brave individuals who have sacrificed to protect the ideals of this great Nation and those who continue that proud tradition of service today.

On this Veterans Day, I invite my colleagues in Congress, as well as all Americans, to participate in this nationwide effort to honor our veterans. Anyone can contact their Representative's or Senator's office for more information on the Veterans History Project, or you can contact the Library of Congress through their Web site at loc.gov.

On this Veterans Day may we all take time to thank the veterans in our life, perhaps do an oral history interview with them or find some other way to show them our gratitude.

May God bless our men and women in uniform wherever they may be serving our country today. May God bless our veterans and their families and may God continue to bless these United States of America.

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

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

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

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

THE RIGHT PRIORITIES FOR AMERICA

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

Mrs. CHRISTENSEN. Mr. Speaker, after claiming that they believe in fiscal responsibility and balanced budgets, the Republicans in their years of control in Washington have created the deepest budget deficits in American history and spiraling national debt.

Now, after abandoning fiscal responsibility and borrowing to pay for tax cuts and to reconstruct Baghdad, Republicans say they must cut programs that primarily serve disadvantaged Americans in order to pay for reconstructing the Katrina-leveled gulf region. No other emergency funding required offsets.

They claim that they are going to get tough on Federal spending through the budget reconciliation process where they propose a cut over $50 billion. They are getting tough all right, tough on the weak and needy, because this is where the cutting will be done: $10 billion in Medicaid cuts to health services for poor children and long-term care patients, and increasing the costs of prescription drugs for those beneficiaries; $844 million in food stamp cuts, eliminating nutrition and school lunch and breakfast benefits for hundreds of thousands of families and children; $14 billion in cuts to student aid programs, raising the costs of college for students and their families through the increased interest rates and loan fees. And it cuts all discretionary spending programs, such as veterans' health care, by a 2 percent across-the-board cut.

I listened to some of my Republican friends yesterday who likened the increased spending to increasing a child's allowance, but the analogy does not work. These cuts are not the same as taking away an allowance which a parent gives a child for candy, ice cream, movies, books and incidentals. It is more like taking away the child's meals, not taking them to the doctor,

denying them college tuition, and then the parents borrowing for a vacation and having the child have to pay for it out of their allowance.

Many reports and the Washington Post even in an editorial last month pointed out that the Republican post-Katrina budget plan would add to the deficit, not reduce it, because the required spending cuts do not come close to paying for the at least $70 billion in new tax cuts provided for in the budget, cuts that mostly benefit the wealthiest Americans and that apparently remain sacrosanct no matter what other expenses pile up.

I think the American public needs to know what the Congressional Budget Office said about some of those cuts. That office said last Thursday that the House Medicaid cuts would save more than $30 billion over 10 years. However, that office, the Congressional Budget Office, also pointed out that these savings will not come from the premiums and copays the Republicans say will create the savings, but they will come because those cuts would keep our must vulnerable communities and residents out of the health care system.

Many of those people dropped would be the hard-working poor. The majority of those dropped, like those in Tennessee like I visited with last week, would be African American and other minorities. But there will be large numbers of people with disabilities, children, people living in our rural areas and the poor of every race, ethnicity and nationality.

So instead of closing the health care disparity gap, which causes close to 100,000 premature, preventable deaths in this country every year, this body, should it pass the Republican budget package, would by that act be increasing those deaths and continuing the health care inequality which the Reverend Dr. Martin Luther King, Jr., called the most shocking and inhumane of all.

The poor folks, the folks in our rural areas, people with disabilities, seniors, people of color, immigrants, and our children should not be made to carry the burden of the war and pay for the luxuries of the rich. At the same time the Republicans are proposing such spending cuts, they are preparing to move forward with $106 billion in additional tax cuts this year that will largely benefit the wealthy.

Will it save money? No. The net result of the GOP budget plan is $100 billion of debt over the next 5 years.

As I said to my American Legion this past weekend, America is being transformed by the actions of this administration and this Congress into a country I do not recognize, one that has gone far astray from the values and principles on which it was founded and on which this United States became the leader of the free world. What this budget reconciliation will do and what it says about this country is not what they fought for and laid their lives on the line for. It dishonors their service and that of the men and women who are fighting for this Nation even today.

So it is my hope and prayer that my friends on the other side of the aisle will abandon the irresponsible and heartless budget plan. Now is not the time to cut programs that are vital to the victims of Hurricanes Katrina and Rita and to our most vulnerable citizens who, like those victims, also face smaller but just as devastating socioeconomic hurricanes every day, while they have cut taxes for the most fortunate and add to the deficit.

These are not the actions of a people who value life as Americans do. These are not the right priorities for our country.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Florida (Mr. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

CUTS AND BLOOD

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

Mr. DAVIS of Illinois. Mr. Speaker, since Hurricane Katrina and Rita and the budget reconciliation talks began, practically all that we have heard in this House about budgets has been cut, cut, cut, and cut. And of course, Mr. Speaker, where I come from back in Chicago, if all that you do is cut, cut and cut, all that you get is blood, blood, and more blood. And, of course, the blood will be on the hands of those who have the knife.

Much of the debate in this House during the past 2 months has been around the majority's proposal to cut mandatory programs by $35 to $50 billion over the next 5 years. Just the idea of some of these Draconian measures is enough to send chills up and down one's spine because we are talking about programs that provide basic assistance to vulnerable, low-income families and individuals.

In essence and in reality, we are talking about Robin Hood in reverse; that is, take from the poor and give to the rich. We are talking about programs that provide help to people with disabilities, people who make use of the earned income tax credit, people who use Supplemental Security Income programs, Temporary Assistance to Needy Families and individuals who are indeed elderly.

□ 1945

Some of the proposed cuts include $11.9 billion to Medicaid, and I can just imagine what this will do to the more than 20 hospitals, health centers, private physician practices in my district. Imagine the large number of children and poor people who will not be able to access adequate health care.

Student loans, $14.3 billion. Look at the number of students who will not be able to go to college, to get the education that we all know that they must have if they are to compete and survive in a highly technical, service-oriented economy. We think of all of those who would not be able to go to law school, medical school, who would not be in a position to provide the services that our country will need.

Child support, $4.9 billion. Imagine what will happen to the large number of children in my district being raised by single mothers and how difficult it will be for them to receive child support payments.

Foster care, $577 million. My district has one of the highest percentages of children in foster care in the Nation. Any reduction in these funds will seriously imperil our ability to provide and care for these children.

Food stamps, unimaginable. I mean, how can you think of cutting food stamps, with all of the individuals who are homeless, hungry, in many instances hopeless and helpless, individuals who are unemployed, laid off from their jobs and having difficulties with acquiring the basic necessities to sustain life.

Mr. Speaker, I am strongly in favor of our government operating on sound fiscal policies. I am in favor of reducing the deficit to the extent prudent and possible. I am in favor of rebuilding the areas damaged by Katrina and Rita, but I am not in favor of continuing to throw money away on a war that we never should have been in in the first place. I am not in favor of giving huge tax breaks and cuts to the wealthiest 1 percent of the population. I am in favor of budget reconciliation, but not on the backs of the poor, needy, and most vulnerable sectors of our society.

Therefore, Mr. Speaker, I could do nothing less than oppose. As a matter of fact, it would be a dereliction of my duty and responsibility if I were to vote for the Budget Reconciliation Act that is before us. I will vote prudently and sensibly.

The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). Under a previous order of the House, the gentlewoman from California (Ms. WATERS) is recognized for 5 minutes.

(Ms. WATERS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

DEFICIT REDUCTION ACT OF 2005

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Tennessee (Mrs. BLACKBURN) is recognized for 60 minutes as the designee of the majority leader.

Mrs. BLACKBURN. Mr. Speaker, you know, there is an age-old drama that Americans have seen play out time and time again here in Washington, and I

know that some nights as they are watching TV and they click across C–SPAN and they watch individuals come to the floor, they might think this is a rerun or they might think same song, second verse because they have to think that they have heard this before.

I think probably their thoughts go something like this, that taxpayers are tired of seeing their hard-earned paychecks wasted by Big Government, and so the taxpayers say we are going to demand some spending reductions. The Republicans agree and the Republicans propose some spending reductions.

Well, the Democrats just cannot stand to see those spending reductions. So they start the name-calling, and they come down and they say that any reduction that we want to make in spending, anytime we are going to slow the growth of spending, well, you know what, it is draconian, it is mean-spirited, it is cruel, it is heartless, it is cold-blooded. We all hear all the descriptive adjectives. They start telling virtually every man, woman, and child in America that these reductions will do terrible, awful things and that the Republicans are just mean, nasty people.

Mr. Speaker, it is like clockwork. It really is like clockwork, and I think that I know why many times our colleagues across the aisle fight our efforts when it comes to fiscal responsibility, when it comes to reining in the size of the Federal Government, when it comes to reducing spending, when it comes to getting government off your back and out of your pocket. I think I know why the Democrats fight it time and time and time again.

This government, this big, Washington-focused bureaucracy that spends your money out of your pocket, that you go to work and you earn, this government, this bureaucracy, is a monument to them. They spent 40 years with an iron grip on this U.S. House of Representatives; and in that time, they constructed a vast monument to themselves called Federal Government bureaucracy.

It is expensive, it is old, and it is a mismanaged monument that forces you, the taxpayer, the average, hard-working American family, to spend 6 months every year paying for it. Tax freedom day, look at some of the dates we have had in years past, July 4, June 30, June 28. You are working half the time to pay for government.

Well, Mr. Speaker, I can tell you something right now. This Republican majority in the U.S. House of Representatives is working to change that. We want to change that. Democrats do not. It is that simple.

So, tonight, we are going to talk a little bit about the budget savings we are working to pass in this House in a bill that is called the Deficit Reduction Act of 2005.

Mr. Speaker, this legislation is a good, solid plan from the Republican leadership. It is a plan that will put this government on track to reform; and in the end, the goal is to yield a savings for the American taxpayer.

The bill that my colleagues are going to join me in discussing tonight is finding $53.9 billion in spending reductions over the next several years in a $2.4 trillion-a-year budget. Mr. Speaker, I want everybody at home to hear that: $53.9 billion, that is billion with a B, in savings, over several years of a yearly budget of $2.4 trillion, and that is trillion with a T.

Mr. Speaker, we are not asking a lot. In fact, we should be asking for a whole lot more. The constituents in my seventh district of Tennessee want to see us reduce Federal spending more. They want to see more of these programs that have outlived their usefulness put on the table, reviewed, put into sunset, deauthorized, scaled down, or taken away.

But I will tell you, I think that for many of the Democrats what we are proposing is too much. They cannot commit even to that. So tonight we are going to talk some about why we need to reform this government and why we need to make these spending reductions.

At this time, I would like to yield to one of my colleagues who has joined us. The gentleman from Georgia (Mr. GINGREY) is going to join us and talk for a few minutes about Medicaid. We are hearing so much about Medicaid. We have heard the left say that we are slashing it, that we are cutting it; and you know what, in spite of all this talk, Medicaid will grow. We are not talking about cuts. We are talking about reducing spending, and I yield to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY. Mr. Speaker, I appreciate the gentlewoman from Tennessee for yielding, and I do want to speak a little bit about the Medicaid program.

The gentlewoman from Tennessee and the struggle that that State has had with their Medicaid program and TennCare, the cutbacks that have been necessary, she understands as well as anybody how important it is to make sure that these programs work the way they were intended to work, Mr. Speaker.

As the gentlewoman from Tennessee (Mrs. BLACKBURN) points out, we are not talking about cutting anything. We are talking about reforming government. I mean, this Republican majority has a plan to reform government, to effect savings for our taxpayers and to spend their money wisely and efficiently and to spend it for those who have the need and to eliminate all this waste, fraud and abuse that is so rampant in government and certainly in the Medicaid program.

But as the gentlewoman from Tennessee (Mrs. BLACKBURN) points out, this is no cut. The reduction in the growth rate is what we are talking about, Mr. Speaker. Medicaid, over the last 5 years and in this current fiscal year, is growing at 7.3 percent a year, 7.3 percent a year growth rate. So we have in this plan to cut that growth rate by three-tenths of 1 percent, cut it from 7.3 percent to 7 percent over the next 5 years.

Today, in fiscal year 2006, before this cut, we are spending $200 billion with a B on the Federal part of Medicaid. Over a 5-year period, in 2010, because of that 7 percent rate of growth, we will be spending $260 billion. So our colleagues on the other side, they want to say, oh, you are cutting, you are cutting to the bone, you are taking away. They call it Robin Hood taking away from the poor and giving to the rich.

This program, Mr. Speaker, will continue to grow at a healthy 7 percent rate, but we are talking about cutting waste, fraud, and abuse. Yes, we are going to cut that. We are going to cut out this situation where people are gaming the system and it happens. It happens in every State, including my own.

What is so tragic about that is that then you end up taking money away from those people, those pregnant women, those young children, those aged and infirm that really, really need our help. With this plan and these savings that we can effect, that is who the help will go to, exactly where it is needed.

I want to take a little time to explain one thing that I think is so important that my colleagues and anybody who might be listening to these proceedings tonight understands very clearly.

With long-term care in this country, we have a huge problem; and it is shocking when you find out that probably 70 percent of nursing home care is paid for with Medicaid dollars. Some of those people who are in long-term care facilities, a skilled nursing home is what I am referring to, they clearly are low income. They do not have the financial wherewithal once their Medicare benefit runs out, and it does pretty quickly; and they need to have that Medicaid benefit.

But 70 percent of all expenditures for skilled nursing home care is coming out of the Medicaid program. Something is wrong with that, and what it is is people and maybe it is not the individual so much as a smart lawyer figuring out a way to game the system.

So in this reform, Mr. Speaker, we are saying that if a person, an individual, has more than $500,000, I believe that is a half a million if my math is correct, if an individual has more than $500,000 equity in their home, then they are not going to be eligible for Medicaid to pick up the tab for nursing home care.

□ 2000

What is happening, and we are going to eliminate this, is that families, and I guess in a way I can understand their thinking, but it is just not right, they do not think about the fact that it is taking needed dollars away from people that really need this benefit.

As an example, say mom or dad needs to go into a nursing home, a skilled

nursing home, and is going to be there for a long time. They may have $750,000 in equity in their home. So all of a sudden they figure out a way to transfer the ownership to a son or a daughter or a first cousin and let mom or dad rent the house and live in the house or pay out of their Social Security check.

That is totally wrong. I think my colleagues understand that, and I think the American people understand that.

So we, again, are not talking about cutting benefits to people that really need them. We are trying to make sure that in this reform we get the dollars where they need to be. That is really what it is all about, cutting out waste, fraud and abuse and spending the money efficiently and effectively. That is what we are doing.

I really appreciate the gentlewoman from Tennessee for leading this hour and giving me the opportunity to talk about this. You see, I spent 30 years practicing medicine and seeing some of these patients and writing prescriptions for those who need that Medicaid benefit. So I know how important it is to do it the right way, and I commend my leadership in the Republican majority for facing up to the problem we have.

I can remember, and I will say this in closing, Mr. Speaker, when we were trying to bring some sense in solvency to the Social Security program for our needy seniors, the other side of the aisle said, Well, you know, you do not need to be doing this because the need is in Medicare and Medicaid. It is going to run out of money much quicker; you need to reform that. Why are you all spending your time on Social Security?

So here Social Security seems to have been pushed off to the back burner, much to their satisfaction, and we are trying to deal with the problems of Medicare and especially Medicaid.

Every one of our 50 States is suffering. Governor Huckaby, Republican Governor from Arkansas, and Governor Warner, Democratic Governor of Virginia, both agreed with a bipartisan governors' report that we need to do this. So this is what we are talking about.

And with that, I will yield back to the gentlewoman from Tennessee.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman for his comments, and he is exactly right. Medicaid needed reforms that would address some of the waste, fraud and abuse; reforms that would deal with the processes and procedures of the delivery of the program. Once we go through achieving these efficiencies, there will be individuals who truly need it, who will see a better delivery of service.

These are flexibilities that the governors, the nonpartisan National Governors Association, have asked us to make. They are things we have worked with them on, and we are pleased to bring forward the type of reforms that will yield the efficiencies that are needed.

Mr. Speaker, another colleague who is joining us this evening is the gentleman from Tennessee (Mr. WAMP), another member of my delegation who is a member of the Appropriations Committee. He has brought wisdom and expertise to the appropriations process and being certain that we are wise stewards of the taxpayers' dollars.

I yield to Mr. WAMP out of Chattanooga, who is going to talk with us for a few moments about the work they have done in the Appropriations Committee as we work toward a Deficit Reduction Act that is going to help put us on track to achieve some savings for the American people through the reform process.

Mr. WAMP. Mr. Speaker, I thank the gentlewoman for yielding to me and for her leadership and for all my colleagues on the floor tonight. I am encouraged as a member of the class of 1994, the class that came in with the new majority for the first time in 40 years, to see the passion and the focus that we now see again in the House with that same vigor for reform and responsibility that actually brought us here years ago. You can feel it every day here building steam, because the American people demand it, and we are carrying out an agenda now of reform and responsibility.

Interesting for me, I do not come to the House floor to speak much except for specific legislation, but today you kind of hear mixed messages on the minority side. Half of them say, you are spending too much and the other half says we are not spending enough. What we see over here now is a very consistent message that we cannot spend this much, that we have an $8 trillion debt.

Now, when we first came in in 1995 in the new class, our goal was to hold the growth of spending below inflation and let the economy grow, it was strong, so that revenues would surpass expenditures. And that happened and the budget got balanced. Seems like a long time ago, but it happened. For 3 consecutive years we held the growth of government spending below inflation, below the family's budget growth; and then revenues passed expenses.

Then we were dealt a difficult hand. September 11 happened, challenges beyond our control, and spending escalated. And for several years in a row, it averaged 6 percent growth per year in discretionary spending, which was twice inflation, and it started slipping away.

Sometimes it is easy to forget when something like Katrina happens, what was going on before Katrina hit, but we need to think back. I remember this spring I put out a press release after the House passed the budget and we then passed our 602(b) allocations for the appropriation bills to match that budget. I put out a press release that said, this is the most austere budget in the 11 years I have been in Congress, because it only grew nonsecurity discretionary spending by 1 percent. Well below inflation, this budget. Not only did we pass it, we passed all the appropriations bills out of the House within that agreement by July 4, the first time in a generation that that had happened. We were marching towards fiscal responsibility with vigor.

And then we went home for the August District Work Period, and Katrina hit towards the end and everyone focused on what the government did not do and we became insecure. But I think it is easy for some to forget how responsible we were going into that catastrophe.

A little primer on this whole process for folks that are outside the Beltway, because sometimes we forget their language, is that the budget is broken down between discretionary spending that the Congress annually appropriates and annually oversees and mandatory spending, sometimes called entitlements.

When my wife, sweet Kim, was born in 1964, two-thirds of all Federal spending was appropriated by the Congress with annual oversight, and one-third was mandatory, which is really made up of Medicare and Medicaid and pensions, mandatory spending programs, and interest on the debt, things that are fixed by previous law. And unless the Congress acts again, they automatically go out. They are indexed to inflation. People either qualify for them or they do not, but they automatically get the money. In 1964, that was one-third of all spending and appropriations was two-thirds.

Today, it is the other way around: Two-thirds is mandatory and one-third we still have discretion on. But if you take out national security and homeland security, the part of the discretionary budget that is left is only one-eighth of the $2.4 trillion annual budget that the gentlewoman referred to. So discretionary spending is now a small portion of it.

That is why it is so important to have this budget reduction act. Because the mandatory spending is where fraud and abuse and waste creeps in over time because the Congress does not annually oversee it. It sets in, and people back home do not like it when people are cheating the government. But if we fail to act and they win, the status quo has prevailed and it gets worse.

When we act, they say you are mean and cruel, but the people want us to tighten the belt of government, which creates efficiency. Any government program that has to tighten its belt will become more efficient because somebody has got their fingers on the buttons to make it more efficient to live with what they have.

We have done well on discretionary spending, but we can do more and we will do more. But I come as a member of the Appropriations Committee to say that this majority is doing it. We are doing it like we were when we got here, again with vigor and commitment. I am excited.

We have just been joined by another member of my class, and he was shaking his head as he walked across the

floor, because he can feel it. He knows it. We are focused on being responsible and reforming this government so that it works better and so that people can see us acting on what they would like to see us do.

So I thank all of my colleagues that have come to the floor tonight, and the gentlewoman for hosting this hour. It is important that we unite and we bring people to this most important cause at this critical time. And I yield back to her.

Mrs. BLACKBURN. I thank the gentleman from Tennessee for his wise words and for joining us in this debate and reminding us we do hear a lot of rhetoric, as he mentioned. We have the Blue Dogs from the Democrat side, who have been coming to the floor demanding spending increases. Suddenly they are not so fiscally conservative.

Well, it is like the story I used to read to my children, the Three Little Bears. It is almost as if you have to have it just right. Just right. And they are going to let the perfect be the enemy of the good, because these are good, solid reductions and a good, solid plan for moving forward, a great first step.

As we have worked through this process, we have heard from the gentlewoman from Virginia several times in regard to military issues and veterans' issues. She has such a heart for this and works so diligently on these issues, so at this time I yield to the gentlewoman from Virginia (Mrs. DRAKE) to set the record straight about the appropriations and the funding for our veterans' programs.

Mrs. DRAKE. Mr. Speaker, I thank the gentlewoman from Tennessee for hosting this event tonight and for inviting us here to tell the American people exactly what is in this bill that we will all vote on tomorrow. I know that she joins me as a Republican in our belief in smaller government, personal responsibility, and accountability.

This deficit reduction bill is an example of this philosophy. This bill creates a planned reform and savings for taxpayers. It is important that we set priorities and that we make tough choices.

I also know the gentlewoman from Tennessee would agree with me that how we spend taxpayer dollars is one of our greatest responsibilities as Members of Congress, and that we need to spend smarter and wiser.

It is unfortunate, Mr. Speaker, that this plan is being misrepresented. Just Monday of this week it was represented on the House floor by Mr. MEEK, and this was in regards to veterans' care, who said, and I quote, ''because the majority side has made a 5-year cut of $14 billion.'' That same night Ms. WASSERMAN SCHULTZ said, and I quote ''There is a proposal to cut $600 million in veterans' health care.''

Mr. Speaker, the reality is in this deficit reduction bill there are no cuts proposed for veterans' health care. In fact, in the last 5 years, funding has increased by 50 percent. In fact, the Veterans Committee was not asked to participate in spending reform. We recognize, we appreciate, and we value the service of our military members and our veterans, and we know that their health care and their benefits are critical and very, very important to them.

On November 2, this House unanimously approved H.R. 4061, the Department of Veterans' Affairs Information Technology Management Improvement Act. This Act combines three information technology programs into one. Currently, benefits, health, and burial claims are handled by three separate IT departments. This was common-sense reform to turn these into one and will save the Federal Government $1.7 billion simply by turning three programs into one. This is exactly the type of example which shows we are redesigning government, reforming programs, and saving taxpayer dollars.

Mr. Speaker, billions have been spent on IT systems by both the VA and Department of Defense, and these agencies still cannot share medical information. This is corrected in H.R. 4061.

□ 2015

The result of this reform is not only to save taxpayer dollars, but it provides a seamless transition for our servicemembers and makes the process easier. I know the gentlewoman from Tennessee is happy to hear that: save money, do it easier, and do something that makes sense. The Department of Defense and the VA will be able to share information on health records and claims for disability benefits.

Also understand that these necessary responsible reforms are critical to be sure that important programs remain in place and are able to sustain themselves.

Mr. Speaker, I thank the gentlewoman for sharing her time with me today and being able to talk just before Veterans Day about the wonderful service of our veterans and our military.

Mrs. BLACKBURN. Mr. Speaker, I join the gentlewoman in a heartfelt thanks to our veterans, as she speaks about the fiscal stewardship and the common-sense reforms we need to put into these programs. It is so frustrating to veterans in my district when they get the runaround and cannot get a proper answer and go from one bureaucracy to another bureaucracy. To take three programs and roll it into one, as H.R. 4061 has done, that is common sense.

We hope to achieve efficiencies and save money on that program and the administration so it goes into programs and we get that money into programs that are so needed and so deserved by our veterans.

Again, God bless those veterans. And I say God bless the gentlewoman from Virginia who has worked so hard on these issues.

A leader on agricultural issues is the gentleman from Iowa (Mr. KING). He is going to talk about the agriculture bill and then will return to the floor to talk about what has been done through the agriculture appropriations process.

Mr. Speaker, I yield to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. Mr. Speaker, I thank the gentlewoman for organizing this Special Order and her leadership.

At this time I would like to address the Deficit Reduction Act. It seemed like it was heavy lifting for a lot of people in this Congress; it should not be. It should not be when you are going to reduce by one-half of 1 percent the trajectory of the increase of Federal spending down range 5 years. I do not find that heavy lifting. I find that a piece of cake for somebody who has had to balance a family budget, a business budget, and meet payroll with my own employees for over 1,400 consecutive months. We had to find a way to make it work, and we did not have a budget like this to work with, and we made it work.

I want to talk about the agricultural aspect of this. First, we brought this package before the Committee on Agriculture, and we went for approximately 3 hours in debate, listening to demagoguery about how painful it was to squeeze down some of these categories within the agriculture budget. And this is over 5 years.

One of those subjects is the commodity programs direct payments. We reduce that, the projected spending, by 1 percent. That is $1 out of $100. The actual effect out in the field is approximately one-twentieth of the payments going into a region like I represent where we raise corn and soybeans.

The people that I represent there are fiscally responsible people. They watch their budget. They invest their dollars wisely and do a good job of marketing and managing, all because it is good business. That is what it takes to have black ink on the bottom line instead of red ink.

I am very confident I can take this back and look my neighbors in the eye and say we did the best we can for the agriculture economy. We did the best we could for our agriculture producers. We pinched that down by 1 percent on direct payments.

We are looking at WTO trade negotiations coming up in Hong Kong in December. We are talking with the rest of the world about how we want to really eliminate export subsidies, and we can do that without great pain to this country and reduce domestic subsidies and be able to get access to the developing world so we can sell our products.

Our agriculture producers know they can compete with anybody in the world if they can get access to the markets without having punishing tariffs at every developing country in the world. We brought some of those people in as trading partners. We are going to expand that. But if that 1 percent here is a painful thing, then I am going to say

we are going to have one difficult debate when the time comes to adjust our long-term trade trajectory.

By the way, there was not a single Democrat that would support any of this reconciliation package, and it became a partisan issue just to pass CAFTA. People in sugar said, no, it might take a teaspoon a day out of our markets. Possibly so. Aside from that, there was not even an argument that CAFTA was not good, but it became a partisan issue. I am watching trade become a partisan issue. I watched budget responsibility become a partisan issue, and I listened to criticism after criticism from the other side of the aisle about what we are doing to our producers during a time of need. It is always a time of need.

But it is also a time where we have just pulled in the best 3 years in agriculture ever where I live. We have harvested the best crops in the last 3 years. Their overall accumulated value is more than it has ever been. We raised more corn and soybeans this year than any time in history, except last year, which was a record. That came upon a good crop for 2003. It is a good time to be responsible in agriculture, and I believe the producers will stand up and take this just fine.

We minimized some of the damage to agriculture as well. Some money was left over in the watershed rehab program, and so we put that in our Deficit Reduction Act. The Conservation Security Program, I like that program. I spent my life in soil conservation. I have built more terraces than any Member of Congress, and I do not have to wonder who is second. More waterways, more watershed dams. I have spent my life protecting soil and water. I like those projects. We took no money out of any one that was qualified today, but were required to pull some money out down range in order to come with these savings that we needed to get, which is $3.7 billion out of agriculture.

Skipping across some of these, the food stamp program, that probably consumed, out of 3 hours, probably 2 hours of the apportioned demagoguery for the day. It was how we could take food out of the mouths of babes, pregnant mothers, senior citizens, everybody you can imagine. I sat there and listened to that, and if I did not have a brain of my own to work with, I would have felt so guilty I would have crawled out of that room after they got done with me. The truth is when you look at it, we did not take any food out of anybody's mouth. We saved overall $844 million up to the year 2010.

I went back and looked, how much waste do we have in food stamps just for the last year we have records. Well, $1 billion in food stamp waste. That is fraud.

Mr. GINGREY spoke about how we will cut waste, fraud and abuse. We did that in the food stamp program, and we did not do it randomly. We realized there are States that grant food stamps to people who do not qualify for any other benefit. That is a pretty good sign it is a fraud. We conditioned it if they need another benefit, like TANF, it will qualify them for food stamps. Unless they do, we are not going to give them a bunch of food stamps because, likely, they are not qualified. Most of the States are that way. Iowa is that way. It works for us. We do not hear complaints because it is a responsible way to manage.

The other side of the food stamp piece was we extended the period of time. When people come into this country legally, they pledge they are going to be self-sufficient. We say to them, under current law that means you do not get these benefits for 5 years. Then you can be unself-sufficient and we will help you out. We extend that time on food stamps from 5 years to 7 years. That picked up $275 million. We found our $3.7 billion without a lot of pain.

I will not say it was easy, because I had to listen to 3 hours of demagoguery; but we did not hurt anybody, and we helped people and we helped the taxpayer.

We have another way we can help this country. I have got to say this because agriculture is so susceptible to energy, but we have 406 trillion cubic feet of natural gas out there under the Outer Continental Shelf. We are paying $14.50 per million Btus here in this country. In Venezuela it is $1.60 compared to our $14.50. The same with Brazil, Argentina, and most places on this continent; and we have got 406 trillion cubic feet of natural gas right there next to the pipeline. All we have to do is move our drill rigs a little further to the east, sink them in the ground, hook the pipes up, and go to the same refineries and we can drive this price down. If we do so, we can cut fertilizer prices down and gas drawing prices down for our grain as well.

Go up and drill in ANWR, fix the energy piece in all of this, and we are going to see a big difference in this country. This is not all of the work we need to do, but this is a bunch of the important work we need to do. I am looking forward to getting on with it.

Mrs. BLACKBURN. Mr. Speaker, the gentleman from Iowa truly is a great conservationist not only with the soil and the land in Iowa, and we love to say he gets his best information on the back of his tractor working his pastures, as we hear his good, conservative philosophies put to work in this House, as he talks about being a conservative and a conservationist in his spending, in his farming and in his love of the land and in his love of freedom. We are so pleased that he has reminded us and shown us how the Committee on Agriculture, again practicing fiscal stewardship, practicing what they preach, living it out to be certain that every single committee looks at their programs and says there is a better way for us to do this. There is a way to reduce this spending, and the American people are going to benefit.

We have heard many times over the past several months from the gentleman from Texas (Mr. HENSARLING) who has come to the floor and has talked with us about having respect for families and the family budget, about how important it is that we realize that taxes and fees are the largest part of a family budget and how the Federal Government should be sensitive to that and work to reduce that burden.

I have asked Mr. HENSARLING to join us tonight and talk with us for a few minutes about what happens if we do not pass the Deficit Reduction Act, where will we be if we do not pass this act.

Mr. Speaker, I yield to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I thank the gentlewoman for her leadership in the area of government reform.

Mr. Speaker, you have heard how important it is that we have a plan that is going to reform government, that will help achieve savings for the American people. It is so sad that the Democrats on the other side of the aisle, not one, not one has risen up to join us in this effort to try to reform government.

We know that our Nation faces a number of challenges. We have Medicare and Medicaid and Social Security. We have important programs, but they are growing beyond our ability to pay for them. Now we have had the devastating hurricanes hit. We know there are only three ways we can pay for all of this: one, we are going to pass debt on to our children; two, we are going to raise taxes on the American people; or, three, we are going to find smart ways to hold government accountable and decrease the rate of growth in spending and bring about reforms.

Well, the Democrats have attacked all of our reforms. They claim that somehow these are massive cuts, notwithstanding the fact that the Federal budget is going to grow next year over this year in what we call mandatory spending that has most of the welfare programs growing next year over this year. TANF is going to grow. Medicaid, Medicare, it is all going to grow. But they attack all of our reforms, and they claim that they do not want to pass debt on to our children. Well, what does that leave us? That leaves us with tax increases.

They do not like to talk about it, but it is the only other option on the table. In this case, massive, unconscionable tax increases that, if imposed on the American people, will leave the next generation with a lower standard of living than we enjoy, because the government we already have is growing beyond our ability to pay for it.

Chairman Greenspan of the Federal Reserve recently said, ''As a Nation, we may have already made promises to coming generations of retirees that we will be unable to fulfill.''

The Brookings Institute, which is no bastion of conservative thought, says expected growth in these programs,

speaking of Social Security, Medicare and Medicaid, along with projected increases in the debt and defense, will absorb all of the government's currently projected revenue within 8 years, leaving nothing for any other program.

That is the Democrats' plan. That means no veterans funding. That means that beloved Pell grants are gone. All of this is gone because they refuse to join us in any of these reforms. The Government Accountability Office said in order to balance the Federal budget in the next 30 years, total Federal spending is going to have to be cut in half or Federal taxes doubled.

Mr. Speaker, we have a chart that shows what is happening to the size of our government. This shows here the percent of our economy that we are devoting to government. Right now it is about 20 percent. Our revenues, which is this line here, runs pretty consistently between 18 and 20 percent of our economy.

□ 2030

But the government programs that are in place today, not all the ones that the Democrats want to add, but the government programs that we have today that are on automatic pilot, without the reforms, if we do not reform them, if we do not achieve success in our vote for reform, in just one generation we are going to go from 20 percent of our economy devoted to government to 40 percent, Mr. Speaker, in just one generation.

And that, Mr. Speaker, is the cost of it. Here we have the year 2005, and look at the tax increases on the average American family as the years go by. Again, what does that mean? It means in just one generation we are going to end up doubling taxes on the American people. And, Mr. Speaker, I just believe that that is absolutely unconscionable, particularly for a party that continues to want to preach compassion to us.

Right now, right now, they want to cut the child tax credit in half. And that is their idea of compassion? That is what they are telling us. That is what their tax plan is. They want to reinstitute the death tax so that people have to visit the undertaker and the IRS on the same day. And that is their idea of compassion, Mr. Speaker? They want to bring back the marriage penalty. They want to punish people. They want to tax people extra because they choose to fall in love and marry somebody. And that is their idea of compassion? That is just what they want to do today.

But what they want to do to my children and your children, my 3½-year-old daughter and my 2-year-old son, they want to double taxes on them. An average family of four, what that means to them is that as they spend $11,000 a year in housing today, under the Democrat doubling of taxes plan, that will go down to $8,500. That means that although you may own a home, your children will not be able to afford one.

When it comes to transportation, this average family of four spends about $5,300 today. But under the government plan where we double taxes, that will go down to about $4,000. Mr. Speaker, people are struggling to fill up their cars now. I suppose under the Democrat plan they will not have to worry about it because Americans will not be able to afford to buy cars anymore.

Let us talk about food. The average family of four is spending about $5,300. That goes down to $4,000. The Democrats in their so-called compassion plan and fighting our reforms just took 3 months of groceries away from the average American family because they have their plan to double taxes on the American people. And, Mr. Speaker, the list goes on and on and on.

We have a common-sense plan, a common-sense plan, to reform government and achieve savings for the American people. I mean, who is going to argue with the fact that we should not be giving food stamps to illegal aliens? Who is going to be arguing with the reform that we ought to quit paying twice the market rate for student loans? These are common-sense reforms. And, Mr. Speaker, as this debate continues to unfold, we have to remember what the Democrats really want to do, and that is massive tax increases that are going to leave the next generation with a lower standard of living than we enjoy, and that is unconscionable.

Compassion, Mr. Speaker, ought to be measured by how we treat the next generation and how many paychecks we create, not how many welfare checks we create. Our reform plan will help create paychecks. We have already created 4 million new jobs in this economy. Theirs is more of the same: more government, more spending, tax increases for future generations. There is no compassion there, Mr. Speaker. No compassion whatsoever.

Mrs. BLACKBURN. Mr. Speaker, reclaiming my time, I thank the gentleman from Texas for his comments.

And he is so correct. If we do not take these steps to rein in spending, to reform government, to get on this plan that is going to reform this government and begin yielding a savings for the American people, we will see it go from taking 20 percent to 40 percent of our resources. Fiscal stewardship demands that we work to find a way to restrain the growth of government, to begin to roll it back. And it is not easy, as I said earlier. The Democrats spent 40 years building a monument to themselves, a great big bureaucracy; and it takes time to begin to break it apart.

As the gentleman from Texas was talking, I was looking over a chart that had the 12 largest post-war deficits that we have seen in this country. Of course, one of them was 1946, when we were hard at war and fighting and coming back from World War II. Mr. Speaker, these other years, 1983, 1985, 1986, 1984, 1992, 1991, 1976, 1982, 1993, 1990, Democrat control. It is time for us to put this Nation on a track to reform government, to reduce the bureaucracy, to be certain that money is going into programs to meet needs at the local level; that money is not being soaked up by the bureaucracy that sits in these buildings around Washington, D.C.

Mr. Speaker, I yield to the gentlewoman from North Carolina (Ms. FOXX), who is a leader in education on the Education and Workforce Committee, and she is going to talk with us for just a few moments and dispel a couple of myths pertaining to education funding and talk about what we are trying to do to be certain that young people have the opportunity to dream big dreams, dream big dreams and have great adventures and look forward with hope and opportunity to a future.

Ms. FOXX. Mr. Speaker, I want to thank the gentlewoman from Tennessee (Mrs. BLACKBURN) for organizing this Special Order again and for helping us bring the facts to the people of this country.

She used a very nice word, ''myths.'' Some people could use much stronger words about the things that are being said about this Deficit Reduction Act. So I think she is being very kind. We need to set the record straight about what is being said about this bill and about what we are actually doing.

The Education and Workforce Committee was given the task to find $18.1 billion in net savings. Of that $18.1 billion, we generated $14.5 billion by making the Federal programs dealing with higher education more efficient and effective.

I did serve many years in higher education. I was a community college president, a university administrator, dealt with higher education programs, with financial aid. So I understand these programs a great deal. And let me tell the Members just in summary what we did. We are helping the students and the families of this country tremendously by what we are doing. We are going to continue to increase student financial aid as college enrollment increases. We are going to see financial aid going up through increases in loan limits and reductions in origination fees. That is going to help students and families. We are going to end the practice that allowed some lenders to collect the minimum of 9.5 percent rate of return on some student loans.

And yet the Democrats have fought these tooth and nail. They all voted against these measures. They do not want to help make access to higher education better for low- and middle-income students like we do. And that is what this is going to do. It is going to generate savings for taxpayers by eliminating waste and inefficiency, trimming subsidies paid to lenders, and place the aid programs on a stable financial foundation. We are going to put a complete and permanent end to practices that have allowed some lenders to collect the minimum 9.5 percent rate of return on some student loans.

That is just simply unfair to the students who are having to borrow money.

It will also reduce student loan fees by 75 percent over 5 years. Student loan borrowers today pay up to 4 percent in loan fees and a 3 percent origination fee. We are going to reduce that origination fee to 1 percent. It also is going to expand student loan borrowing by increasing the amounts for first- and second-year college students. This is going to be a tremendous boon to those students.

It is also going to protect borrowers' credit by requiring lenders to report to all national credit bureaus to ensure students and graduates will be able to take full advantage of the good credit history they have earned through repayment of their Federal student loans. They cannot do that now, and it is a shame because they cannot build a good credit history.

We also, through this bill, improve consumer protection and awareness by eliminating unfair rules that limit options for consolidation borrowers and providing borrowers more information about their loans. We want students to be responsible. We are going to help them be responsible.

The Democrats are opposed to that. It is really mind-boggling to understand why they would oppose all these reforms that we are putting in. One would think they would want to help moderate- and low-income people get a higher education, but they keep throwing stumbling blocks up and saying we are reducing money; we are increasing the amount of money. We make it easier for the neediest students to participate in these programs by simplifying eligibility.

I know when I conducted programs with financial aid, it took a college degree to fill out the forms. So it was a real problem. We are going to improve that.

Taken as a whole, CBO estimates these reforms will save $14.5 billion over 5 years. That is money going into the pockets of the students and the families that we want to help and other taxpayers.

Spending is out of control, Mr. Speaker. We cannot afford to keep increasing Federal spending at astronomical and unreasonable rates. Contrary to what our colleagues on the other side of the aisle are purporting, we are not finding these savings on the backs of college students. We are going to help college students. These reforms will strengthen student aid programs and expand student benefits.

Everybody needs to support this bill and know that they can go home and say to students trying to get an education, We are helping you with this.

Mrs. BLACKBURN. Mr. Speaker, reclaiming my time, I thank the gentlewoman from North Carolina for her comments.

She is exactly right. Reforming the process, reforming the way government does business, making it simple, being certain that we find another way to get government off people's back, out of their pocketbook, simplify the system so that the money gets to where it is needed, in this case, in education, getting that money into the student loan programs so that students are in the classrooms, so that they have access to those classrooms.

We have been joined by the gentlewoman from Ohio (Mrs. SCHMIDT), and she is new as a Member of the U.S. House of Representatives. She comes with a State legislative background from the State of Ohio where she has worked on so many of the health care programs, the reform programs that were needed, and working with Governors. At this time she is going to spend just a couple of moments and talk about some of the reforms that were needed by the Governors and are addressed in this bill.

I yield to the gentlewoman from Ohio.

Mrs. SCHMIDT. Mr. Speaker, I thank the gentlewoman from Tennessee (Mrs. BLACKBURN) for yielding to me.

Mr. Speaker, I am going to keep this very brief. I just came here 64 days ago, and I served on the general assembly and I served on the appropriations committee. And I can tell the Members most States are seeing their budgets being crippled by Medicaid, and Medicaid is tied to the Federal programs. What we have done in this bill is we have a plan to reform government, to reduce spending, not just at the Federal level but at the State level as well.

The gentleman from Texas's (Chairman BARTON) program that addresses the eldercare with Medicaid will really help States initiate programs that truly take care of the elderly who are in need, but force people who are not in need who try to circumvent the system from circumventing that system. And that is so important. That is reforming government. That is reducing spending. That is getting rid of waste, fraud, and abuse. And that is a plan.

Chairman BARTON also has a plan for Medicaid savings on prescription drugs. That is important, because when I came from Ohio and when 85 percent of our budget is crippled by Medicare and education, we need to have help at the Federal level to enact reforms at the State level that will allow us to feed our poor, feed our elderly, educate our children, and not bankrupt our system. That is what this act does.

I am going to vote for it, and I want to applaud the leadership on the Republican side of this aisle for giving us a plan to reform government, reduce spending, and save our future.

Mrs. BLACKBURN. Mr. Speaker, reclaiming my time, I thank the gentlewoman for her comments.

At this time I yield to the gentleman from Minnesota (Mr. GUTKNECHT), who is going to talk with us about the food stamp program and address some of the myths that we have been hearing about this program. This gentleman has done so much work in the agriculture programs, looking to be certain that we address the stewardship requirements that our constituents and citizens have for us.

□ 2045

Mr. GUTKNECHT. Mr. Speaker, I thank the gentlewoman for holding this special order tonight.

Mr. Speaker, John Adams once said very simply, ''Facts are stubborn things.'' Somebody else once said that you can ignore the facts, you can deny the facts, but in the end, there they are. Tonight we are talking about the facts.

I want to just share with my colleagues some information according to the Office of Management and Budget, because this is pretty shocking. Some of our friends on the left are saying, Well, it is because we are wasting all this money fighting terrorism in Iraq and Afghanistan. Well, maybe they are right, I do not know. Some of them say, Well, the reason we have a deficit problem is because of tax cuts. Well, I think we can dispel that myth, because let me just share with my colleagues some numbers from the Office of Management and Budget.

Since 2001 through 2005, the inflation rate here in the United States has averaged a little more than 12 percent, total. We have increased spending on science, space, and technology by 21 percent. This Congress has increased spending on transportation by 24 percent. We have increased spending on unemployment benefits by 26 percent; general government, 32 percent; income security programs, or what we would call welfare and other programs we are going to talk about in a minute, have increased by 39 percent. Now, that is at a time when inflation has been a little over 12 percent, so it has increased at triple the inflation rate.

Health care programs, we have increased by 42 percent just since 2001; community development, 71 percent; housing and commerce, 86 percent; international affairs, what some people call mostly foreign aid, has increased by 94 percent.

Finally, Mr. Speaker, this area that we are just slashing and burning, education, has increased by 99 percent. The facts are right here, and if anyone would like a copy of the article, if they call my office, I will be happy to send them one.

We talked about facts, and the gentlewoman mentioned food stamps. Now, listen, I think I speak for everyone on both sides of the aisle here in the U.S. House of Representatives and, frankly, I think I speak for all Americans, it is something we take pretty seriously. We do not want anybody to go to bed hungry here in the United States. But I am happy to say that this House, this House leadership, this Budget Committee and the chairman and the members of the Republican Caucus have a plan that will reform government and provide savings for the American taxpayers. Spending has been going up too fast, and we propose to do something about that.

I came here in 1994, and earlier my colleague, the gentleman from Tennessee (Mr. WAMP) talked about what we did in 1995 and 1996. One of the things we did that I will always be proud of is, we reformed the welfare system, and we put limits on welfare. We heard some of the same arguments back then, Oh, my gosh, people are going to be thrown into the streets, people will go hungry, this is going to be terrible. Well, let us look at what happened. We cut the welfare caseloads by 50 percent.

Mr. Speaker, I always said, and I really believe this, welfare reform was never about saving money. It was about saving people; it was about saving families; it was about saving children from one more generation of dependency and despair.

Unfortunately, our friends on the left still believe in big government. They somehow believe that big government programs can really solve problems.

Mr. Speaker, we believe people should not go to bed hungry.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman for his time tonight. I will remind everyone that facts are stubborn things. We know we do not balance the budget by raising taxes and balancing it on the backs of hard-working Americans. You get this deficit under control by cutting spending and promoting economic growth and creating a bright future for future generations.

30-SOMETHING WORKING GROUP

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

Mr. MEEK of Florida. Mr. Speaker, it is once again an honor to come before the House, and we want to give thanks to the Democratic leadership for allowing us to be here one more night.

Mr. Speaker, as my colleagues know, the 30-Something Working Group and hard-working members on this side of the aisle have come to the floor repeatedly, night after night, in some instances, 2 to 3 hours, to inform not only the Members, Mr. Speaker, but also the American people on what is happening to them under this budget. I will tell my colleagues something for them.

As I stand here now on the floor, Mr. Speaker, the Rules Committee is meeting. They are not meeting under the lights of the American people or even in the daylight. They are meeting here at almost, close to 9 o'clock at night to try to figure out how they can come to the floor and put forth a budget that is going to increase lines at veteran hospitals and clinics in rural areas, decrease services to veterans, and also bring up a higher copayment and premiums for veterans to be able to receive health care.

They are meeting now trying to figure out, Mr. Speaker, how poor children, who do not have to pay a copayment to get health care, they are trying to figure out how they can explain that to the American people and how they can bring it to the floor and package it in a way that even some moderate Republicans can vote for it.

They are trying to figure out now, Mr. Speaker, they are going to be able to ask Members of this Congress, who have been federalized by the fact that they have been elected to Congress, to watch out for the well-being of the country; and drilling, having oil rigs just miles off the coast of Florida where so many of us here in this country go to these destinations for relaxation.

And also as it relates to even helping our own U.S. economy, people fly from overseas to come over and try to enjoy themselves and, at the same time, bring dollars to the United States. They are trying to figure out how they can go to pristine areas throughout our country and national parks and how they can stick an oil rig in the middle of a national park because special interests want that to happen, not that the American people want it to happen.

They are also trying to figure out, Mr. Speaker, how they can save face, and when I say "they," I am saying the Republican majority, how they can come to this floor and ask Members to vote to increase fees for students, which is going to be handed down to the States and they are going to have to increase fees to students for college education as it relates to loans.

They also are trying to figure out how they are going to say that their budget is better than the Democratic alternative, and it is all about priorities.

Mr. Speaker, that is the reason why we are here on the floor tonight. This is the eve of the budget vote. I will tell my colleagues this: I just do not know how, on the majority side, they can swell up about the troops, how they can get teary-eyed, how they can talk about the War on Terror, how they can talk about all of the things that they talk about as it relates to defending our country, and then those very individuals that are defending our country, as we speak, Mr. Speaker, will come back only to have to wait 6 months to see a specialist at the VA.

Where is the money going to come from and the services if you are pulling the rug out from under the veterans?

Mr. RYAN of Ohio. Mr. Speaker, this is about third-party validators. This is not KENDRICK MEEK, TIM RYAN, BILL DELAHUNT; this is not just us spewing out rhetoric to the American people, Mr. Speaker.

I want to read a letter that I think may be of some interest to the Republican majority as they are all deciding right now how they are going to vote. It is about time you get on your knees, you say your prayers before you go to bed tonight. The Republican majority needs to remember this letter:

"The absolute folly and moral bankruptcy of this plan is apparent." He is referring to the budget reconciliation package that the Republicans are about ready to pass out of this Chamber.

This gentleman says, "The absolute folly and moral bankruptcy of this plan is apparent to the United States Senate, who voted to bar funding for it from the appropriations bill now in conference.

"The VFW," I say to my friends, "urges the Congress to put a stop to the wartime assault on past and present warriors who have fought for and continue to defend our country."

Mr. DELAHUNT. That is from the VFW.

Mr. RYAN of Ohio. "Understand that this situation is totally unacceptable to the VFW and its 2.4 million members and auxiliaries. We will do what is necessary to protect, in Lincoln's words, 'He who bore the battle, and his widow, and his orphan.' These words are marked on the front of the VA headquarters building. I urge you to take them to heart. Sincerely, Robert E. Wallace, Executive Director, the Veterans of Foreign Wars, Washington Office."

We are not making this up. This is the VFW.

Mr. DELAHUNT. That is the Veterans of Foreign Wars.

Mr. RYAN of Ohio. Veterans of Foreign Wars.

Mr. MEEK of Florida. Mr. Speaker, if the gentleman will yield, will the gentleman from Ohio give that to the Clerk so that we can enter it into the RECORD.

Mr. RYAN of Ohio. Mr. Speaker, I will enter the letter into the RECORD at this time.

NOVEMBER 7, 2005.

ALL MEMBERS OF CONGRESS: The absolute folly and moral bankruptcy of this plan is apparent to the United States Senate, who voted to bar funding for it from the appropriation bill now in conference. We have heard, however, that the House Leadership fully intends to strip this provision from the bill, and require the VA to execute this witch-hunt of a review.

The VFW urges the Congress to put a stop to this wartime assault on past and present warriors who have fought for, and continue to defend our country. Understand that this situation is totally unacceptable to the VFW, and its 2.4 million members and auxiliaries. We will do what is necessary to protect, in Lincoln's words, "He who bore the battle, and his widow, and his orphan." These words are marked on the front of the VA headquarters building. I urge you to take them to heart.

Sincerely,

ROBERT E. WALLACE,
Executive Director,
VFW Washington Office.

Mr. MEEK of Florida. Mr. Speaker, what is going to happen is that historians are going to look at this moment right now in the U.S. Congress; they are going to look at this very moment, as we are on the floor right now, and the Rules Committee, they are meeting behind closed doors, at night, in the dark, making decisions that are going to affect the American people, the everyday American people. It is going to affect them.

This is not a hearing that is broadcast to the American people; it is not a hearing, not even in the daytime. It is a hearing in the middle of the night. And what they are going to do in that closed-door hearing is set the stage to try to come to this floor.

They cannot persuade our Members on this side, because we are already on the side of the American people. We already know, together we can do better on this side of the aisle. We already know that we put forth amendments in the Budget Committee that were voted down on a party-line vote.

As it relates to the oil companies' profits, there was a hearing today with the oil companies here. They must have heard us talk about it, and so they said, Well, let us call a couple of them in and let us talk to them about why the American people possibly got price-gouged. A lot of talk.

But it was the Democratic Caucus and the Democrats in committee that put forth the amendment, not talk, but action, to make sure that the American people no longer were being price-gouged; and also making sure that those individuals in America that have to pay higher fees, especially our poor, for heating oil and gas this winter. Action, not talk. To come to the floor and to just talk, without action.

We in the minority, and by the fact that we are in the minority, we are trying to do the best that we can to fight on behalf of the American people that sent us here to represent them throughout this country, we are here fighting. We are not just giving them lip service. We are not saying, Hey, listen, we are going left, but we are really going right. We are not here to sugarcoat or glaze the reality.

The reality is the fact that they know that they are wrong, and they know they are going to have a problem with the vote. I guarantee my colleagues, as sure as my name is KENDRICK MEEK, when that board opens up tomorrow, the vote on the budget, we are going to be here for some time. We are going to be here for some time while arms are being twisted, while the special interests are calling in on cell phones saying, you have to vote for this because our stuff is in that bill.

But meanwhile, back at the ranch, I grabbed the PAC list a little earlier. I did not see a PAC on behalf of people who fought for this country. I did not even see a PAC that was put forth by the children in America that are on Title I and free and reduced lunches; I did not see a PAC on their behalf to get the attention of this Congress. I did not even see a PAC that said, Hey, listen, we just want you to do the right thing on behalf of the American people. I did not see that PAC listed on the PAC list.

But I will tell my colleagues this: This is very disturbing.

The reason why I asked the gentleman to put that VFW letter into the RECORD, and we need to put that AARP letter that came in yesterday since we are helping seniors, into the RECORD, because we want historians to look at the time when we had the highest deficit in the history of the Republic, we want historians to be able to look at when one President, with a majority Congress, with a majority House and a majority Senate, borrowed more from foreign countries than 42 previous Presidents and 42 previous administrations, Democrats and Republican.

Mr. DELAHUNT. Mr. Speaker, it was interesting to listen to our Republican colleagues and friends in the previous hour. I heard the word ''reform'' over and over again. I heard the term ''fiscal responsibility.'' I heard the concept or the phrase ''spending cuts reining in'' and ''making government smaller.''

□ 2100

And they kept referring to Democrats and the minority side with certain gestures. I guess my response is, who has been running this place for 12 years? Who has been in charge, Mr. Speaker, for 12 years? It was in 1994 that the Republicans came to power and took control of this body. Twelve years ago. Is it just dawning on you now that fiscal responsibility is essential to our economy, essential to the future of our children? And reform, you have had 12 years to do reform. They speak of the veterans and health care and they recite statistics and they were mostly newer Members of the Republican Party that spoke here tonight, so maybe they are unaware of what the Republican leadership in the House did about a year or two ago. The chairman of the veterans services committee, the then chairman was the gentleman from New Jersey, someone whom I disagree with on occasion, but for whom I have great respect because he tells it like it is and he stands tall, and if he believes in something his commitment is unwavering. He made a big mistake. He sided with the VFW. He sided with the American Legion and the DAV, Disabled American Veterans organization. These are the people who understand best. They are not governmental organizations. They are nonprofit voluntary associations of veterans.

Mr. RYAN of Ohio. Who do not give money.

Mr. DELAHUNT. Who do not give money to politicians. But because he sided with them in terms of their priorities, their expression of what was needed to properly respect the needs of American servicepeople who have done so much for this country, you know what happened to him? Now, they probably do not know this. He got fired, for all intents and purposes. He was removed as chairman of that veterans services committee. And that is CHRIS SMITH, a man of courage and moral principle.

Mr. MEEK of Florida. If the gentleman will yield, even more, not only was he removed as chairman; he was taken off the committee. I think he was taken off the committee as it relates to being the chairman. I am not just talking about being off the committee, taken out of the chairmanship. But that is what you get when you stand up against the machine.

Mr. RYAN of Ohio. The machine.

Mr. MEEK of Florida. That is what happens to so many individuals that stand up against the machine.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. MEEK of Florida. Yes.

Mr. RYAN of Ohio. I thought it was very interesting how, as we were gathering or coordinating our efforts here tonight, I thought as I was listening to our Republican friends on the other side, there were things missing that I think the American people, Mr. Speaker, need to know about. No one on the other side said that we should cut the $16 billion in oil subsidies to pay for some of the other cuts that are being made for poor children or middle-class college students. No one on the other side said anything about the $100 billion in subsidies that are going to the pharmaceutical companies. No one said anything about that. And if there is any concern about the lack of responsibility, the incompetent leadership, complete incompetence, complete inability to govern, all we need to do is look at what has happened in the last 4 years.

Mr. DELAHUNT. I say to the gentleman from Ohio, how about some welfare reform? Welfare reform for the oil industry and welfare reform for the pharmaceutical companies. You know, when they speak to the issue of welfare reform, they are not talking about the oil industry or the drug manufacturers. No, they are not talking about those folk. They are not talking about corporate welfare. And as you just indicated, $16 billion to go to Big Oil for what? For an industry that just had record profits.

As you indicated earlier, they were up here today, brought up here by Republicans because it is so embarrassing to have passed an appropriation and provided subsidies for Big Oil, and then they report these incredible profits. I mean, it was embarrassing.

Mr. RYAN of Ohio. Mr. Speaker, we may be a little more intense tonight than normal, and the reason is that tomorrow this budget may come before this House, and all the rhetoric over the past few weeks may become reality tomorrow on this floor. And we are not going to sit up in our offices and watch C–SPAN and watch this happen. We are not going to sit in our office and turn on Chris Matthews or some MTV, VH–1 show and just relax tonight.

The American people will be hurt if this budget passes this Congress tomorrow. People who are on Medicaid will be hurt tomorrow. People who are trying to bite, scratch, and pinch to send their kids to college will be hurt tomorrow. And veterans who fought for this country will be hurt tomorrow. And if they think we are going to stand up, or lay down, in our offices and turn

the TV on or go back home to our apartments and watch this happen without a fight, they have got another think coming, because they have taken this country, and in the last 4 years borrowed over $1 trillion from foreign countries. In the last 224 years, we have not borrowed that much from foreign countries.

Mr. MEEK of Florida. I know you have a point there. I just want a point of clarification. Point of clarification. I did speak correctly, Mr. Speaker, when I said that the chairman, the past chairman of the Veterans' Affairs Committee, Republican, was not only removed as chairman, but kicked off of the committee. They did not even want his thoughts on the committee because he stood up for veterans. He stepped out of line. He stepped out of line. Chairman SMITH, CHRIS SMITH stepped out of line, because he did what he thought was right. I am holding in my hand, and I am sorry, but I just wanted to share that because we were making a point earlier and I said he was off the committee, and then folks were looking around. I knew that I was correct.

Here is the legislative directory for the 109th Congress. It has the names of the members on the committee, and I do not blame the Members. I am talking about the leadership. But there are two spots there that say vacancy, vacancy. One of those vacancies was the past chairman of that committee who was a Republican that could no longer stomach doing what the Republican leadership was asking in this House for him to do.

Mr. DELAHUNT. Because he sided with the veterans of foreign wars, with the American Legion, with the disabled veterans and the various veterans services organizations.

Mr. RYAN of Ohio. And the American people, for that matter.

Mr. DELAHUNT. And the American people. Because the American people want to take care of the veteran. Before we leave the veteran issue, if anyone who should be watching our conversation this evening has any doubts, do not call us. Do not call our offices. Do not call the offices of the Democratic Congressional Campaign Committee. Do not call the Republican Members. Do not call the Republican leadership. Call the Veterans of Foreign Wars where you live. Call the American Legion where you live.

MS. WASSERMAN SCHULTZ. We have a very important holiday coming up the day after tomorrow, and each of us is hoping that we have an opportunity to go home and look our veterans in the eye and tell them how much we appreciate and honor them. And I know that I will be able to do that in good conscience. I know that I will stand proud with my veterans and tell them that I did everything I could and will continue to do everything I can and House Democrats will continue to do everything we can to ensure that we honor their service.

I certainly would not want to be any Member of Congress with an R next to their name that votes for this bill tomorrow if it comes up on the floor because, growing up, my mom always told me that the guide that I should use when making a decision was whether I was going to be able to sleep well and then wake up in the morning and look at myself in the mirror and be comfortable with the decision that I made and know that I did the right thing.

Well, I wonder just how well our Republican friends on the other side of the aisle are going to be sleeping tonight. They have a lot for their stomach to be churning about; and for those that are going to wake up in the morning and decide that they are going to vote ''aye'' and support this legislation, I do not know how the very next morning they are going to be able to stand on the podium with their veterans and look them in the eye and say that they continue to honor them.

And, you know, we sometimes stand here and people listening to us or, Mr. Speaker, sometimes people might think that, you know, this is just our opinion, that we are obviously committed Democrats and committed to our beliefs and our agenda. But we are here every night not representing just our own opinion, although we certainly do vociferously express our opinion. We like to make sure that we bring third-party validators to back up the opinion that we are espousing on this floor.

I just want to read an excerpt from a letter that was sent to each Member of Congress, all 535 Members of us, of these two Chambers, on Monday, November 7, 2005 by Robert E. Wallace who is the executive director of the Veterans of Foreign Wars Washington office. And I am hopeful that I am not being repetitive. I am not sure if you have already read his words. But, you know, for those that may question whether or not we know what we are talking about or that we are exaggerating or engaging in hyperbole when it comes to what is in this bill and the priorities of the Republican leadership versus our priorities when it comes to commitment to veterans, he says:

''Dear Senator or Representative. To all Members of Congress, we have at the Veterans of Foreign Wars of the United States, VFW, observed for the past several months astonishing efforts to cast veterans who have been found to be severely disabled by the Department of Veterans Affairs' own determinations as undeserving of the veterans benefits their grateful Nation has provided for them in the law. This assault on the most vulnerable members of the veteran community, disabled in service to this country and suffering from post-traumatic stress disorder, is broad in its scope and execution. At a time when the VA should be preparing to serve combat veterans returning from the war on terrorism being fought in Iraq, Afghanistan and elsewhere, they are expending their limited resources planning a systematic effort to reduce or remove benefits earned by the parents and older siblings of the troops fighting in the field today.''

Well, that is not TIM RYAN saying it. That is not DEBBIE WASSERMAN SCHULTZ or BILL DELAHUNT or KENDRICK MEEK saying it. That is the executive director of the VFW's Washington office.

Mr. RYAN of Ohio. They are just saying stop. The VFW is telling the Republican Party, Mr. Speaker, stop. Look what you are doing. You are hurting veterans. I mean, the executive director of the Veterans of Foreign Wars does not just say I am going to send a letter to Congress today, Mr. Speaker. Stop it. You are going to hurt veterans. And at the same time, you are giving tax cuts to people who make $1 million a year or more. You are giving $16 billion in subsidies to the oil companies. You are giving handouts to the pharmaceutical companies, the wealthiest corporations in the world. And you are cutting veterans benefits. What is going on here?

Mr. DELAHUNT. Well, I think what is going on is that there is a misunderstanding on the part of the Republican leadership when they speak of patriotism. Patriotism is not about a parade. It is not simply respect for the flag. It is about treating the men and women who go to war for us, who serve the country with respect.

□ 2115

That is what patriotism is about.

We hear a lot about patriotism on the floor of this House, and I am sure that those words are uttered with great conviction and sincerity. But I guess what we are trying to convey is that patriotism is not just rhetoric.

Remember what Franklin Delano Roosevelt used to say during World War II? Shared sacrifice. Who is sacrificing for our veterans? Those that receive this egregious tax benefit who are among the most affluent in America. I daresay if those people were inquired of, one by one, they would say, Take that tax break; I want the veterans to be respected.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I heard some of our friends on the other side of the aisle taking issue or calling into question what we have been saying about what they would propose to do to our Nation's veterans. I did not notice them holding up anything in black and white that disproves what we are saying.

Mr. DELAHUNT. Did you hear about reform?

Ms. WASSERMAN SCHULTZ. I did not notice.

Mr. DELAHUNT. Did you hear about limited government? Did you hear about fiscal responsibility?

You know what is interesting? I served with a gentleman who is a genuine conservative and he was part of the leadership on the Republican side. He chose not to run again. And I guess that must be a very liberating experience, because he recently spoke out and this is what he said:

Our President is publicly oblivious to criticism, although off-the-record reports indicate his patience is running thin inside the White House. He argues the right wing is now spending like profligates with no tomorrow, and is displaying a very real arrogance. What they say about absolute power is coming to reality.

Those words were written by, as I said, a former member of the Republican leadership, Representative J.C. Watts of Oklahoma, a conservative, a man of principle.

As I said earlier, we have heard about reform. We hear about we have got to limit government. Well, what have they been doing for 12 years?

Mr. RYAN of Ohio. It had to be a joke. They had to be kidding.

Mr. DELAHUNT. Maybe it is just that they do not get it. They have not been here long enough to understand that they have been in power for 12 years. I mean, we have a single-party government in this country today, the Senate, the House, and the White House. And yet conservatives like the President of the American Conservative Union, David Keen, he noted in a letter to members that Federal spending has increased by $300 billion since George Bush took office, including $96 billion for domestic social welfare programs. By comparison, Keen said, spending increased by only $51 billion during President Clinton's 8 years. So I guess what we are talking about is the capacity of an administration to spend money wisely and effectively.

We heard about welfare reform, Mr. Speaker, and yet we have created a welfare state for major corporations. We have created in Iraq a welfare state for Iraqis. And as we have said here before, it was the Republican majority that insisted that the money that goes to Iraq, to rebuild Iraq, never be paid back to the American taxpayers. That just does not make any sense. That makes absolutely no sense. And we stood here on this floor and said, Make it a loan so that we get the money back, so that we can use it to control the deficit, this deficit that is the product of this administration and this Congress.

When Bill Clinton left office, there was a surplus of $5.6 trillion. And I kept hearing something about facts over here. Well, that is a fact that they should recognize, the Republican majority. Bill Clinton left a surplus for the American people. And what do we have now? We have trillions, trillions of a deficit that will explode in future years harming the interests of generations of Americans to come.

Ms. WASSERMAN SCHULTZ. And their answer to the deficit that they have ballooned is to not just hurt veterans, but to hurt people just when they are on the cusp of being able to make a change and turn the corner in their life. There are $844 million in food stamp cuts in this bill.

Now, I have heard some of our friends on the Republican side of the aisle argue that there is fraud in the food stamp program and that there are people who are collecting food stamps that do not deserve it or maybe we do not have as many people who need food stamps these days. Well, today, not yesterday, not 5 months ago, not a year ago, today, this is a picture of a line of 25,000 people, 25,000 people in Broward County where I am from, who lined up as early as 3:00 in the morning to sign up for food stamps following Hurricane Wilma.

Now, I checked to make sure that I was being accurate when I came down here tonight. This food stamp application process is through the regular food stamp program, nothing special, no special appropriations, nothing from FEMA. This is 25,000 people, most of whom have never before applied for public assistance.

Now, if the Republicans are going to say that there are not people in need and that it is more important to cut taxes for the wealthy then to provide for the people who are standing in this line, who have already been through so much, then really I guess we are serving with many who are serving in this Chamber without conscience.

Mr. DELAHUNT. Mr. Speaker, may I say something?

I do not know if the gentlewoman had the opportunity to listen earlier to our friends and colleagues, but they talked about common sense and they talked about respect for families. And yet in their proposal there is a cut of some $5 billion in a category called child support enforcement.

Now, common sense would dictate that if you invest money, if you invest $1 and get $4 in return that you do it because that is a good deal. Well, that is a bureaucratic term, child support enforcement. Really what it comes down to is, in most cases, deadbeats, deadbeat fathers who are running out on their obligation to their children, leaving mom and the children without any support, and forcing them onto welfare.

So instead of really demonstrating common sense, this Republican budget reduces the enforcement of audits on fathers to provide support for their children and former wives. It eliminates that or reduces it by $5 billion, and that translates, if you look at it as a business decision, into a loss of some $20 billion, $20 billion that would go to support children in this country.

Ms. WASSERMAN SCHULTZ. Let us just make sure people understand and the Speaker understands that we are not talking about made-up numbers here that we are just pulling out of thin air.

In the Washington Post last Thursday, another third-party validator, they describe the cuts in this bill and they go on to say, The food stamp cuts in the House measure would knock nearly 300,000 people off nutritional assistance programs, including 70,000 legal immigrants, according to the nonpartisan Congressional Budget Office, which is the office that we get our economic facts from.

Those immigrants would lose their benefits because the House measure would require legal immigrants to live in the United States for 7 years before becoming eligible for receiving food stamps. About 40,000 children would lose eligibility for free or reduced-price lunches, the CBO estimated. The food stamp cuts, if approved, will especially affect 11 States, including Maryland, that use the changes in the food stamp law, approved with the President's support in 2002, to expand eligibility and to simplify the application process.

Under the House measure that we will consider tomorrow, eligibility for food stamps would be tightened to exclude some recipients, get this, who qualify for nutritional support simply because they qualify for other antipoverty programs funded by the Federal welfare program known as Temporary Assistance for Needy Families, not eliminate fraud, not eliminate people who are not supposed to be getting food stamps, but eliminate people who already qualify because they qualify for other poverty programs.

And then today we have 25,000 more people in one county applying for the same program that we are going to cut 300,000 from tomorrow if this bill passes.

Where is outrage? Where is the conscience? I want to know how our colleagues are going to sleep tonight knowing that they have to cast this vote tomorrow.

Mr. RYAN of Ohio. Mr. Speaker, we have been talking for a little while here. I think it is important for us to just kind of recap before we get on to something else.

The Republican budget that is going to pass this House tomorrow, probably without one Democratic vote, probably anyone on this side of the aisle will not vote for this bill because of the egregious cuts in there.

Mr. MEEK of Florida. Mr. Speaker, let me just say real quick, the gentleman said, when it passes the House floor tomorrow, and I think the reason why you said that, because I know personally that the gentleman has watched on 3, 4, 5 major votes, that 20 minutes into the vote, 30 minutes into the vote, 1 hour into the vote, 90 minutes into the vote, the arm-twisting, the squeals, the cries from this side of the aisle of individuals getting hammered, literally, with their hands on the table saying that you will vote for this. You will vote for this. And that is the reason why the gentleman is speaking in those terms, ''when it passes.''

But I am going to say something. I believe in the spirit of the American people. I hope it rises up tomorrow in a way that it should rise up against this very bad budget. I hope that we can adopt the Democratic budget that is sensible, that put us on the trail for fiscal responsibility by 2015, to make sure that we prioritize on behalf of Americans and not on behalf of special interests.

□ 2130

So you are 110 percent right. If things happen at all the way it appears here under this Republican majority, it will pass. It will pass because they will literally make their Members vote for it.

Mr. RYAN of Ohio. I appreciate that. So we go through this bill here and we look at the cuts.

Medicaid cuts on poor and working-class families who are trying to get some health care for their kids, student loan cuts $14.3 billion; $24 billion in reduced child support collections. It is going to knock 300,000 Americans off food stamps. Many of them have been displaced because of the natural disasters. 40,000 kids are going to get kicked off school lunch programs. Foster care is going to take a hit of 7 or $800 million, I believe. Veterans are going to get cut $600 million. There is a funny thing here because at the same time all this is going on, our friends who make more than a half a million dollars a year are going to receive a tax cut worth $70 billion.

So as all of these programs on college students and their parents, Medicaid, child support, food stamps, veterans, foster care are getting cut, there is going to be $70 billion in tax cuts for people who make more than a half a million dollars a year; and before I yield over there to my friend from Florida, there is something funny about this list that we have here.

I am looking at this: poor kids and poor mothers on Medicaid, who have their kids on Medicaid; college students who are just trying to get a better life, improve themselves; kids on child support and mothers who are receiving child support; people on food stamps; kids and families who qualify for the school lunch program; veterans.

Ms. WASSERMAN SCHULTZ. Mr. Speaker, do you know what that is called? That is called taking from the needy and giving to the greedy.

Mr. RYAN of Ohio. Exactly right, and there is a funny thing here. It is that none of these groups who are going to face the cuts tomorrow from our Republican friends have a lobby group on Shakedown Street, on K Street, not one of them. There is no lobby group for the college students who are going to have to pay more on student loans. There is no lobby group for the kids who need foster care.

I hope, Mr. Speaker, that the American people recognize that this budget is bought and paid for by the special interests on K Street, down on Shakedown Street, because our friends who are given the tax cuts will not take the $16 billion from the oil companies that they are giving in subsidies. They will not reduce the cost of the Medicare part B prescription drug bill. They will not do it, the billions that are going to go to the pharmaceutical industry. Those people are off the table. The Republican majority will not cut from them.

They have to go to poor kids who qualify for free and reduced lunch to go try to balance the budget; and at the same time, they are giving more tax cuts. It is frustrating to me as a Member of Congress, from a district that has a high unemployment rate, a district that 50 percent of the people in my district who pay taxes did not even receive a tax cut and many who either qualify for these programs or want to qualify for the student loans and the Pell grants so they could improve their lives are going to get hurt because of this.

At the same time, the lack of leadership, the incompetence, the inability to govern in a way that will improve the country and invest in the country continues down here, this is a disgrace.

This budget is an absolute disgrace, and you take any American and you ask them to come down here and be the distinguished gentleman like the movie and come down here and try to make the decisions that we have to make and you look at what we look at, there are not many Americans who would say giving tax cuts to people who make $1 million a year and cutting from the middle class, cutting from Medicare, cutting from our seniors' health care program or the poverty programs in this country is somehow okay.

One final comment. We heard from a lot of the religious organizations through the course of the last election, the Christian Coalition. I spent 12 years in Catholic schools, and I remember the Christianity I learned about had more to do with helping people who were not doing so well and trying to do your best to lift them up. To listen to the rhetoric come out of the organizations, not the members of the organizations because there are a lot of Christians in my district, these cuts offend them. The people who work at Catholic Charities, this offends them; and for the organizations who say they are religious to be deaf on this issue is an outrage.

Mr. MEEK of Florida. Well, there is nothing more evident than the truth as it relates to this budget, and I mentioned earlier about holding the clock open and violating the spirit of the rules of the House when there is a 15-minute vote called. It is customary to give Members 5 extra minutes to get here to vote, but it is not customary to hold a clock open for 3 hours.

Let me just say, October 7, 2005, Republicans held open a 5-minute vote on the Gasoline for America's Security Act for over 40 minutes to pass the energy bill, Republicans, which also passed by two votes because of the arm twisting.

On November 22, 2003, the majority held open the vote for 3 hours, the longest in the history of the House of Representatives, on the prescription drug bill.

Then on the Central American Free Trade Agreement on July 27 and 28, it has two dates because the clock was held open so long. For a 15-minute vote, the vote was held open for over an hour; and it passed on a 217 to 215 vote.

Here is the evidence. It is in the RECORD. I do not need to enter it. It is already there.

When you talk about how can this happen, how could this be allowed to happen in America, as we speak now, the Rules Committee is meeting in a dark room just above this Chamber, trying to figure out how they are going to come to the floor under the lights and the cameras and justify voting for a budget like this.

I am wondering where the majority's letters are from Family U.S.A. that is saying that these Medicaid cuts that the House has, that it will cause enormous hardships out there. Where is their letter and support from the AARP, the largest retirement organization in the world, that is saying that they are against the Medicaid cuts because it will affect seniors? Where are their third-party validators, these nonpartisan groups? I have to question that because I cannot help think about what we are facing right now.

We are facing allegations in the White House of outing a CIA agent and several other agents because someone thought that it would be politically right for them to share classified information about a clandestine agent with reporters. This is not what I am saying; this is what the indictment says.

You know what I did get, not from help from the majority, but we finally got the list of the subpoenas that were issued under the Clinton administration versus the Bush administration. It saddens me to see that the Republicans can provide oversight when they want to. They can get to the bottom of what actually happened when they want to.

I will tell you this, just one committee I am going to take, just one committee, the House Government Reform Committee issued over 1,089 subpoenas to the Clinton administration. That is the record. That is not my report; that is what the record reflects. Ninety-seven percent of those subpoenas were targeted towards the Clinton administration and the Democratic Party. Only 11 subpoenas for the Republicans, 11 out of 1,089.

It goes on further to say that the GAO, this is the Government Accountability Office, examined the White House's efforts to provide documents to the Congress over an 18-month period from October 1996 to March 1, 1999. The Government Accountability Office found that during that period the White House staff spent, alone, over 55,000 hours responding to over 300 congressional requests, producing hundreds of thousand of pages of documents and videotapes and audiotapes to the Congress.

They called 134 Clinton administration White House agency officials to hearings concerning allegations of the Clinton administration. The witnesses were called to appear before the committee and in public session, not secret session, but public session, so the

American people can see it. The White House chief of staff and the counsel to the President, the counsel to the Vice President, all of them were called here, spent over 568 hours in depositions with staff. That is just with staff. They also provided discussions between the President and his advisers. President Clinton waived the executive privilege and allowed these advisers to testify before the committee about their discussions with him.

Internal White House e-mails, over $12 million was spent to reconstruct those e-mails. Confidential conversations within the White House counsel's office were provided to the Congress, but now we have questionable intelligence that sent us to war. We have a CIA agent that has been outed, and this is what the Republican Congress does now.

Well, we know that CIA agents are being outed, but we are not looking over there because our friends may be embarrassed. It may jeopardize national security, but that is not important. It is all about making sure that we stay in power and that we do not pay attention to what the American people constitutionally have asked us to do, to provide oversight and to give the American people a voice when wrongdoing is evident, et cetera, et cetera, et cetera.

It is a shame. It is a shame that this is happening as we speak in this Congress.

Ms. WASSERMAN SCHULTZ. But do not worry because last week President Bush rode in on his white steed to the rescue of the American people and addressed the culture of corruption and cronyism and lack of competence that is going on and emanating from the White House.

Mr. DELAHUNT. What did he do?

Ms. WASSERMAN SCHULTZ. He required all of the White House staff to take an ethics refresher course this week.

Mr. DELAHUNT. Is that mandatory?

Ms. WASSERMAN SCHULTZ. Oh, yes, do not worry. White House staff attendance is mandatory for anyone holding any level of security clearance.

Mr. DELAHUNT. Is this a semester-long course?

Ms. WASSERMAN SCHULTZ. No. This is a 4-hour class that actually I think it is being given this week by White House counsel Harriet Miers' office, who, of course, we know has been doing such a bang-up job at guiding the White House through their ethical morass.

Mr. DELAHUNT. Not being facetious for a moment, we have, I would submit, a very serious problem in terms of the health of our democratic institutions. There has not been, and if you reflect, you will not be able to identify another administration with the obsession for secrecy that this administration has.

What I found particularly interesting, the Republican chairman, highly respected, former Governor of New Jersey, Tom Kean, who headed the independent 9/11 Commission report, he observed that many so-called classified documents he reviewed in the course of their investigation were not true secrets as much as there was information that was publicly available.

□ 2145

It just did not make any sense at all. And what we have seen is a 25 percent increase on documents being classified almost on an annual basis in this administration. We know that they refuse to submit to any oversight or any accountability, and the American people should know that.

In a moment of candor, a friend of ours, again a senior member of the Republican Caucus, had this to say. He aptly characterized recent congressional oversight of the administration. This is Mr. RAY LAHOOD, a very solid Member and someone respected on both sides of the aisle. These are his words, not mine. This is RAY LAHOOD, whom the Speaker and every Member in this body knows and respects.

Mr. RYAN of Ohio. Good man.

Mr. DELAHUNT. ''Our party controls the levers of government. We are not about to go out and look beneath a bunch of rocks to try to cause heartburn.''

In other words, you have a shroud of secrecy that has descended around the democratic institutions that are controlled by the majority party. That is dangerous.

Mr. RYAN of Ohio. If the gentleman will yield, this is about protecting their party. If the Republicans control the House and the Senate and the White House, and they are not being investigated to find what went wrong, whether it was Katrina or the CIA leak or Karl Rove or ''Scooter'' Libby or the Vice President's role in all this, or how are we going to balance the budget, if the Republican Party is not willing to investigate those problems, those situations, then they are putting the Republican Party before the interests of the country. And that has been the consistent modus operandi of this institution.

Mr. DELAHUNT. And if you disagree with them, what happens?

Mr. RYAN of Ohio. You get punished.

Mr. DELAHUNT. Right. Ask General Shinseki, who was dismissed when he disagreed, when he gave just a different opinion as to the number of troops that were going to be required in Iraq. He said 300,000. The then-Under Secretary of Defense, Mr. Wolfowitz, said, Hey, that is vastly overrated. Subsequently, we have discovered that the good general was correct.

What about Larry Lindsey, who was an economic adviser to the President and who came out with an estimate that the range of dollars that would be necessary in Iraq would go from $100 billion to $200 billion. We are way past $200 billion now. But the administration, the White House, kept saying it will not exceed $60 billion. The American people should remember that.

And what happened to Larry Lindsey? He got bumped too.

Mr. MEEK of Florida. If my colleague will give out the Web site before we have to close.

Mr. RYAN of Ohio. We want an opportunity to take this Congress and this country in a new direction, change the way we are going and derive some independence. We are at 30somethingdems@mail.house.gov. That is 30, the number, at mail.house.gov.

Mr. MEEK of Florida. Mr. Speaker, I want to thank the Members for joining us here this hour. I look forward to being back on the floor, all of us, in one more hour when my colleague claims his hour so that we can continue sharing good information not only with the Members but the American people.

Mr. Speaker, I thank the Democratic leadership for allowing us to have this hour.

THE PRESIDENT, AND THE WAR ON TERROR

The SPEAKER pro tempore (Mr. FORTENBERRY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes.

Mr. KING of Iowa. Mr. Speaker, I appreciate the opportunity to be recognized, and as I get organized here, I would point out that I have had the privilege to listen to this dialogue here tonight. I know that this group comes to the floor nearly every night, and that shows a certain kind of tenacity, and I appreciate that effort they put into this. But I wanted to just start down the list of some of the things that I heard and address some of the remarks.

I happen to have seen a poster that I hope was not presented here, because I believe it would have challenged the mendacity of the President, and I believe that would have been out of order here in these Chambers, Mr. Speaker. So I hope that kind of poster is never presented. But I will say that I have heard that challenge made in a number of different oblique ways.

I have looked into the eyes of this President, and I think there is a distinction that should be made in a very clear way to the people here on the floor every night, the 30-something Group and all the Members of this Congress, Mr. Speaker, and the people in this country, and that is there is a difference between a mistake and a lie.

I look back on a Presidential campaign, and I remember the face and the voice of Charlton Heston as it came on television over and over again. He said to the previous President over the airwaves of television, ''Mr. President, when you say something that's wrong and you don't know that it's wrong, that's a mistake. When you say something that's wrong and you know that it's wrong, that's a lie.'' That distinction seems to be lost amongst many of

the Members of the minority party in this Congress.

And by the way, I would not concede that the President has made a statement that was even wrong, let alone a mistake, and certainly a long ways away from a lie. When you look into the eyes of this man we have as our commander in chief, you see those eyes look back at you with conviction. You hear it in his voice, you can see it in his bearing, and you can see it in his actions.

I would like to go back to an event that maybe was not designed to be spoken about necessarily in public, but I think it speaks well of this President, so I want to mention it at this time.

A few Members of Congress were invited to the White House for a small luncheon. It was on a Monday noon, and I recall it was the Monday noon after the *Columbia* had gone down on Saturday. It was a hard time for all of us. We saw our space program go up in flames, along with the lives of the brave men and women that were up in space. We knew that our NASA program was going to be suspended for a good, long time.

Thankfully, we are back on track, at least to some degree.

I was surprised that the President had gone ahead with the luncheon that day, because I believed he would be taking care of so many issues that he would not have time to sit and talk with us, but he did. There were maybe 15, 20 people in the room, a few of the President's closest staff and about 10 or so, maybe a dozen Members of Congress, myself among them.

As we sat around the tables and had our lunch, the President got up and stood at an old, rickety, wooden podium, a podium not as stable as this one. I wondered if it was really quite suitable for the White House. And as he leaned on the podium this way and that way, he went through the whole spectrum of issues that we were concerned about at the time, Mr. Speaker.

He talked about the impending operations in Iraq. He talked about our national security and al Qaeda, and about September 11. He talked about the overall budget and the tax cuts that we needed to stimulate this economy. And he talked about education. Now, remember, we had not gone into Iraq at that point. It was speculated about certainly, but we had not gone in at that point.

As he got through the education cases, he said, just a minute. I want to back up a minute and I want to tell you this with regard to Iraq. My critics have me wrong on Iraq. The media has me wrong on Iraq. There is only one person that orders our men and women into battle, and that is the person that hugs the widows and the widowers of those who do not come back home.

I will never forget the tone of his voice, the look in his eye, and the look on his face. He told me afterwards that to finally give that order, he knew it was going to be hard, but it was a lot harder when the time finally came that he had to make that decision and give that order.

I look at this entire operation in this view of the war in the Middle East and in this war against terror and this war against militant Islamic extremism, and I will always see those eyes and hear that tone in his voice; and I will always understand that this is not a President that would give an order that would put anyone in harm's way and do so for any reason other than a profound conviction that it was necessary for the protection, the preservation, the future of the people in this country and the destiny of the United States of America. Never would that order come unless it fit that standard, unless it fit that very high standard and that qualification.

The order was given. And it seems as though there are a couple hundred Members in this Congress that do not understand this war against terror, as we define it, and this war against militant Islamic extremism, as I define it.

I would point out, Mr. Speaker, that this battle that is going on in Iraq right now is a battle. It is not a war; we are at war with an entire group of people who are philosophically opposed to us, and we have known that for a long time.

We did not do anything to offend their sensibilities, not to such an extent to justify losing 3,000 Americans in the attack on the Twin Towers and the Pentagon and on the plane that went down in Pennsylvania. That was an unprovoked, sneaky, stealthy, I guess I would say a pretty well strategized attack on American people. We had never had that loss of life on our own shores in the history of this country.

That should epitomize the level of the hatred that is embodied in the people who are pledged to kill us. Yet I still hear from the other side of the aisle that somehow, if we would just pull our troops all back home to the shores of the United States of America, plant more flowers around our bases, and ask them how can we better understand you, can we sit down and have some kind of an encounter session, can we somehow feel or emote in some other way so we can connect with the people pledged to kill us.

I do not believe you can negotiate with people like that. They want to establish their caliphate across this country and across this world. Their number one enemies are capitalism, coupled with Jews or Christians. I think they actually prefer Jewish capitalists first, probably Christian capitalists second, but anybody that is not like them, even other Muslims. If you look at the death loss around the world, I think you will see that al Qaeda and their colleagues have killed really more Muslims than they have any other category.

But, Mr. Speaker, they hate us worse than they hate the other Muslims, because some of the other Muslims are sympathetic. In fact, many of them are sympathetic, and that is another part of the problem. But we have seen the terrorist cells in Afghanistan and in Pakistan, and we went there and settled that question.

And, by the way, for the first time in the history of the world they had free elections on the soil of Afghanistan, Mr. Speaker. It was an astonishing accomplishment, something never accomplished before in their history.

We went there so quickly and were successful so quickly that most people in this country do not remember the voices of the naysayers, the voices of the people that said no one has ever gone up the Khyber Pass and not been slaughtered. No one has ever been able to go into Afghanistan and invade or liberate and occupy. It is impossible to bring freedom to people that have never experienced freedom before. The American military cannot do what has never been possible before in the history of the world.

It came from this side of the aisle, Mr. Speaker, over and over and over again. And it was only muted when it was clear that there was a full victory established in Afghanistan. And when we saw the elections come up, we had at least 750 Iowa Guardsmen on the ground in Afghanistan protecting the voting booths, protecting the travel routes to and from the voting booths to make sure that there would be free and fair elections in Afghanistan. It was astonishing accomplishment, an accomplishment that came about because of the vision of George W. Bush, because of the courage, the training, the tactics and technology of our U.S. military and because of the selfless sacrifice and risk that was taken by our men and women in uniform.

Mr. Speaker, those men and women in uniform went to war as the single highest quality military ever to take the field in any war, and I am including this entire war against the militant Islamic extremists in Afghanistan, Iraq, and whatever theater we might be in right now and not know about, or whatever theater we will be in in the future and find out about sometime down the line.

The reasons for that high quality are many. One of them is that we have a strong mix of our National Guard people. These volunteers had a little more age on them, probably more gray hair in this military than we have ever had before in a foreign war. But this is a day when we have high technology. It takes a lot of technology and a lot of training to be able to manage that technology.

Our National Guard and military Reserves are seasoned to the point where they bring their professionalism from their walks of life into their military, and when they are deployed overseas they perform extraordinarily well. Couple that with an outstanding active duty force, all of them volunteers, because everyone who has gone to war has gone as a volunteer, that does

something for the spirit. That does something for the esprit de corps, as they say in the part of the world that is in flames now, which would be France. And I may get to that subject matter before this hour is over, Mr. Speaker.

□ 2200

I want to speak highly of the people who went to Afghanistan. We have lost 200 Americans in Afghanistan, liberated 25 million people. That is a legacy for the world and a legacy that the United States is leaving there for them to pick up as they earn their freedom.

Why is nobody saying, Pull your troops out of Afghanistan? Can their troops not handle the security? Can Afghanistan run their country themselves? Why is no one on this side of the aisle addressing that? Why are they not saying, Get the troops out of Afghanistan, or Kosovo, for example.

Mr. Speaker, the President that ordered the troops into Kosovo promised the world that our troops would be back from there in 1 year. I have to go back and check the calendar, but I know it has been over a decade; I expect it is 12 years. They are still there. No one on the other side of the aisle is saying, Bring the troops home. No one is saying the President previous to our current President Bush, no one is saying, He did not tell the truth to the American people when he ordered troops into Kosovo and said, They will be back in a year. But I would submit that the accuracy of this President exceeds the accuracy of that statement.

So we have troops in Afghanistan, and 200 Americans have lost their lives there. One of my constituents was lost there, the son of a friend of mine. I stop at his grave, and I commemorate him and all of the soldiers we have lost from time to time. That is how I symbolize his loss, it is how I remember everyone.

I remember the freedom in Afghanistan and the pride that the remaining troops had when they came home, how his father led them all in with a big American flag on the back of his motorcycle, and how the highway was lined with American patriots who stopped, took off their hats and saluted that young man that had given the ultimate sacrifice and helped free 25 million Afghanis, and no one is saying, Let the Taliban grow their ranks or let al Qaeda go back into Afghanistan. No one is saying, Bring them home, Mr. President. What is the difference between Afghanistan and Iraq?

I think the people that are critics of the operations of Iraq ought to draw a distinction between Afghanistan and Iraq. I believe from a national strategic standpoint they are one and the same. They are not the same by the numbers of casualties. By those that say, We have reached the 2,000 death casualty list in Iraq, bring them home, that is too many casualties, none of those people had the courage or the foresight or the conviction to make an announcement as to what was a tolerable number of casualties to free another 25 million people.

No one was willing to speculate how many lives they would be willing to invest of American patriots to preserve and protect the lives of 282 million Americans. No one is willing to say it is not worth risking a single American life to protect 282 million Americans. No one is willing to look back in history and say, I wish we had not stepped in and defended ourselves in Korea or World War I or World War II, I wish we had never fought the Civil War to free the slaves or fought the Spanish American or Mexican American, or I wish we had never fought the Revolutionary War.

None of those people that say that risking a single American life is never worth it is willing to go back and unravel history. They would not be standing on the floor of this Congress if not for the lives of the brave men who have gone before us who have carved out our freedom from the jaws of tyranny.

That brings us back to 1898. I recall a speech by President Arroyo of the Philippines here in Washington, D.C., at one of the hotels. My wife and I went to that dinner and sat and listened to that speech. I believe I was the only Member of Congress that was there to hear the speech, the rest was downtown people and other Representatives.

She was not speaking to the faces of Congress, she was speaking to Americans. She saw that group as a few hundred Americans that had gone to dinner to listen to her keynote address. But President Arroyo said, Thank you, America; thank you, America, for sending the United States Marine Corps to the Philippines in 1898. Thanks for their sacrifice, thanks for liberating us. Thank you for establishing that stability and establishing a stable government in the Philippines and allowing us to be a free people.

Thank you for sending your missionaries over to the Philippines that taught us Christianity. Thank you for sending 10,000 American teachers over to teach the Filipinos reading, writing and arithmetic. Thank you for teaching us your language because we learned English, and today 1.6 million Filipinos leave the Philippines and go work anywhere else they want to in the world, and send that money back to the Philippines because they have a command of the language that is universal in the commercial world. All of these blessings have come from the freedom that came to the Philippines as part of the Spanish American War, I will say.

Now we have a friend over there in the Philippines. Now we have a people that speak English, who are engaged in commerce. And because of that, a people who understand democracy and a constitutional republic. That is an example of what happens when you are willing to take a risk, when you understand that this mantle of freedom is not something you can wear lightly, and it is not something that comes without responsibility.

There were people that believed that prior to September 11 and, in fact, even after September 11 that we did not have a responsibility to the rest of the world, that we could just retreat back to our own shores, our own borders, run the United States of America, disregard the rest of the world, not do any trade treaties, not engage in any foreign conflicts. If we were not at risk, we should not be involved in anything else going on in the world.

But we know what the history of the world is. In fact, I take you back to the years that built up to World War II, and I want to compare that to the war we are in now against terror and the militant Islamic extremists.

We are having trouble today connecting the idea that you can have al Qaeda that is run out of perhaps the mountains in Pakistan, Afghanistan, up in that region. So al Qaeda is there, and some of the other sympathizers that are around the world. There are a whole number of different splinter groups, groups that are in Iraq and Indonesia. We have seen these attacks around the world, and we know there are cells all around the world.

We know there are second-generation Pakistanis that set off bombs in the subway in London. We have first-and second-generation Middle Easterners, both North Africans and Middle Easterners, mostly Muslim, probably all Muslim, that are running all over the streets of Paris as I speak, burning approximately 1,000 cars a day, and buildings, and attacking the very facilities designed for them.

So how is that Saddam Hussein could have been cooperating with Osama bin Laden when bin Laden is an Islamic fundamentalist and Saddam Hussein is a secular Arab and a Baathist and a Sunni? They could not get along, surely, because they are not motivated by the same things.

We forget about this thing that the enemy of my enemy is my friend. Well, we are the enemy of those enemies. It is easy for them to be friends, whether you are secular or a fundamentalist. In fact, Saddam had the entire Koran written inside a mosque with his blood. It is kind of hard to be secular when you give that much blood to be written inside a mosque.

So he kind of joined himself with his blood with Osama bin Laden. There is a philosophical connection. You do not have to be on a e-mail list and distribution tree from Osama bin Laden to be wired in with the philosophy worldwide. So this network rolls around here. People can work autonomously. The bombers in the subway in London may or may not have had direct orders from Osama or Zarqawi or whoever else the leaders might be.

The people that are out running in the streets of Paris today, I do not think each one of them gets their daily marching orders from on high. It becomes spontaneous after awhile. You

get a sympathetic support and a kind of synergy that grows and a philosophy that connects. And they start to think, if they can cause this trouble, so can I. If they can blow up this embassy, I can blow up the USS *Cole*. And if Ramzi Yousef can go in and strategize the first bombing of the World Trade Center, the next person can come along and figure out how to fly two planes into there and take it down. It does not have to be one command person sitting at the top distributing all of this.

Now going back to World War II, and that is that people in those days prior to World War II had a little trouble connecting how it could be that a national socialist, a Nazi like Hitler, could be connected with and allied with a Fascist like Mussolini in Italy. That did not quite fit. People said they are not philosophically connected. And we had the civil war going on in Spain, and people did not put it together as any kind of axis powers. There is no genesis of the axis of powers.

Furthermore, how could, for example, the Soviet Union be allied with and make any deals with Hitler because they really are not philosophically connected. One is a Nationalist-Socialist and the other is a Socialist or a Communist, take your pick. And I say, if you take people's freedom away at the point of a gun, you are a Communist. Stalin was a Communist.

You look across and you see that the revolution was beginning to form itself in China, culminating in 1949. And looking at the Japanese, they invaded Manchuria and wound down the coast of China. They invaded Singapore. How in the world could the Imperial Japanese have something in common with the Nazis in Germany and be tied with an axis power effort of the Fascists in Italy? And how does it work with the Soviet Union in the middle that really has a little bit of trouble figuring out who their friends are and who their enemies are?

All of that was an unfathomable equation to most people until September 1, 1939, when the Soviet Union, and I will say the Russians, and the Germans carved up Poland. It did not last very long. It was over in a matter of 3 weeks.

Then they began to see maybe they can find a way to cut a deal, shake hands and make a treaty. So World War II began. As it began, we did our best to stay out of it. We did a lend-lease program, and we tried to help the Allied powers.

The British essentially were standing there without a lot of help. The Australians were with them from the beginning, and then the attack came on Pearl Harbor from the Japanese. As soon as that happened, as quick as administratively it could be done, Hitler and Germany declared war on the United States.

Now it all starts to fit together. We know it from the historical perspective because we have seen it unfold. Now it makes sense. Now we do not even ask the questions: What are the philosophical differences between Nazism, Fascism, Japanese Imperialism, and the Communism that was Russia at the time? How did they all get together?

Well, if you have a common interest, you can be joined together. This common interest of opposing the United States, this great Satan that they declare us to be, is plenty enough to join together the people that danced in the streets when the Twin Towers were hit on September 11, 2001, plenty enough to bind them together.

We should understand by now this enemy far better than we do, and it is predictable what is taking place in France right now. And I do not remember if this is the 12th or 13th night of riots going on in France.

The population of France, perhaps 10 percent, is Muslim. These people have come from North Africa and the Middle East. France opened up their doors and said, Let us have an open border policy. We will make a place for you.

I am starting to hear they did not make jobs for them, but I am not sure that is the government's job. I do not think government can create jobs. You have to set the structure and let the private sector do that, and we recognize the French have a different view.

What I saw were probably hundreds and perhaps thousands of radical Middle Eastern, North African Muslim demonstrators running all over the place with Molitov cocktails, torching buildings, torching cars and trucks, attacking schools and libraries and churches. Yes, churches. You will listen to CNN for a long time before you will hear ''church burned in France.'' And you will listen to ABC, NBC and CBS a long time before you will hear the words ''church burned in France.''

□ 2215

In fact, we will listen to them for a long time before they will say ''Muslim youth'' torch anything in France. They will say ''youth,'' ''disgruntled youth,'' ''unemployed youth,'' ''disenfranchised youth.'' But they do not want to say ''Muslim youth attack France.''

So what do the French do when they are being attacked? Essentially we could define it as a civil war going on there right now. Had I been Jacques Chirac, I would have declared martial law a long time ago. I would have put the French troops out into the streets. I would have established a curfew. I would have had people on the rooftops with infrared sniper rifles. We would have said looters will be shot on sight. Anybody with a molotov cocktail, we will try to shoot that molotov for you from the roof so you can experience what it is like when you are at the other end of that bomb.

None of that is happening. They had their high-level meeting and put out some warnings; and as far as I know, they arrested 250 people or so. They have not done the hard things that needed to be done early to shut this off. So instead, 1,000 Frenchmen and women put the tri-color banner on and marched in the street for peace.

Well, they have got a little trouble over there, Mr. Speaker, because we have an enemy that is not interested in negotiations. They are not interested in hand-holding. They are not interested in talking. They are interested in killing the people who are not like them.

And, by the way, we are not guilty of doing something. We are not guilty because of something we have done or failed to do. We are guilty and deserve a death penalty by their viewpoint because of who we are, what we are, what we are born; and it cannot be rectified. So we cannot talk and negotiate with these people. This is really difficult for the French, Mr. Speaker, because when 10 percent of their population lives within them and among them and they are out there burning things, some of which you built and provided those facilities for them, day care centers, schools, libraries. Maybe not the churches. I do not think they are burning any mosques. I am pretty confident they are not. But a people that are determined to kill them, and yet there is no organized head from the top to the bottom. The French cannot go surrender to Osama bin Laden. They cannot find him. They cannot find Zarqawi and surrender to him. In fact, if every Frenchman held up a white flag, and I imagine some have by now, there is nobody to surrender to. They do not want us to surrender. They want to kill us. They want to take over Western Civilization. They want to destroy Western Civilization.

And I happen to believe that Western Civilization, as civilizations go, has been a great gift to all the people in the world. I would be willing to state also, Mr. Speaker, that of all of the missionaries that have ever gone to Africa or to anywhere in the world, and God love them for all the work they have done and it has been a lot of good work, free enterprise capitalism has done more for the world, more for the well-being of humanity than all of the missionaries that ever went anywhere from a standard-of-living standpoint, from a medical care standpoint.

I would submit, Mr. Speaker, that the investment of capital and the desire for profit has developed this technology that has raised everyone's standard of living. And the health care that we have, because we have research and development for pharmaceuticals, for example, for new surgery techniques, for preventative health care, most of that was driven as a desire to make a little money. Well, a good thing. A good thing that that happened. A good thing that we have a motivation in this country to lead the world in patents, lead the world in creativity. We have that because we have freedom. That all came from Western Civilization.

Mr. Speaker, this is the Western Civilization that our enemy wants to destroy, this great gift to the world, this

descendant that we can trace back to; and I will say Western Civilization has descended from the Greeks, the Age of Reason, the age where the Greeks sat around and analyzed and set up a structure that let them rationalize their way through and establish science, the beginning of the rationalization that has allowed us to develop technology. And the Greeks took great pride in their ability to reason. And there were philosophies and we can name many of them.

Go back and look at these readings. They did not know a lot about science and technology then, but they established the theorem principles that have carried us through to this day, Mr. Speaker. And that Age of Reason that became the culture in Greece back in those years, 2,000 to 3,000 years ago, found its way into Western Europe in later years and established the Age of Enlightenment. The Age of Enlightenment, I have to say, centered in France. I will give the French the credit for that.

And as the Age of Enlightenment developed, we saw the technology come. We saw some of the mass production come. We saw that, as that technology and that science took a step forward, took another step forward, Western Civilization had successfully manifested itself in the Age of Enlightenment in France just in time to be transported across the Atlantic Ocean and be established here in the United States of America where it found the most fertile ground it could have imagined because here we were in the United States establishing a free country, a free country unfettered by taxes, by regulation, by restrictions, by managed economies, by managed societies, where we let people go out and invest capital and the sweat off their brow and their labor and to grow technology at the same time and energize this manifest destiny and settle this continent in record time, lightning speed, fertile ground here in the United States for Western Civilization to establish itself.

And, yes, we descended from Europe, but we are different than Europe. The difference is many of the people in this country came here to get away from the restrictions and the oppression that was there, both religious and otherwise. The royalty structure that was there kept people from really being free. The property right structure there kept people from owning and keeping property and passing it along to the next generation, they did not have the freedom that we have.

One of the examples that would be, and I am speaking in of all the Europe, Holland today is probably the most liberal country in the world. They have euthanasia. They have abortion. They have legalized drugs, legalized prostitution. And they have their troubles too with a lot of Muslim immigrants that are there.

But it is a whole different politic than the Dutch areas that I represent in northwest Iowa, where they are very conservative. They would not think of ending someone's life at the end of life. They believe in life being sacred from conception to natural death. Life is sacred from the instant of conception until natural death. They have a maximum number of churches, a minimum number of bars. They do not believe in illegal drugs. Those things that I have said that are all legal and open and open and part and parcel of the culture and civilization of Holland did not get transferred here to the United States because they left there to get away from some of those things. They knew what they wanted to get away from. They knew what they wanted to establish.

That is just an example of the many people who came over here for religious freedom. They brought their standards with them. And the strength that we have in this Nation, Mr. Speaker, is a strength of a three-legged stool built here in this Western Civilization that we have.

And I will argue this: that the strength comes from Judeo-Christian values, free enterprise capitalism, and Western Civilization. Science and technology and the Age of Reason and the Age of Enlightenment and all of its descendants came over here where we had all of these natural resources and this unfettered free enterprise capitalism to join with this Age of Enlightenment and blossom this economy that was here and established more patents than any country had ever created, more creativity, more freedom, more opportunity, more economic growth. And all of that would have created an imperialistic Nation that would not have just been manifest destiny out to the Pacific Ocean, but imperialistic to dominate the rest of the world.

What kept us from doing that, Mr. Speaker? Our Judeo-Christian moral values put the brakes on that kind of a robust desire to occupy or command or own the world. We recognize our responsibility for freedom. We recognize our freedom comes from God. We have a morality and a responsibility to restrain ourselves because of the Judeo-Christian foundation that is the culture of this country. No matter how one tries to secularize America, we have a Judeo-Christian foundation that is part of everything that we do. And that has been the restraint, the brakes that have held us back, that has caused us to try to project and promote our way of life to the rest of the world without imposing it on the rest of the world.

Which brings me back, Mr. Speaker, to Iraq, Iraq where we have lost more than 2,000 Americans. 300 to 400 of them were not combat deaths, but they gave their lives for freedom and liberty just the same. And I have held some of those widows and looked them in the eye and prayed with them, the mothers, the fathers. It is hard, but they are some of the most patriotic people that I have met. And some of the most meaningful times I have ever had as a Member of this United States Congress have been standing in that living room, understanding and to some extent trying to take some of the pain away from a family.

Mr. Speaker, Iraq is a country that is a cell. It is a place where, yes, there was al Qaeda; yes, Saddam did send agents around the world; yes, he did provide sanctuary for the first planner and strategist for the first attack on the Twin Towers; yes, he did send one of his security operatives, who was a colonel in the Iraqi military security, over to Malaysia. He was there. He was in the meeting that planned the second attack on the Twin Towers.

Not only that, but there were al Qaeda training camps in Iraq. And whether or not there were massive quantities of weapons of mass destruction in Iraq, the President could not take that chance. We cannot take the chance of having hundreds of thousands of people there and an ability to fund this kind of enemy and someone who has continually funded terrorism around the world, give him weapons of mass destruction.

And, by the way, a lot was made of David Kay's report when he came back to this Congress and reported. As I listened to the other side of the aisle, their interpretation was there were no weapons of mass destruction in Iraq; David Kay said so. And I read the report. It is kind of interesting sometimes when we read the actual text of something after we hear the interpretation. What I read in there was David Kay did not find mass quantities of inventory of weapons of mass destruction when he was there. He was not sure what might or might not have happened to them. He could not argue that they never existed. Certainly not. But in his report he did say that Saddam Hussein maintained the ability to reestablish his system to develop weapons of mass destruction and could do so within 2 weeks.

And, by the way, it does not take a lot of bacterial germ agent to produce a lot of problems. And I would argue that if you give me $2 million and put $1 million in one coffee can and $1 million in another coffee can and give me a posthole digger and send me to California with a GPS, I will go out there and bury those two coffee cans someplace in California and then come back out of there, let it rain, if it rains in California, and you go to California and look for those $2 million. There is almost no chance of finding that. And that is about what chance we had of finding some of the weapons of mass destruction. And we are continually digging up different weapons in Iraq that we stumble across. I read an article just the other day.

But I would argue this to the people on that side of the aisle: we know Saddam Hussein had weapons of mass destruction. He used them against Iran. No one argues that. He used them against his own people in Kurdistan

and killed at least 5,000 people there, perhaps more. In fact, I met with the judges in the tribunal, and in a moment we will hear from the gentleman from Texas (Mr. BURGESS). Those three judges talked about, if I have got the number right, and I am going to ask Mr. BURGESS to give us a precise number, but it was over 100,000 Kurds killed and slaughtered by Saddam. I do not know how many were by gas, at least 5,000.

But I would argue this: either Saddam Hussein had significant quantities of weapons of mass destruction, and we know because he used them on Iran and on the Kurds and other places, either he had those quantities or he used up his last can of mustard gas on the Kurds. Is there anybody over here willing to say they believe Saddam Hussein, out of all that inventory that he used against the Iranians and the Kurds, used up his last can of mustard gas and we just lied to America because we knew his warehouse was empty, but nobody else did, not even Bill Clinton, not Al Gore, not the Israelis, not the French, not the United Nations, not the United States, not Great Britain. Everybody's intelligence said the same thing. It was logical. It was rational. And now the ridicule that comes from the other side is an irrational ridicule, Mr. Speaker.

And with that I yield to the gentleman from Texas (Mr. BURGESS), who, by the way, last August joined with me over in Iraq where we saw some extraordinarily interesting things, one who performs so well for the people from Texas.

□ 2230

Mr. BURGESS. Mr. Speaker, I thank the gentleman for organizing this hour, for being here. I know the gentleman has been a little bit under the weather, and I was concerned about his voice holding up for the whole time, but I am so glad he was talking about this issue.

Mr. Speaker, just the other day I pulled out the joint resolution from the 107th Congress. I would point out that the 107th Congress was the term before either the gentleman from Iowa (Mr. KING) or myself was in Congress. This was the joint resolution authorizing the use of force in Iraq. It is really quite an interesting document. It is instructive to read through this document.

To be sure, there is mention of weapons of mass destruction, but there is also a good deal of discussion of Iraq being in breach of its international obligations, failure to follow United Nations resolutions, oppression of their own people, using weapons of mass destruction against his own people and, perhaps very interestingly, the violation of Public Law 105–338 which was passed in a previous President's administration in 1998 where it was a sense of Congress that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime. That was passed in 1998, and we had to wait until 2003 to have a President who had the courage to actually execute that. I am glad we have a President who had that wisdom, because I would not like to think of the world in 25 or 30 years time had we not taken the effort that has been undertaken in Iraq.

The gentleman from Iowa (Mr. KING) is quite right. We were in Iraq in August. It was my fourth trip there. Boy, big steps. Every time I go to that country, it is incredible the amount of work that has been accomplished, hard work in sometimes tough, tough climatic conditions, the weather is hot in the summer, cold in the winter, dusty all year-round, and then of course the constant threat of danger from terrorists and insurgents who live in that country.

But the actual quote that the gentleman was talking about from the judges, I think they were referencing the beginnings of the trial of Chemical Ali, the man who was responsible for the killing of the Kurds in Halabja, and he was accused of killing 180,000 Kurds. Chemical Ali's defense of that was, it was not one bit over 100,000, and I do not know why you continue to lie about it. So perhaps he will get his day in court soon. I hope that is true.

Mr. Speaker, I had been on the Floor earlier tonight talking about the debate that we are going to have on the budget, and I know the gentleman from Iowa (Mr. KING) has referenced some of those points. I do get so frustrated, and the group that was here the hour before us, continuing to vilify the productive sector of our society, the productive segment of our society that provides the tax revenue for us to be able to do all of those free market capitalism things that the gentleman from Iowa referred to, all of those things that we want to do that are good things for people who are less fortunate than ourselves. All of those things are made possible because of the productive segment of society. This angst over the $55 billion that was returned to the most productive segment in society in May of 2003, legislation that I voted for and I believe the gentleman from Iowa (Mr. KING) voted for, this $55 billion they desperately want to have back. But what has that $55 billion that we passed in May of 2003, what has that given us? It has given us 262 billion additional dollars in tax revenue for fiscal year 2005, the fiscal year that just ended on September 30.

So, Mr. Speaker, to get back the benefit of that $55 billion that we reinvested in the American economy, we would have to raise taxes, not that $55 billion, but you would have to double that and double that again to get the same number of dollars back to the Federal Treasury that the tax relief provided in May of 2003.

I think one of the most telling things I have seen in the past several days as we prepare for the debate was a quote from Roll Call from just yesterday. This fall is not the time for Democrats to roll out a positive agenda, said a House Democrat aid. That is some of the most unfortunate language that I have heard since coming to this House a year-and-a-half ago. If the other side is so bereft of ideas, if they are intimidated or frozen by their leadership, if they are afraid to show up for the debate, then that is truly one of the saddest comments on this body and this country.

Because we need their ideas. We need their enthusiasm, we need their participation. I think, Mr. Speaker, hopefully, over the days and weeks to come, we will see more of that. We will see more of a willingness to have and to engage in debate, and not just the talking points that are in the top drawer of your desk. We can have talking points read to us by a commentator on CNN. We do not need people to come down here and read their talking points, we need them to come down here where really it should be the free exchange of ideas. This should be the marketplace of great ideas in this country where they are talked about and debated. So I would welcome the opportunity if the other side would some day wish to do that.

Mr. Speaker, I know the gentleman from Iowa (Mr. KING) has some other very important data that he wants to share with us, and I yield back to the gentleman.

Mr. KING of Iowa. Mr. Speaker, I thank the gentleman from Texas (Mr. BURGESS), a person who has become a good friend, and such a good friend that he is over working at night in his office and he sees me having a little difficulty with my voice and comes over to help me out. That is the kind of camaraderie we have here. We have seen a lot of Iraq together, and we do see it through the same eyes, and I appreciate his 4 trips over there and my 3 trips over there, and each time we are there, the troops appreciate it. But I can tell my colleagues that we appreciate them a great, great deal, and it is an honor to be with them at a time like that.

There are so many pieces of subject matter, Mr. Speaker, that I really intended to talk about tonight, and as I got into the depths of this Iraq issue and this worldwide war we are fighting, militant Islamic extremists, I wanted to make sure that we defined our enemy and defined them accurately.

There are a lot of places on this globe, and they are perhaps 16,000 Madrasas in Pakistan alone, places where they teach a kind of fundamentalism that sets the framework, sets the foundation for them to turn that into an active hatred. France and Great Britain perhaps are higher populations and more concentrations and further along in the growth and development of the kind of societies that reject those who have accepted them. They have rejected assimilation, they do not want to live as French or British. In fact, many of them do not really

want to live as Americans. So I am a great proponent of assimilation. I will not take up that subject.

But I have 2 others that I would like to address here in the next 12 or so minutes that we have here. One of them is I wrote down a list of the things that I heard from the people on the other side of the aisle and I really only got to subject number one. The next one that I heard was energy.

Mr. Speaker, there are many things we can do with energy in this country. We are not getting help from the Democrats. There is a strong segment of I will call them environmentalist extremists. I do not claim to be an environmentalist myself. I am a conservationist. I have spent my life protecting soil and water. I have built more terraces than, I said earlier tonight, than any Member of Congress; waterways, farm ponds, larger reservoirs. You name it, we have protected the water and also protected our soil and sent the rain drops down through the soil profile. I believe in all of that. I am one of the people that has been up to ANWR, and I challenge anybody here in this Congress out of the 435, if you are opposed to going up there and drilling in ANWR and have not been there, to see the environmental success that has been established on the north slope.

We began drilling up there with that entire operation in 1972. You could fly an environmental extremist over the oil fields in the north slope and they could look down from a thousand feet, and they would not know they were over the oil slope oil fields. They would say, where are the derricks? Where are the pump jacks? Where are the oil spills? Where are the pipelines? Where are the roads? Where are the electrical lines? Where are the distribution systems? Where are they burning off the gas here? How come I do not see an oil field below me, when you tell me I am right over the top of it?

The reason is because there are no derricks, there are no pump jacks, there are no electrical lines visible, there are not any collection pipelines visible. All of this is underground. The pumps are all submersible pumps. When you fly over there and look at that, it is simply rock pad for a workover rig. It is perhaps 50 by 100 or 150 feet long of I call it limestone; it is probably not; say 3 feet above that swamp floodplain. There are ice roads to go in there in the wintertime and work on it only. The ice roads melt. There is no impact whatsoever on the environment, except caribou herds now have gone from 7,000 in 1970 to 28,000 head today. So they have done pretty well. We should go up there and drill. God put the oil there. I could not think of a better place. I cannot improve upon that. Where would you have the oil if you cannot have it up there where nobody goes, or we cannot have it up there where nobody goes, where we can do that with almost no impact on the environment, and if we can do so with .04 percent, 4 hundredths of 1 percent of a footprint on that region. Yet, where is our help over here from the other side of the aisle?

Mr. Speaker, 406 trillion cubic feet of natural gas offshore in the United States. There has never been a natural gas spill that has impacted anybody's environment. It is just scientifically and physiologically impossible. The gas dissipates.

By the way, there is natural gas bubbling up out of the ocean all the time. No impact on our environment, 406 trillion cubic feet, many times more gas on the outer continental shelf than there is on the north slope of Alaska. Where is our help over here to lower the highest price of natural gas anywhere in the world? And we pay that price, every American. If you want to help, let us do something proactive. They come to the Floor and every single night, negative, negative. I could not get out of belt if I felt like that. By the way, I do not believe that stuff anyway.

The argument about outing a CIA agent, Mr. Speaker. I listened carefully twice through to the special prosecutor's presentation that did bring out the indictment of Scooter Libby. He did not make any allegations that there had been any CIA agent outed. It was the purpose of his investigation. He apparently did not discover that, or he would have brought an indictment for that. But if the special prosecutor cannot find it in 2 years, how can the 30–Something Group find it over here? I would like to hear some more details on that. By the way, I read Bob Novak's column too and he argued that it was a common known thing that there was a CIA agent that was married to the gentleman who went to Niger, and I am not talking about Joseph C. Wilson, our Member of Congress who is Joe Wilson from South Carolina, we call him the good Joe. But the Joseph C. Wilson that went via the CIA to Niger to look and see if Iraq was out there seeking to purchase yellow cake uranium, came back with a report that apparently conflicts his public testimony.

By the way, if you are a CIA agent and you are being paid to go to Africa and investigate as to whether Saddam Hussein is trying to purchase uranium so that he can develop nuclear weapons, weapons of mass destruction, I might add, would that not be a classified report, or is that individual going to come back here and give a report that says, well, yes, there were some people negotiating to do business with Niger, but no, I do not think they are trying to buy uranium. I do not know what else he would buy there, and neither did he. But he makes that report, that when he disagrees with his own report, he makes that public? Why kind of an agent of the CIA would do that, and why are we not challenging that in this country? Why are we not going to wait until there is a trial and find out what really happened under those circumstances, Mr. Speaker. So it saddens my heart that these conclusions can be leaped to from the same people who would say that the impeached President was innocent until proven guilty. Talk about a culture of corruption. No, I do not believe it exists, Mr. Speaker.

Mr. Speaker, looking at this clock, I want to bring up one more piece of subject matter here and it is of significant importance, especially to the Midwest, but all over this country, and that is the issue of methamphetamines.

I want to point out on this chart, this is the Iowa experience. Mr. Speaker, we have some of the worst meth abuse in Iowa than of anyplace in the country. We have busted quite a lot of method labs. There are only a couple of States that can compete with us in the number of meth abuse labs that there are. We recognize that it takes some things to make methamphetamines, the worst illegal drug this country has ever seen. It takes pseudoephedrine, ephedrine, or a product called PPA. Those things are all available in the midwest. We have more experience with it than anybody else, Mr. Speaker. So we began addressing this.

When I was in the Iowa Senate about 5 years ago, we did some things to take some of that off the shelf. We did not do enough. So in our first try, we found out that these people are creative and they will find a way around you. So they wrote some new legislation. I was not involved in that. But I want to commend the Iowa legislature and the governor for signing legislation into law that was enacted on the first day of June 2005.

This red line on this chart, Mr. Speaker, here are the meth labs that were busted from the previous year, this year, for the same period of time, 2004–2005, meth labs running per month: 229, 185, 122, 127, 213, 146. A law was passed right here, kind of at the peak of the meth labs being busted. March is a big month. And they began, the retailers began pulling the precursors off the shelf by April. By May, by the end of May, we had seen a dramatic reduction in the number of meth labs that were busted by our, I will say, very efficient drug enforcement people in Iowa.

□ 2245

And that May number went down from 42 in May to 29 in June, to 25 labs only in July, to 12 in August, to 12 in September, to 10 in October, and then this is up until October 28. That is an 80 percent reduction in meth labs because we took the precursors off the shelf, except we made sure that moms that had kids that get sick in the night could go down to the convenience store or the grocery store and pick up enough pseudoephedrine to get those kids through the next day.

And this is what you can buy in Iowa off the shelf today legally. This product right here, Mr. Speaker, is 360 milligrams active ingredient of pseudoephedrine in this product that is by one of our grocery stores, a good old

home-grown Iowa chain grocery store. They private-label package this in a 360-milligram package because that is the amount that you can purchase for a single day in Iowa. And you can go out and do that the next day and the next day and the next day in Iowa, or you can go into the pharmacy, in either case, in a monthly supply you can purchase 7,500 milligrams. But in 1 day what I have on display back here, Mr. Speaker, is what I bought in a single day, and all but this from a pharmacy in Cherokee, Iowa.

Mr. Speaker, this represents the pseudoephedrine that you can purchase at one stop, all of these behind me that you can purchase in one stop in Iowa. And that is plenty enough to take care of a family for a good long time.

We have passed some legislation out of the Judiciary Committee today. Instead of limiting it to 360 milligrams a day, it limits it to 3.6 grams or 3,600 milligrams a day. We have a 7,500 milligram per month purchase that we can do in Iowa, but that quantity needs to be purchased from a pharmacist who will watch that volume. The law that passed, the language that passed out of the Judiciary Committee today, that 3.6 grams a day will allow a meth cook to go and make 19 stops around through retail establishments. Now, they sign up each place. They give their ID at each place, but there is not a way to track one retail place to another. So they will go from place to place. They will do 19 stops. They will pick up perhaps 70 grams of pseudoephedrine, go home and make an ounce of methamphetamine and they can get that all done all before noon.

And that ounce of methamphetamine will last one addict 90 days, or their 1-day supply, and then they go sell the 89-day supply, go back again in the afternoon and produce another 90 days' worth of methamphetamine under law that came out of the Judiciary Committee today.

We can do better. I have introduced the Meth Lab Eradication Act. These are the conditions that are part of it. We have set it to comply with Federal law. Schedule 5 drug, penalties are associated with the Schedule 5. This was so easy to adapt to in Iowa with regard to the retailers, the pharmacists and the consumers that the adjustment, according to the author, of this bill was simply pathetically easy. We need to do that in this Congress so we can eradicate meth labs in America.

Mr. Speaker, I promised earlier tonight that I would solve all the world's problems in 60 minutes. And you know, in fact, it is possible, but I did not solve them all tonight. So I am going to pledge to come back and keep working on the world's problems in an optimistic, solution-oriented way. And I appreciate the opportunity to address this Congress.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4241, DEFICIT REDUCTION ACT OF 2005

Mr. PUTNAM (during Special Order of Mr. KING of Iowa), from the Committee on Rules, submitted a privileged report (Rept. No. 109–281) on the resolution (H. Res. 542) providing for consideration of the bill (H.R. 4241) to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006, which was referred to the House Calendar and ordered to be printed.

OUTING OF CIA AGENTS

The SPEAKER pro tempore (Mr. FORTENBERRY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. RYAN) is recognized for 60 minutes.

Mr. RYAN of Ohio. Mr. Speaker, we appreciate the opportunity for the 30-something Working Group to be back in action, and our friend from Iowa has not solved all the world's problems tonight. We will take it from here. We are ready, willing, and able to take the country in a new direction. A couple of the issues that the other side has addressed, one is the meth labs. I had a meeting recently with some sheriff deputies in Trumbull County, Ohio, from Geauga County, Ohio, and Ashtabula, Ohio, who were saying that they were unable to confiscate the methamphetamine labs because the drug program, the Federal drug task force program has been cut. So maybe we can work together in a bipartisan way to try to increase the funding for that, and you will be supportive, I am sure, so that we can make sure we crack down on these methamphetamine labs. This is something that we want to do.

Also, Mr. Speaker, the other side brought up the fact that a CIA agent was outed, and there was some disagreement. The prosecutor here, Mr. Fitzgerald, said that the reason Scooter Libby was not charged with outing a CIA agent is because he lied so much to the grand jury that he could not prove it. And he used the example, he said that I am like the umpire. I am the Federal prosecutor. I am the umpire. And as I was trying to make a decision here of whether or not he outed the CIA agent, Scooter Libby threw sand in my eyes. So I was not able to get to the point where I could actually charge him with outing a CIA agent because he threw sand in my eyes.

So he charged him with two counts of making false statements to a Federal agent, two counts of perjury to a grand jury, and one count of obstruction of justice. And how the other side could somehow say that that is all right, that is okay, I cannot believe that they would just charge him with that. You just lied to a grand jury? That was all you did? Okay. Well, that is all right. You did not out a CIA agent, or at least we could not prove it. And before we get going here, there are some CIA agents, former covert operatives that I think would disagree.

Mr. MEEK of Florida. Those are third-party validators that were actually CIA agents. Am I correct, sir?

Mr. RYAN of Ohio. That is absolutely right. Here is one CIA agent, Jim Marcinkowski. This was on ''60 Minutes.'' He says exposing Brewster-Jennings, let me give a little background here. When Joe Wilson's wife was outed, when it became public, the world all of a sudden knew that everyone she was associated with and affiliated with was a part of the CIA in some way, shape or form, and so they also outed Brewster-Jennings, which was a front company, CIA front company in Boston, not to mention the 20 years' worth of contacts that also got outed.

But here is a quote from Jim Marcinkowski on ''60 Minutes,'' a former covert CIA agent. He said exposing the Boston firm Brewster-Jennings could lead foreign intelligence agencies to other spies. There is a possibility that there were other agents that would use the same kind of a cover so they may have been using Brewster-Jennings just like her. Another one from The Washington Post, a small Boston company, listed as Valerie Plame's employer, suddenly was shown to be a bogus CIA front and her alma mater in Belgium discovered it was a favored haunt of an American spy.

By Karl Rove and Scooter Libby and the executive branch outing Joe Wilson's wife, they put a lot of people in jeopardy, and they hurt our intelligence capabilities all over the world because now people who have dealt with Americans who went to the University of Belgium or who had dealings with Brewster-Jennings are now being looked upon as suspect.

Not only that, the word now is that the spouses of American ambassadors are being looked at suspiciously because now people think just because Valerie Plame was the spouse of an American ambassador and she was a CIA agent that every other spouse of an ambassador all over the world may be a CIA agent. This has ramifications, Mr. Speaker, that we do not even realize yet. And that has done nothing but weaken the country.

Now, here is the ultimate third-party validator on why the corruption going on in the White House right now must stop, because it is hurting our ability to fight the war on terrorism. They are weakening our ability to fight this war. This is Melissa, who was a 14-year covert CIA operative, and she was asked a question on ''60 Minutes.'' She says because we are talking about lives, and we are talking about capabilities, we do our work. We risk our own lives. We risk the lives of our agents in order to protect our country. And when something like this happens, it cuts to the very core of what we do. We are not being undermined by the

North Koreans. We are not being undermined by the Russians. We are being undermined by officials in our own government. That I find galling.

Mr. Speaker, to come to the floor, for our Republican friends to come to this floor and to somehow defend this is crazy.

Ms. WASSERMAN SCHULTZ. Will the gentleman yield?

Mr. RYAN of Ohio. It is outrageous. I would be happy to yield.

MS. WASSERMAN SCHULTZ. Because, you know, I think most people would understand why a CIA agent, a fellow CIA agent, would be outraged at the conduct coming from the Vice President's chief of staff, that he would do anything that would potentially put their lives or the lives of their colleagues in jeopardy. So some people might say, well, of course that would upset other CIA agents, and of course they would think that that was a problem. But in the spirit of continuing our desire to demonstrate that this is not just our opinion, and that we have some other third-party validators who agree, let us look at what Ed Gillespie, who is the chairman of the Republican National Committee, said.

He was speaking to Chris Matthews on ''Hardball,'' and Chris Matthews asked him what he thought of it. And his comment to Chris Matthews then was that I think if the allegation is true, to reveal the identity of an undercover CIA operative is abhorrent, and it should be a crime and it is a crime. And then Chris Matthews went on to ask Chairman Gillespie, he said, it would be worse than Watergate, would it not? And Gillespie's response was, Yeah, I suppose in terms of the real world implications of it, it is not just politics.

I mean, if that is not the ultimate third-party validator saying that it is abhorrent and it should be a crime and it is a crime to reveal the identity of an undercover CIA operative. Now, let us just make sure we say that Mr. Libby has only been accused of conduct related to that likelihood, not convicted of that. So, you know, of course we want to remember that this is a democracy and in our democracy you are innocent until proven guilty. However, it is really deeply disturbing that this is the first time in 130 years, 130 years, that we have had a White House official indicted on anything, never mind betrayal of this country's deepest secrets. And we have a long list of people who have commented on that possibility. We also have in the White House, still, I mean, Scooter Libby has left. Scooter Libby has now resigned from the White House. But you still have Karl Rove there in the White House as the right hand of the President with full, the highest level of security clearance.

Mr. RYAN of Ohio. Deputy chief of staff.

Ms. WASSERMAN SCHULTZ. Deputy chief of staff.

Mr. RYAN of Ohio. He is the deputy chief of staff in the White House, in the West Wing.

Ms. WASSERMAN SCHULTZ. He has multiple titles, actually. I know that he has more than just that one title. And the President has not dismissed him or asked him to step aside.

Mr. RYAN of Ohio. Why is that? Can I ask, can we have a discussion here, a serious discussion, you know, at 11 o'clock at night? Why would the President not fire him?

Ms. WASSERMAN SCHULTZ. You know, let us just give them the benefit of doubt. Let us say we did not think the President should fire him. We do, but let us say, why has the President not suspended him at least until he called upon even the White House council to do an internal investigation? They are really good at copping to internal investigations and not allowing independent investigations of wrongdoing or potential wrongdoing. But he has not even suggested that his duties should be suspended so that you can clear the cloud away.

□ 2300

Mr. RYAN of Ohio. Maybe we should clear up exactly what happened here. In the indictment on or around June 12 or 13, Karl Rove told ''Scooter'' Libby about Joe Wilson's wife. On or about June 12 Karl Rove told Libby about Joe Wilson's wife and that Bob Novak was going to probably write an article about it. So Rove was tipping off Libby that this article was going to be in the paper and we need to deal with this somehow. That was in June.

On September 14, Karl Rove tells ABC News that he does not even know who Joe Wilson is or his wife or anything else. And then 2 years later, I think it may have been last summer, he reiterates the fact.

Okay, so we have Karl Rove telling Libby one thing about Valerie Plame and then telling the American people a few months later he does not know anything about it. That is why Karl Rove is no longer fit to serve the American public because he did not lie to ABC News. He did not lie to CNN. Karl Rove lied to the American people. Period. Dot. End of story. And he tried to revise, he tried to recant but he just cannot do it. This is the fact.

The indictment says he lied to the American people. He needs to be fired. I mean, no one here would accept that from their staff.

Mr. MEEK of Florida. If I can, can I just be the majority right now?

Mr. RYAN of Ohio. I would love for the gentleman to be the majority right now.

Mr. MEEK of Florida. Can I role play for a minute for the Republican majority?

What they are doing in response here in this House to what the gentleman has just pointed out that is public record, third-party validator, using the very words of these individuals. This is what the majority is doing.

We read it in the paper. We are hearing it on the news. People all over the world are talking about these allegations. The indictment has quotes of individuals where they contradict one another as it relates to the outing of a CIA agent, but they are my friends. And even though they are not from my district and they did not vote for me, I have their back.

Whatever the Democrats say and whatever they may write, or the ranking member of said committee of oversight that wants to review national security clearances for these individuals, I will do nothing to help in that environment to be able to bring about protection of national security clearance credentials for individuals that are questioned in these allegations. Not only will I not talk about it, I will not even have a hearing on it. As a matter of fact, I will not even allow a hearing on it.

We would come to the floor and we would say, it is just the Democrats once again being negative, not being productive. All they can do is talk about things that are not of any consequence to national security.

Now, that is what they are doing. That is what they are doing. If you ask the majority about oversight, you heard in the last hour we had a couple of hours ago, I read the record under the Clinton administration, 1,089 subpoenas of the Clinton administration for far less, for far less.

Mr. RYAN of Ohio. How many under this administration?

Mr. MEEK of Florida. At that particular time only 11 subpoenas for Republicans. Under this administration, we are still getting that information. Far less. The Republican-controlled Congress, thousands upon thousands of hours of staff interviews of Clinton administration officials.

Mr. RYAN of Ohio. $40-some million.

Mr. MEEK of Florida. Millions of dollars of taxpayer dollars, and we have the outing of a CIA agent. We have an indictment for the first time in years.

Ms. WASSERMAN SCHULTZ. One hundred thirty years.

Mr. MEEK of Florida. One hundred thirty years of a White House Chief of Staff of the Vice President of these United States indicted. We have an Official A that we now know as the Senior Chief of Staff or Assistant Chief of Staff to the President of these United States, and not a mumbling word. Not one floor speech. Not one letter. Not one hearing in the people's House.

Ms. WASSERMAN SCHULTZ. No outrage, no floor speeches, no 1-minutes, no 5-minutes.

Mr. MEEK of Florida. No message meeting from the Republican Conference about we need to make sure that we stand up to our constitutional responsibilities.

So when we talk about a culture of corruption and cronyism and incompetence, that is not what we are saying. That is what the American people are thinking and what they know. That

is the reason why this Congress has between a 35 percent approval rating to 31 percent approval rating. It is not our doing. It is the doing of the majority that are not doing their job.

Mr. RYAN of Ohio. Almost 60 percent of the American people believe that Karl Rove needs to resign, 60 percent. This is not me or my colleagues or the gentleman from Massachusetts (Mr. DELAHUNT), who failed a little bit on us tonight. We tried to squeeze him into the 30-something Group. We tried to help him out, then he faded on us, got a little sleepy, started yawning. We had to dismiss him.

But here it is. There is a poll. This is a Washington Post poll in November of 2004. Fifty-nine percent of people in this country believe Karl Rove needs to resign.

Ms. WASSERMAN SCHULTZ. Does the gentleman remember when we were growing up, it seemed like any time you turned on C–SPAN or there was a shot of the Congress doing something, when we were kids, it was a shot of the Congress in a hearing, the Iran Contra hearings or some kind of investigatory hearing that would immediately be called. The ink on the accusation would not be dry before congressional hearings were called to investigate.

Am I missing something? Maybe I am not in the loop.

Mr. RYAN of Ohio. Article 1, section 1 of the United States Constitution creates this Chamber right here, the people's House. And we have oversight of everything else that happens in the government, over the executive, over all the agencies, the Cabinet, departments and everything else. This is the people's House.

And as my friend from Florida likes to say, you cannot get appointed to this House. You have to run if I pass out here and I die.

Mr. MEEK of Florida. We do not want that.

Mr. RYAN of Ohio. I do not want that either. I am not ready. But if I pass out here and I die, the Governor in Ohio will call a special election and people will run for my seat and have to get elected here. That is the bottom line. This is the people's House. We directly represent the people in our district. And we have the ability in this Chamber to oversee every other aspect of the government.

But our Republican friends refuse to investigate the CIA leak. They refuse to have an independent or create an independent investigation. This has become so political here that we cannot get straight answers on how to fix the way our government runs.

Mr. MEEK of Florida. Let me just, like we say, put the cookie on the bottom shelf here.

Veterans Day is Friday. I am just thinking about this. Folks have put statements in the RECORD. Our veterans, we love them, tear drops on the paper while they are writing it. And here we are living in an environment now in the 109th Congress, Republican-controlled Congress, where it has been proven, literally put on paper to be judged in a court of law that officials in the White House several years ago, someone finally came forth and told the truth or said that someone lied. And they have the power to call these White House officials in a public hearing to talk about what happened. They have the power to do that, but they choose not to.

Now, just like I have this mike here and this podium, there will be some Members of Congress that will be asked to speak at a Veterans Day event and they are going to talk about the war on terror. And they are going to talk about winning the hearts and minds of Iraqis and other groups that are out there. And they are going to talk about the troops and their commitment. But I tell you one thing that they will not talk about. They will not talk about the fact that we know what is going on.

We are not going to call these people before Congress and ask questions like we are supposed to when CIA agents are outed, when national security is jeopardized. We are not going to, when there is almost close to prima facie evidence that it jeopardized national security as it relates to a person's job, who was to find out and seek out those countries that have weapons of mass destruction for the reason that we went to war in the first place.

I am just in the middle of what they are doing or not doing.

By the way, I want to let you know that I have voted to make sure that you veterans of wars that allow me to go into a free House in the Congress to represent you, that I have voted to increase your copayments. I voted to make sure that the Committee on Veterans' Affairs over the next 5 years makes $798 million in cuts that very well will result in two things: one, making sure that you pay higher fees when you go to the Veterans Affairs Department for a death benefit, or make sure that you wait longer to see a specialist in the Veterans' Department and clinics and hospitals.

That will not be said. That will not be shared with those veterans. But I guarantee you, as we sit here, letter after letter after letter from these groups that are saying that they are against what this Republican majority is doing. So when we see what is public knowledge here in the United States and throughout the world, that it is okay as long as it is the Republican White House and the Republican Congress that is condoning it to happen.

In the Senate, in the Senate I am so glad that the Democratic leadership used Rule 21 to call them into a closed session, to force the Republican majority to come with Democrats and Republicans, three on each side, to finish looking into the allegations of false information given to the Congress when it was time to go to war.

So when we start talking about the budget and we start talking about corruption and cronyism, it is happening in the moment. And I am so glad that I am a part of a party and have leadership that is willing to stand up on behalf of the American people.

Guess what? There are some of my Republican friends, because I talked to them, and when I say they are my friends, they are my friends. They wake up and put their pants on one leg at a time or grab their purse or what have you; and they are good people. But it is the leadership. That is the reason why the votes are extended.

I have here, right here in my hand, it is called The House Rules and Manual of the 109th Congress. In this manual, I must add that it says, under rule 20, Mr. Speaker, and it is number 2 here, it talks about the fact that the maximum time for a recorded vote or quorum call by electronic device shall be 15 minutes.

□ 2315

Now, as I stand here as Carrie Meek's son, my mother, I guarantee you tomorrow when this vote comes up that the spirit of that rule will not prevail. We will be here for some time because they have to convince some of our friends in the majority to vote for the rule.

We can talk about that a little bit because I think we need to share that with the Members, Mr. Speaker, of what the Rules Committee did tonight. I think we need to talk about that since it was in a dark room on the third floor. We are on the second floor now. It was on the third floor of this very building.

Ms. WASSERMAN SCHULTZ. While you are on the rule, about an hour ago, the Rules Committee reported a rule which are the directions that are given to the House for legislation that we consider each day. The Rules Committee gives us the parameters under which we can operate and act on each bill.

So, the rule for tomorrow that has come out on a party-line vote for this budget reconciliation bill tomorrow, is called a closed rule. You may be asking, well, what is a closed rule, what does that mean? A lot of the terms we use in Washington are cryptic.

A closed rule means that no one can offer any amendments to this bill. We will have, using the term that people have heard so often, an up-or-down vote on this budget reconciliation bill.

A short time ago, I recall that one of the distinguished members of the Rules Committee was discussing with us how open the process is and how much input we as Democrats in the minority party have had in the process and how many amendments we have been able to get in and have considered.

This document, this bill, that we are considering tomorrow is perhaps the most important piece of legislation which will have the most far-reaching impact of almost anything that we are going to consider in this Congress: $844 million in food stamps, eliminating 300,000 people off of food stamp rolls,

cutting child care, $17.5 billion in financial assistance to college students. The list goes on and on, and the Republican leadership, because we have got to call it like it is, created a closed rule so that we cannot offer any changes to that bill tomorrow, none. That is the democracy.

Mr. RYAN of Ohio. One of the things, among others, what we would try to do, as we try to reconcile the budget, is not give $70 billion in tax cuts that go primarily to the people who make more than half a million dollars a year.

The whole idea of this whole thing was to somehow find in the budget $50 billion to pay for Katrina, and instead, they found the $50 billion to pay for Katrina supposedly, but they also gave $70 billion in tax cuts, which means their deficit, this is what is great about Washington, their deficit reduction package actually increases the deficit by $20 billion because they just cannot resist giving people who make more than $500,000 i.e., their campaign contributors, a tax cut.

Ms. WASSERMAN SCHULTZ. Could I ask a question?

Mr. RYAN of Ohio. Sure.

Ms. WASSERMAN SCHULTZ. I think it is always helpful for us to provide information to people who do not really know much about this process here. It is kind of arcane. Maybe you could help describe for people who are wondering about the process, we have to name each piece of legislation, so that it is descriptive for the membership.

Mr. RYAN of Ohio. Supposed to be. The words at the top are supposed to identify what is happening.

Ms. WASSERMAN SCHULTZ. Ideally, it is actually supposed to define what we are doing.

Mr. RYAN of Ohio. You would think a deficit reduction bill would reduce the deficit.

Ms. WASSERMAN SCHULTZ. Yes, of course. The name of this legislation is the Deficit Reduction Act of 2005. I am a freshman and I do not know the rules in that book as well as the two of you or as well as some of my senior colleagues. So I wonder if there is anything in the book, the rules book, that says you cannot be inaccurate or misleading.

Mr. RYAN of Ohio. Let us be a little more specific. Maybe the 30 Something Working Group will offer an amendment to the House rules to say that a bill specifically called the Deficit Reduction Act.

Ms. WASSERMAN SCHULTZ. Actually has to reduce the deficit.

Mr. RYAN of Ohio. Yeah.

Ms. WASSERMAN SCHULTZ. Why would you want to do that?

Mr. RYAN of Ohio. Let us try.

Mr. MEEK of Florida. All right. Here is a perfect example of what we call the Potomac 2–Step. You have just outlined a perfect example. Some may say hoodwink. Others may say bamboozle. But here in Washington we call it Potomac 2–Step. It is a dance where, hey, I am going this way, you go that way, you swing your arms.

Mr. RYAN of Ohio. They call it the bootleg: fake left, go around the other side.

Mr. MEEK of Florida. Let me just tell you what they are doing.

Presently, they would say it is reducing the deficit, but what they are not saying within another 2 weeks, we are going to give people that make over half a million dollars a year the biggest tax cut they have ever seen. One Member described it on that side as we are going to help the productive people here in the United States; we are going to help the productive people. So I guess that means, American worker, if you make between $34,000 and $54,000 and you get an $840 tax cut, you are not necessarily in that group of the half a million folks.

I want you to go further on that chart, but just before we get too far away from what the Rules Committee did tonight on a party-line vote, you hear Members come to the floor and other Members say, oh, well, we are for fairness; we do not know why the Democrats will not offer their alternatives; they have nothing but complaints; it is almost un-American.

I am going to tell you what is un-American, Mr. Speaker, and I am going to tell you what is limiting the voice of the Democratic side over here.

The rule that was passed from the Rules Committee just moments ago in darkness, there was not a television camera in that room. When we start talking about the back halls of Congress, it is our job here in the 30 Something Working Group, good or bad, we are supposed to expose what happens in the back halls of Congress.

Let me just read this. This is not something that I printed. This is what the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) just pointed out on H.R. 4241, what they call the Deficit Reduction Act of 2005, even though it is increasing the deficit by $20 billion and change. I did not put these in order.

Number 1, closed rule. Closed rule means that we cannot even offer an amendment to this Act when it comes to the floor, democrat or Republican. Let me just keeping going here. This gets interesting.

Two, provides 2 hours of debate in the House, equally divided and controlled by the chairman and ranking member of the Committee on the Budget. That is where the Republican side gets two hours to talk about how good it is, the Democrats get 2 hours to talk about why we cannot offer anything to this budget, why are we cutting veteran benefits, why we are increasing student loan costs to students for our next generation of workers in this country, why can we not have more female engineers in this country, why are we putting what I call tax, they call fee, why are we putting additional tax on American families to educate their children.

Three, waive all points of order against consideration of the bill. Well, goodness gracious.

Ms. WASSERMAN SCHULTZ. What does that mean?

Mr. MEEK of Florida. That means if you have a point of order to the Speaker, that is waived, you are out of order. What do you mean point of order? If something was found in the rule book tomorrow that violates the rules of this House and I want to make a point of order, you cannot make it because it has been waived by the Rules Committee.

Number 4, provides that all amendments printed in the Rules Committee report accompanying the resolution shall be considered as adopted.

Ms. WASSERMAN SCHULTZ. Without a vote?

Mr. MEEK of Florida. Without a vote. Should be considered as adopted. That means it is already adopted. What are they meeting for? What is the 2 hours on both side? Why debate it? We did it because we are in the majority, and guess what, we have the power to do that. They are setting the rules. They think they are muzzling the Democratic side. They are muzzling the people that sent us up here to represent them. That is what they are doing. That is the reason why this stuff happens at night here.

Number 5, this is not my order, Mr. Speaker. This is from the Rules Committee. Waive all points of order against provisions in the bill as amended. They have already, in their opinion, adopted this bill. When I say ''they,'' I am talking about the Republican majority. When we talk about power, when we talk about an abuse of power, Mr. Speaker, that is what we are talking about.

I want to say it again, just in case someone missed it. This is not what we are doing, Mr. Speaker. This is what the Republican majority is doing on the Rules Committee.

Number 6, provides one motion to recommit, with or without instructions.

Ms. WASSERMAN SCHULTZ. Now, is that an opportunity for us to amend the bill or change it?

Mr. MEEK of Florida. No.

Ms. WASSERMAN SCHULTZ. What does that let us do?

Mr. MEEK of Florida. That is just an attempt by the individuals that have problems with this bill to recommit it back to committee. I mean, this is not something to change or improve or someone comes to the floor and say, you know, if you just did not do what you are doing to free and reduced lunch for children, poor children in my community, I just cannot vote for this because I just cannot close a clinic which is only open in my rural area once every 2 weeks and now this may very well close it; all these billions of dollars in cuts to the veterans assistance and health care and death benefit, I just cannot vote for it in good conscience. So that means that that cannot even happen.

Ms. WASSERMAN SCHULTZ. Can I ask you another question on that point. In the time that you have been

here, which is 3 years now, has a motion to recommit ever passed out of the House of Representatives since you have been here?

Mr. MEEK of Florida. No, no. It does not happen.

Ms. WASSERMAN SCHULTZ. So they never send a bill back to committee even if something may be wrong with it?

Mr. MEEK of Florida. No.

Number 7, provides that notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker. Now, that is the out in number 7, and I can tell you, Mr. Speaker, in no way do I want to see the American people go through what the majority wants them to go through if this bill passes hypothetically tomorrow.

That allows the Republican majority to say, oh, the leadership, goodness, we could not get some of our Members to vote against their own constituents that sent them up here; we tried but it just could not happen because it was the wrong thing to do. They thought about it. Some slept on it. Some got calls from their veterans and from faith-based organizations that do what they can do on behalf of those that do not have as much as others; those that were concerned about the effects on the environment that is in this budget; those that cared about children to have an education environment, Mr. Speaker, where you do not have kids on one end that had breakfast, lunch and dinner because their families were able to provide it versus those kids that could have been stricken by natural disaster or a father could have died or under this bill a single mother because we cut child enforcement dollars to help go after deadbeat parents that are not paying for it.

Mr. RYAN of Ohio. Can I say something. What we are trying to do here is move away from a country that says if you are born in the right neighborhood, with the right family, you are going to be fine, and if you are not born in the right neighborhood to the right family, the heck with you. That is what this is all about. I mean, if we have got to boil this down 30-Something-style and lay it out there, that is what it is. You cannot cut Medicaid. You cannot cut food stamps, foster care, child support enforcement, raise the fees on student loans.

□ 2330

What are we doing? This does not make any sense. We are a bit younger, on average, than most Members here, but this makes no sense. I do not know any other way to say it than this is crazy, what we are doing here. This makes no sense, at the same time we are giving half a million people, making half a million more here, huge tax cuts.

Mr. MEEK of Florida. It is not what we are doing, it is what the majority is doing.

Mr. RYAN of Ohio. It is late, and I appreciate my colleague correcting me.

Mr. MEEK of Florida. It is not what we are doing.

Mr. RYAN of Ohio. It is what we are fighting against.

Mr. MEEK of Florida. It is what we are fighting against. And guess what? Those that come to the floor, and I guarantee there will be some come to the floor, and someone will give them a piece of paper, and they will say, Okay, thank you, and they will run up here, grab the mike and they will say, Why do the Democrats not offer something?

Hello? The Rules Committee has spoken. It is done. Period. Dot. Even if someone had a great idea, they cannot do it. And there is a history of this kind of abuse here in the House and muzzling individuals and people with great ideas that want to help this country. But, better yet, the rule.

And this is America. This is not a Third World country. This is not a Communist country. This is America.

Ms. WASSERMAN SCHULTZ. I want to elaborate on what my colleague is saying, because some people might think that this is unusual and that it is a rare occurrence that they would close a bill and not allow us to offer any amendments. This is just my first year, but I wanted to just check on what the Republican leadership's track record is in terms of allowing us the input that they say they so desperately want us to provide.

There have been about 85 bills, as of last Thursday, which was November 3, 85 bills that we have considered on this floor that were amendable. There are lots of bills we consider that are under what is called the suspension calendar, and we vote those up or down. Those are the noncontroversial bills. But 85 bills.

Of the 85 bills that were potentially amendable, 38 of them were given restrictive rules where there were severe limitations on the amendments that were allowed to be offered. Severe. Fifteen of those bills were closed, like the one that we are considering tomorrow, meaning no additional amendments were allowed. No amendments at all were allowed. Plus three additional closed rules that were included in another bill.

Now, there have been, of the 85, 12 open rules, meaning anyone can offer an amendment, but 11 of those were appropriations bills, spending bills, which we always are allowed to offer amendments to.

So what it boils down to, and 10 were conference reports and 10 were procedural. But what that boils down to is that since I was elected and have served in Congress 11 months, we have had one bill, one substantive bill, that had an open rule, one where we could offer any idea we wanted.

Now, my colleague from Florida talked earlier about how we all put our pant legs on one at a time. And I wear pants and sometimes I wear skirts, and sometimes I wear pajamas. I might be bringing those tomorrow because we are not sure how long we are going to be here and how long they are going to hold that vote open until they get their way. But we were also all elected by the same number of people, or we certainly represent the same number of people, the same 633,000 people. But we are not all treated equally in this Chamber, because on our side of the aisle we are not allowed to provide the input that they say they want us to provide.

I actually just want to, if you do not mind, tell a little story, because we should demonstrate what is going on here in this bill tomorrow. Gene Sperling, who was at one time President Clinton's top economic adviser, he compared this budget and the cutting in the budget to cutting only peanut butter. I will share this story with you. Imagine the following:

The father of a financially stretched family decides to live it up. He leases three fully loaded Hummer H1s for the bargain price of $9,750 a month, almost $10,000. As the family's financial situation deteriorates, the father calls the family together for a belt-tightening discussion. He holds up a jar of Whole Foods chunky peanut butter and says, Do you realize we are spending $4.49 on this? We could be saving $2.04 if we bought Skippy Peanut Butter for only $2.45.

His teenage son responds, like, Dad, man, why are you busting on us about two bucks on peanut butter when you are spending like almost $10,000 a month on cars?

Then the father responds, Do not change the subject. We are talking about peanut butter.

Well, that is essentially what the leadership is saying by giving tax cuts to millionaires and the greedy, their cronies, and cutting programs for veterans, children, and the poor who are the needy. They are basically saying, We need to talk about the peanut butter, that is all that matters to us.

In some of the time we have left, we should let people know just exactly what the conscience vote is tomorrow, so that people know when we all go to sleep tonight just who is going to be able to wake up and look at themselves in the mirror and hold their head up high. We are being asked tomorrow to vote to cut $844 million from food stamps. They say there is fraud in the food stamp program and that we need to reduce waste.

Well, I held up this picture earlier tonight, and I will hold it up again, because I think it is very descriptive. There is the picture of the 25,000 people who lined up in Broward County today to apply for food stamps after getting hit by Hurricane Wilma. They started lining up at 3 a.m. They did not line up for emergency funding.

Mr. RYAN of Ohio. Those are new people. Those are not people who were probably on food stamps.

Ms. WASSERMAN SCHULTZ. These are new people. The vast majority of

people in this line were applying for the first time.

Mr. RYAN of Ohio. And there are a lot of other people in the country because the poverty rate has gone so high.

Ms. WASSERMAN SCHULTZ. And this does not come from FEMA money. This is not the emergency funding. This comes right out of the food stamp program.

We have cuts in child care. We have cuts that would prevent us from ensuring that deadbeat dads are pursued. There is a $4.9 billion cut from child support programs. As a result, parents will receive $7.1 billion, as the chart points out, less in child support over 5 years and $21.3 billion less over 10 years.

There is a $577 million cut from foster care. Now, I know there are colleagues of mine on the other side of the aisle who are just bristling at that possibility. They do not want to make it so that families cannot take children in.

Mr. RYAN of Ohio. We are not kidding here either. If you are watching at home, you might think these guys are out there telling a story.

Ms. WASSERMAN SCHULTZ. This is real.

Mr. RYAN of Ohio. This is real stuff. It is why we are up at 11:35 at night talking about it.

Mr. MEEK of Florida. My colleagues, it is not only what we are saying, it is what is in House Resolution 4241. You can go on line, Members that have not taken a look at that, they can look in the morning, read over it, have staff highlight exactly, verbatim, what we are talking about here.

I know the reason why the Rules Committee, Republican majority, closed the rule. I know why they did it. Because on this side of the aisle we will do what we tried to do in the Budget Committee. We will replace the cuts that they made to veterans' services and health care. We will replace that.

And guess what? Under the lights and in this Chamber they would have to go up, take my voting card out, they would have to go up to the machines that we have here and actually take out their voting card and put it in the machine and go on the record, on the board, saying that they are willing to cut child support enforcement.

I wonder what their State attorneys are going to say and district attorneys are going to say when a single parent, nine times out of ten women, that are going to go into the State attorney's office and prosecutor's office and say, he ran out on me; he left me here with these four kids. I have not seen him and he has not given a dime towards child support. Can you help me?

Yes, they will take their information. But you know what they will say? Ma'am, I am sorry, it is going to probably take 3 years because we have a backlog because of our friends in Congress. You need to call your Congressman because they cut the child enforcement money.

But it gets worse, Mr. Speaker. The three of us were members of the State legislatures. Mr. RYAN was in the senate in Ohio, Ms. WASSERMAN SCHULTZ and myself, we were in the senate in Florida and in the house. My colleague from Florida speaks of the fact that she is a freshman here, but her public service goes beyond mine. I have been here 11 years, and I met her when I came into the house because she was already there a term before me.

So what is going to happen when it gets to the State legislatures? What are they going to do, Mr. Speaker? They are going to make a cut, too, to child support enforcement.

Ms. WASSERMAN SCHULTZ. They will not have a choice.

Mr. MEEK of Florida. They will not have a choice because we handed it to them. We gave it to them.

So the Republican majority once again uses this book. And the power that they have on the majority side to close the rule, the power the people gave to them, is to prevent us from saying, Mr. Speaker, I have an amendment at the desk that will replace the cuts that are made to veterans, that will replace the cuts made to child enforcement. Mr. Speaker, I have an amendment at the desk that will make sure that those oil companies that are celebrating historic record profits, that we not only talk about those record profits here in Congress, that we do something about it; and we make sure that those who cannot afford heating oil and LP gas this winter can receive a break on that. They stopped that from happening.

So when you start talking about where are the Democrats, where are their ideas? Well, guess what? We are not going to tell you that last night at 10 p.m., while some of you all were home asleep, we got them good. We shut them down. We put forth a rule that they cannot even introduce their ideas. And you know why they did it? Because they might very well have lost some of their Members, who would have had to take this card out and put it in these machines behind these chairs and vote for their constituents and the American people.

Mr. RYAN of Ohio. The American people did not give the Republican Party the power that they have to use it to suppress good ideas or to suppress other Americans' voices.

So the question may be, as we are talking about the closed rule and all the parliamentary procedures used here to shut down Democrats, many people would be saying, Well, what would you offer?

Well, a couple of things I can think of off the top of my head, one of the amendments we would offer on this floor is to strip the $16 billion that we are giving right now to the oil companies in corporate welfare. We would take that back. The Democrats, Mr. Speaker, would offer an amendment to repeal the $16 billion.

And the Democrats would offer an amendment on this floor tomorrow during the budget debate to pull back the prescription drug Medicare Part D and put in the bill a provision to allow the Secretary of Health and Human Services to negotiate down the drug prices.

We would also put in there that we would allow reimportation to drive the costs down. We would save the American taxpayer, with just those two or three amendments tomorrow, billions and billions and billions of dollars. And probably, over the course of the next few years, we would be able to pay for Katrina and be able to invest in our students through the Pell Grant and the student loan, and be able to make sure that every child has adequate health care.

That is what we would offer. So if you are sitting at home paying attention to this debate, those are a couple of the basic things the Democrats would do.

I yield to my colleague.

Ms. WASSERMAN SCHULTZ. I thank my colleague. And there is good news in all of this sadness. And that is the best word I can apply to this piece of garbage that we are going to consider tomorrow. There is good news, because the voters get it. They know this country should be turned around and moved in a new direction, and they sent a very strong message yesterday.

We had a number of elections across this country yesterday, and in every single one that rose and fell on issues like these, who won? The Democrats won. We will have a Democratic governor of Virginia, we will have a Democratic governor of New Jersey. All eight initiatives in California that would have abused the process, abused democracy, that would have harmed people had they passed in California, which were initiated by Republican Governor Arnold Schwarzenegger, were repudiated by the voters of California. All eight were defeated.

□ 2345

So it is very clear that the American people are rejecting their agenda and want to go in a new direction.

Mr. RYAN of Ohio. We have the new ideas to take the country in a new direction and get away from this corruption and the cronyism of hiring friends to run major organizations like FEMA.

How rotten is the system, how corrupt is a system that the Republican majority will not go to the wealthiest people, will not go to the oil companies or the pharmaceutical companies to pay for Hurricane Katrina or invest in the student aid and those kinds of things because they need the money for their campaign contributions. That is a corrupt system. That is what we want to change.

We want to move away from that and allow this body to once again become the independent body that it should be, that the Founding Fathers wrote up Article I, Section 1 in the Constitution providing the oversight for the executive branch, like the Republican majority has shown they know how to do.

They did not do it for a great reason. They did it to get into the personal life of President Clinton.

But now we have public violations, violations of the public trust through CIA leaks, leaks of CIA prisons, and all of this nonsense that has been going on. Let us restore some integrity back to this place and get rid of the three C's: corruption, cronyism, and the lack of competence.

Mr. MEEK of Florida. Mr. Speaker, I want to read Point No. 4. This paper is still a little warm because they just carried out this act. It states: ''Provide that the amendment printed in the Rules Committee report accompanying the resolution shall be considered as adopted.''

Why come to the floor tomorrow? We cannot offer an amendment.

Mr. RYAN of Ohio. People are going to make career decisions tomorrow.

Mr. MEEK of Florida. Yes, that is the bottom line. Some Member is going to make a career decision tomorrow because somebody told him to vote for something that they did not want to vote for in the first place.

We are going to make the right decisions, decisions on behalf of the American people. May the blocks fall where they may. There is going to be a difference between the Members and the followers in this Chamber. It is important that we let the American people know who is standing for them.

So when Ms. WASSERMAN SCHULTZ talks about when judgment day comes every 2 years, when Democrats, Republicans and the one Independent we have, when people go to make their decision, I want them to think about the fact that they should vote principle over party. Do not go for, in the last minute what we call in some areas of this country, the okie-doke. Hey, I am strong on terror. I am with the trips. We have Members flying to Iraq. Thank you for fighting for our country; but do not talk to me when you become a veteran. I am just fresh off a vote cutting your future benefits. But, hey, I am with you all of the way. But as long as you stay enlisted, we stay with you.

Mr. Speaker, I want to give the Web site out, but I wanted to make that point so people remember what happened this November. They came to the floor and came willing to vote for a budget that was unjust.

Mr. RYAN of Ohio. Mr. Speaker, the Web site is 30SomethingDems@mail.house.gov. Send an e-mail recommendation to the Members of this body tomorrow. And bring your PJ pants. We may be here into the wee hours of the morning. We want to apologize in advance to the veterans organizations we are supposed to be at Friday morning for speaking engagements because we may be here voting on this budget.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. KILPATRICK of Michigan (at the request of Ms. PELOSI) for today until 2:00 p.m.

Mr. CONAWAY (at the request of Mr. BLUNT) for today on account of attending a funeral.

Mr. SWEENEY (at the request of Mr. BLUNT) for today and November 10 on account of personal reasons.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. KIND) to revise and extend their remarks and include extraneous material:)

Mr. EMANUEL, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Mr. HINCHEY, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Mr. MCDERMOTT, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

Mr. KIND, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Ms. WATERS, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. KIRK, for 5 minutes, today.

Mr. JONES of North Carolina, for 5 minutes, today.

Mr. BURGESS, for 5 minutes, today.

Mr. GINGREY, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2490. An act to designate the facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, as the ''Mayor Joseph S. Daddona Memorial Post Office''.

H.R. 3339. An act to designate the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the ''James T. Molloy Post Office Building''.

BILL PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on November 4, 2005, he presented to the President of the United States, for his approval, the following bills.

H.R. 2744. Making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

H.R. 2967. To designate the Federal Building located at 333 Mt. Elliott Street in Detroit, Michigan, as the ''Rosa Parks Federal Building''.

ADJOURNMENT

Mr. RYAN of Ohio. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 50 minutes p.m.), the House adjourned until tomorrow, Thursday, November 10, 2005, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5083. A letter from the Congressional Review Coordinator, APHIS, Department of Agrilculture, transmitting the Department's final rule — Emerald Ash Borer; Quarantined Areas [Docket No. 05-067-1] received November 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

5084. A letter from the Assistant Secretary for Reserve Affairs, Department of Defense, transmitting the Department's report on the differing Army and Air Force policies for taking adverse administrative actions against National Guard officers in a State status and a determination as to whether changes are needed in those policies, pursuant to 32 U.S.C. 104 note Public Law 107-314 section 511(b); to the Committee on Armed Services.

5085. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General William Welser III, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5086. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Philip R. Kensinger, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5087. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Walter E. Buchanan III, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

5088. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General Michael W. Peterson, United States Air Force, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

5089. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Lieutenant General William T. Hobbins, United States Air Force, to wear the insignia of the grade of general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

5090. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Major General Michael D. Maples, United States Army, to wear the insignia of the grade of lieutenant general in accordance with title 10 United States Code, section 777; to the Committee on Armed Services.

5091. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of Rear

Admiral Patrick M. Walsh, United States Navy, to wear the insignia of the grade of vice admiral in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

5092. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting authorization of the enclosed list of officers to wear the insignia of the grade of brigadier general accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

5093. A letter from the Comptroller, Department of Defense, transmitting notification of advance billing for the Defense-Wide Working Capital Fund, pursuant to 10 U.S.C. 2208; to the Committee on Armed Services.

5094. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — List of Communities Eligible for the Sale of Flood Insurance [Docket No. FMA-7780] received October 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5095. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7893] received October 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5096. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket No. FEMA-7577] received October 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5097. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations — received October 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5098. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket No. FEMA-7891] received October 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5099. A letter from the General Counsel, FEMA, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations — received October 19, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

5100. A letter from the Principal Deputy Associate Administrator, Environmental Proection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Virginia; Update to Materials Incorporated by Reference [VA200-5100; FRL-7985-6] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5101. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Colorado; PM10 Designation of Areas for Air Quality Planning Purposes, Lamar [CO-001-0076a; FRL-7983-4] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5102. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Utah; State Implementation Plan Corrections [Docket No. R08-OAR-2005-UT-0002; FRL-7987-9] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5103. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; North Carolina: Approval of Revisions to the Control of Visible Emissions Rule [R04-OAR-2005-NC-0001-200503, FRL-7988-2] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5104. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Tennessee: Nashville Area Second 10-Year Maintenance Plan for the 1-Hour Ozone National Ambient Air Quality Standard [R04-OAR-2005-TN-0006-200519(a); FRL-7990-3] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5105. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Ventura County Air Pollution Control District [R09-OAR-2005-CA-0005; FRL-7986-8] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5106. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Standards and Practices for All Appropriate Inquiries [SFUND-2004-0001; FRL-7989-7] (RIN: 2050-AF04) received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5107. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Delaware; Ambient Air Quality Standard for Ozone and Fine Particulate Matter [R03-OAR-2005-DE-0001; FRL-7992-3] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5108. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Maryland; Repeal of NOx Budget Program COMAR 26.11.27 and 26.11.28 [R03-OAR-2005-MD-0005; FRL-7992-5] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5109. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; State of Utah; Provo Attainment Demonstration of the Carbon Monoxide Standard, Redesignation to Attainment, Designation of Areas for Air Quality Planning Purposes, and Approval of Related Revisions [RME Docket Number R08-OAR-2005-UT-0006; FRL-7992-6] received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5110. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants for Primary Aluminum Reduction Plants [OAR-2002-0031; FRL-7992-8] (RIN: 2060-AK50) received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5111. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the Guideline on Air Quality Models (appendix W to 40 CFR Part 51): Adoption of a preferred general purpose (flat and complex terrain) dispersion model and other revisions [AH-FRL-7990-9] (RIN: 2060-AK60) received November 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5112. A letter from the Secretary, Federal Trade Commission, transmitting the Commission's annual report for FY 2003 and 2004 on the implementation of the National Do Not Call Registry, pursuant to The Do Not Call Implementation Act; to the Committee on Energy and Commerce.

5113. A communication from the President of the United States, transmitting notification that the national emergency with respect to Iran, as declared by Executive Order 12170 on November 14, 1979, is to continue in effect beyond November 14, 2005, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 109–68); to the Committee on International Relations and ordered to be printed.

5114. A letter from the Director, Pentagon Renovation Program, Department of Defense, transmitting the Department's certification that the total cost for the planning, design, construction and installation of equipment for the renovation of wedges 2 through 5 of the Pentagon, cumulatively, will not exceed four times the total cost for the planning, design, construction, and installation of equipment for the renovation of wedge 1, pursuant to 10 U.S.C. 2674; to the Committee on Armed Services.

5115. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5116. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5117. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5118. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5119. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5120. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5121. A letter from the Assistant Director, Executive & Political Personnel, Department of Defense, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5122. A letter from the Secretary, Department of Transportation, transmitting the Department's annual report for FY 2004 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Government Reform.

5123. A letter from the Administrator, Environmental Protection Agency, transmitting the Agency's report entitled ''Annual

Report to Congress on Implementation of Public Law 106-107''; to the Committee on Government Reform.

5124. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the Commission's strategic plan for fiscal years 2006 through 2011, in accordance with Pub. L. 103-62; to the Committee on Government Reform.

5125. A letter from the Director, Office of Management and Budget, transmitting a report entitled ''Statistical Programs of the United States Government: Fiscal Year 2006''; to the Committee on Government Reform.

5126. A letter from the Executive Secretary/Chief of Staff, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5127. A letter from the Executive Secretary/Chief of Staff, U.S. Agency for International Development, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

5128. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Emergency Fishery Closure Due to the Presence of the Toxin That Causes Paralytic Shellfish Poisoning [Docket No. 050613158-5262-03; I.D. 090105A] (RIN: 0648-AT48) received October 31, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5129. A letter from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Provisions for Claiming the Benefit of a Provisional Application with a Non-English Specification and Other Miscellaneous Matters [Docket No.: 2005-P-053] (RIN: 0651-AB65) received October 28, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5130. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Atlantic Intracoastal Waterway, Onslow Beach, North Carolina [CGD05-05-048] (RIN: 1625-AA09) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5131. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; CSX Railroad, Hillsborough River, mile 0.7 Tampa, FL [CGD07-04-148] (RIN: 1625-AA09) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5132. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Security Zone; High Capacity Passenger Vessels in the Seventeenth Coast Guard District [CGD17-05-003] (RIN: 1625-AA87) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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. PUTNAM: Committee on Rules. House Resolution 542. Resolution providing for consideration of the bill (H.R. 4241) to provide for reconciliation pursuant to section 201(a) of the concurrent resolution on the budget for fiscal year 2006 (Rept. 109–281). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BISHOP of Georgia:

H.R. 4261. A bill to provide eligibility for veterans benefits for individuals who served in the United States merchant marine in the Southeast Asia theater of operations during the Vietnam Era; to the Committee on Veterans' Affairs.

By Mr. ENGLISH of Pennsylvania:

H.R. 4262. A bill to provide a standard deduction for business use of a home; to the Committee on Ways and Means.

By Mr. MARKEY (for himself, Mr. EMANUEL, Mr. SANDERS, Mr. NADLER, and Mr. HINCHEY):

H.R. 4263. A bill to amend the Internal Revenue Code of 1986 to impose a temporary windfall profit tax on crude oil, to establish the Consumer Energy Assistance Trust Fund, and to provide for a rebate to energy consumers; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCINTYRE:

H.R. 4264. A bill to amend title 38, United States Code, to improve the outreach activities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. HART:

H.R. 4265. A bill to establish a pilot program to provide grants to encourage eligible institutions of higher education to establish and operate pregnant and parenting student services offices for pregnant students, parenting students, prospective parenting students who are anticipating a birth or adoption, and students who are placing or have placed a child for adoption; to the Committee on Education and the Workforce.

By Mr. PICKERING (for himself, Mr. TAYLOR of Mississippi, Mr. WICKER, Mr. JINDAL, Mr. ALEXANDER, Mr. BONNER, Mr. BOUSTANY, and Mr. MCCRERY):

H.R. 4266. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide temporary emergency assistance for primary residences damaged or destroyed by Hurricanes Katrina and Rita; to the Committee on Transportation and Infrastructure.

By Mr. BEAUPREZ (for himself and Mrs. MUSGRAVE):

H.R. 4267. A bill to provide for the coordination and use of the National Domestic Preparedness Consortium by the Department of Homeland Security, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. DEAL of Georgia (for himself, Mrs. MYRICK, and Mr. PRICE of Georgia):

H.R. 4268. A bill to improve proficiency testing of clinical laboratories; to the Committee on Energy and Commerce.

By Mr. GORDON:

H.R. 4269. A bill to amend title XVIII of the Social Security Act to provide for cost-based reimbursement for ambulance services furnished directly by, or under arrangements with, a critical access hospital; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA:

H.R. 4270. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Avra/Black Wash Reclamation and Riparian Restoration Project; to the Committee on Resources.

By Mr. GRIJALVA:

H.R. 4271. A bill to amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in modifications to the Pima County Wastewater Management Regional Treatment System for Improved Reclaimed Water Production; to the Committee on Resources.

By Mr. FARR (for himself, Mr. ROHRABACHER, Ms. WOOLSEY, Mr. FRANK of Massachusetts, Mr. CONYERS, Mr. HINCHEY, Ms. BALDWIN, Mr. MCDERMOTT, Mr. CASE, and Mr. KUCINICH):

H.R. 4272. A bill to amend the Controlled Substances Act to provide an affirmative defense for the medical use of marijuana in accordance with the laws of the various States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HARRIS:

H.R. 4273. A bill to make single family housing owned by the Department of Housing and Urban Development available for purchase by teachers and public safety officers at a discount; to the Committee on Financial Services.

By Mrs. JONES of Ohio:

H.R. 4274. A bill to amend the Internal Revenue Code of 1986 and the Employee Retirement Income Security Act of 1974 to provide for protections with respect to the accrued benefits of participants during conversions of pension plans to cash balance plans; to the Committee on Education and the Workforce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. KELLY:

H.R. 4275. A bill to amend Public Law 106-348 to extend the authorization for establishing a memorial in the District of Columbia or its environs to honor veterans who became disabled while serving in the Armed Forces of the United States; to the Committee on Resources.

By Mr. LARSON of Connecticut (for himself and Ms. DELAURO):

H.R. 4276. A bill to amend the Internal Revenue Code of 1986 to impose a windfall profit tax on oil and natural gas (and products thereof) and to use the proceeds of the windfall profit tax collected to carry out the Low-Income Home Energy Assistance Act and for medical services provided by the Department of Veterans Affairs; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Education and the Workforce, and Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LATHAM (for himself, Mr. PETERSON of Minnesota, Mr. MCCAUL of Texas, Mr. GOODE, and Mr. FORTUÑO):

H.R. 4277. A bill to amend title 38, United States Code, to provide veterans enrolled in the health system of the Department of Veterans Affairs the option of receiving covered health services through facilities other than those of the Department; to the Committee on Veterans' Affairs.

By Ms. LEE (for herself, Mrs. CHRISTENSEN, Mr. OWENS, Ms. MCKINNEY, Mr. GRIJALVA, Ms. CARSON, Mr. KUCINICH, and Mr. CLAY):

H.R. 4278. A bill to assist teachers and public safety officers in obtaining affordable housing; to the Committee on Financial Services.

By Ms. MCKINNEY:

H.R. 4279. A bill to redesignate the Federal building located at 935 Pennsylvania Avenue Northwest in the District of Columbia as the ''Frank F. Church Federal Building''; to the Committee on Transportation and Infrastructure.

By Mrs. MYRICK (for herself, Ms. FOXX, Mr. JONES of North Carolina, Mr. MCHENRY, and Mr. TAYLOR of North Carolina):

H.R. 4280. A bill to ensure that States do not accept an individual taxpayer identification number as proof of identification or legal residence; to the Committee on Transportation and Infrastructure.

By Mr. NUNES:

H.R. 4281. A bill to amend the Tariff Act of 1930 and the Internal Revenue Code of 1986 relating to importation of tobacco products; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. JONES of North Carolina, Mr. DUNCAN, Mr. DEFAZIO, Mr. BARTLETT of Maryland, Mr. BURTON of Indiana, Mr. MILLER of Florida, and Mr. BISHOP of New York):

H.R. 4282. A bill to amend the Federal Food, Drug, and Cosmetic Act concerning foods and dietary supplements, to amend the Federal Trade Commission Act concerning the burden of proof in false advertising cases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ROGERS of Alabama (for himself, Mr. MEEK of Florida, and Mr. MCCAUL of Texas):

H.R. 4283. A bill to require the Comptroller General to conduct a review of the basic training provided by United States Customs and Border Protection to Border Patrol agents to ensure that this training is being conducted as efficiently and cost-effectively as possible; to the Committee on Homeland Security.

By Mr. ROGERS of Alabama (for himself, Mr. KING of New York, Mr. THOMPSON of Mississippi, Mr. MCCAUL of Texas, Mr. PEARCE, Mr. SIMMONS, and Mr. SHAYS):

H.R. 4284. A bill to direct the Inspector General of the Department of Homeland Security to conduct reviews of certain contract actions by the Department of Homeland Security for the new Secure Border Initiative; to the Committee on Homeland Security.

By Mr. ROGERS of Alabama (for himself, Mr. MCCAUL of Texas, and Mr. PEARCE):

H.R. 4285. A bill to increase the number of trained detection canines of the Department of Homeland Security, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on the Judiciary, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAW:

H.R. 4286. A bill to amend the Internal Revenue Code of 1986 to allow electric utility companies to expense the cost of replacing above-ground electric transmission lines with underground electric transmission lines; to the Committee on Ways and Means.

By Mr. SHERMAN (for himself, Mr. BERMAN, and Mr. MARSHALL):

H.R. 4287. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for portion of charitable contributions related to Hurricane Katrina or Hurricane Rita in computing adjusted gross income; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 4288. A bill to amend title 38, United States Code, to provide a presumption of service connection for injuries classified as cold weather injuries which occur in veterans who while engaged in military operations had sustained exposure to cold weather; to the Committee on Veterans' Affairs.

By Mr. UDALL of Colorado:

H.R. 4289. A bill to promote health care coverage parity for individuals participating in legal recreational activities or legal transportation activities; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WOLF (for himself, Mr. LANTOS, Mr. SOUDER, Mr. ROHRABACHER, Ms. PELOSI, Mr. SMITH of New Jersey, Mr. INGLIS of South Carolina, Mr. BURTON of Indiana, and Mr. STARK):

H. Con. Res. 294. Concurrent resolution calling on the international community to condemn the Laogai, the system of forced labor prison camps in the People's Republic of China, as a tool for suppression maintained by the Chinese Government; to the Committee on International Relations.

By Mr. ABERCROMBIE:

H. Res. 543. A resolution providing for consideration of the joint resolution (H.J. Res. 55) requiring the President to develop and implement a plan for the withdrawal of United States Armed Forces from Iraq; to the Committee on Rules.

By Mr. CAMP (for himself, Mr. OBERSTAR, and Mr. ROGERS of Michigan):

H. Res. 544. A resolution recognizing and supporting the goals and ideals of National Adoption Month; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. VAN HOLLEN introduced a bill (H.R. 4290) for the relief of Judith Atuh Tanjoh, Serge Mbah Tikum, Marie Noel Tikum, Emmanuel Ngwa Tikum, and Roger Fon Tikum; which was referred to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 23: Mr. CRAMER.

H.R. 147: Mr. RANGEL and Mr. CLYBURN.

H.R. 354: Mr. ROTHMAN.

H.R. 503: Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MEEHAN, and Mr. FITZPATRICK of Pennsylvania.

H.R. 551: Mr. ANDREWS and Mrs. NAPOLITANO.

H.R. 552: Mr. MARCHANT.

H.R. 602: Mr. CARNAHAN.

H.R. 615: Mrs. WILSON of New Mexico.

H.R. 688: Mr. GINGREY.

H.R. 698: Mr. FOLEY, Mr. LINDER, Ms. FOXX, Mr. CARTER, Mr. SAM JOHNSON of Texas, and Mr. MILLER of Florida.

H.R. 772: Ms. DEGETTE and Mr. WYNN.

H.R. 896: Mr. STUPAK.

H.R. 939: Mr. INSLEE.

H.R. 1067: Ms. DELAURO.

H.R. 1131: Ms. HART and Mr. HERGER.

H.R. 1188: Mr. SIMMONS.

H.R. 1264: Mr. SOUDER and Mr. LATHAM.

H.R. 1414: Mr. HIGGINS.

H.R. 1578: Mr. GERLACH, Mr. THOMPSON of California, and Mr. HOLT.

H.R. 1588: Ms. LEE.

H.R. 1663: Mr. TURNER.

H.R. 1668: Mr. GUTIERREZ and Mr. RYAN of Ohio.

H.R. 1940: Mr. MENENDEZ and Ms. SOLIS.

H.R. 1951: Mr. BARROW and Mr. SERRANO.

H.R. 2092: Ms. NORTON, Ms. DEGETTE, and Mr. WATT.

H.R. 2134: Ms. WOOLSEY.

H.R. 2206: Mr. BARROW.

H.R. 2231: Mr. WILSON of South Carolina, Mr. FATTAH, Mr. CARNAHAN, Ms. Watson, Mr. SHAYS, Ms. CARSON, Mr. JEFFERSON, Mr. BECERRA, Mr. BRADY of Pennsylvania, Mr. REYES, Mr. BISHOP of Georgia, Mr. SANDERS, Mr. FILNER, Mr. MORAN of Virginia, and Mr. DEFAZIO.

H.R. 2234: Mr. TIERNEY and Mr. CASTLE.

H.R. 2683: Mr. SERRANO.

H.R. 2716: Mr. BARROW.

H.R. 2747: Mr. BISHOP of Georgia.

H.R. 2808: Ms. LEE and Mr. SALAZAR.

H.R. 2926: Mr. WAXMAN.

H.R. 2961: Mr. SHUSTER, Mr. MCHUGH, and Mr. SALAZAR.

H.R. 3044: Mr. BRADY of Pennsylvania.

H.R. 3049: Mr. KLINE.

H.R. 3128: Mr. FATTAH.

H.R. 3183: Mr. BLUMENAUER.

H.R. 3195: Mr. SERRANO, Ms. LEE, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Mr. BROWN of Ohio, Mr. BRADY of Pennsylvania, Mr. DAVIS of Illinois, Mr. WYNN, and Mr. HINCHEY.

H.R. 3334: Mr. PASTOR, Ms. DEGETTE, Mr. DOOLITTLE, Ms. DELAURO, Mr. THOMPSON of Mississippi, Mr. WEXLER, and Mr. MEEKS of New York.

H.R. 3369: Mr. DEFAZIO.

H.R. 3547: Mr. PAUL and Mr. KUHL of New York.

H.R. 3569: Mr. CARNAHAN.

H.R. 3607: Mr. FATTAH.

H.R. 3614: Mr. GINGREY.

H.R. 3630: Mr. PICKERING and Mr. JINDAL.

H.R. 3640: Mr. BOUCHER, Mr. STARK, Mr. OWENS, Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Mr. PAYNE, Mr. MCNULTY, Mr. GRIJALVA, Mr. LEWIS of Georgia, Mr. RUSH, Mr. MCDERMOTT, Ms. WOOLSEY, and Ms. BORDALLO.

H.R. 3642: Mr. WAXMAN, Ms. SCHAKOWSKY, Ms. CORRINE BROWN of Florida, Mr. GRIJALVA, Mr. MCNULTY, Mr. OWENS, Mr. LYNCH, Mrs. CHRISTENSEN, Mr. REYES, Ms. JACKSON-LEE of Texas, Mr. GENE GREEN of Texas, Ms. LINDA T. SÁNCHEZ of California, and Mr. MEEKS of New York.

H.R. 3657: Ms. ZOE LOFGREN of California, Mr. SMITH of Washington, and Mr. FILNER.

H.R. 3748: Mr. LEWIS of Georgia, Mr. VAN HOLLEN, Ms. CORRINE BROWN of Florida, Mr. BUTTERFIELD, Mr. FATTAH, Mr. HOLT, Ms. KAPTUR, Mr. THOMPSON of Mississippi, Mrs. CAPPS, Mr. OBERSTAR, Mrs. JONES of Ohio, Mr. CARDIN, Mr. EMANUEL, and Mr. DAVIS of Florida.

H.R. 3753: Mr. GALLEGLY.

H.R. 3875: Mr. MCNULTY, Mr. JEFFERSON, Mr. COSTA, Mr. WEXLER, and Ms. MCKINNEY.

H.R. 3889: Mr. BISHOP of Georgia.

H.R. 3908: Mr. CALVERT.

H.R. 3917: Mr. GRIJALVA.

H.R. 3922: Mr. NADLER, Mr. CROWLEY, Ms. CARSON, Mrs. CAPPS, Mr. HONDA, Ms. SCHAKOWSKY, Mr. BONNER, Mrs. CHRISTENSEN, Mr. STUPAK, Ms. BERKLEY, Mr. WUI, Mr. LEWIS of Georgia, Mr. GENE GREEN of Texas, Mr. UDALL of New Mexico, Ms. MCKINNEY, Ms. PELOSI, Mrs. MALONEY, Ms. MCCOLLUM of Minnesota, Mrs. TAUSCHER, Mr. UDALL of Colorado, Mr. ENGEL, and Mr. VAN HOLLEN.

H.R. 3923: Mr. PAUL and Mr. TERRY.

H.R. 3924: Mr. PAUL.

H.R. 3969: Mr. BOOZMAN.

H.R. 4006: Mr. RAMSTAD.

H.R. 4049: Mrs. TAUSCHER, Mr. DANIEL E. LUNGREN of California, Ms. MATSUI, AND MS. ESHOO.

H.R. 4062: Mr. GONZALEZ, Ms. SOLIS, and Mr. BROWN of Ohio.

H.R. 4063: Mr. GIBBONS, Mr. PAYNE, Mr. SHAYS, Mr. WAXMAN, Mr. CUMMINGS, Mr. MCDERMOTT, Mr. HOLT, Mr. LATHAM, Mr. WOLF, Mr. ALLEN, Mr. FOLEY, Mr. HOYER, and Ms. LEE.

H.R. 4086: Ms. JACKSON-LEE of Texas, Mr. PAUL, and Mr. MILLER of Florida.

H.R. 4098: Mr. LINCOLN DIAZ-BALART of Florida, Mr. SHAYS, Mr. PETERSON of Minnesota, and Mr. KILDEE.

H.R. 4099: Mrs. MYRICK, Mr. NEUGEBAUER, Mr. ROHRABACHER, Mr. BARTLETT of Maryland, Mr. WELDON of Florida, Mr. WILSON of South Carolina, and Mr. WESTMORELAND.

H.R. 4110: Mr. BRADY of Pennsylvania.

H.R. 4145: Mr. NEY, Mr. RUPPERSBERGER, Mr. JONES of North Carolina, Mr. PETERSON of Minnesota, Mr. HINCHEY, and Mr. DOGGETT.

H.R. 4194: Mr. BASS, Mr. LANTOS, and Mr. MORAN of Virginia.

H.R. 4196: Mr. GONZALEZ.

H.R. 4200: Mr. STUPAK, Mrs. MILLER of Michigan, Mrs. MYRICK, Mr. POE, Mr. FOLEY, Mrs. BONO, Mr. BURTON of Indiana, and Mr. SHUSTER.

H.R. 4223: Mr. CUMMINGS, Mr. HASTINGS of Florida, Mr. JEFFERSON, Mr. WYNN, Mrs. MCCARTHY, Mr. MCNULTY, Mr. FATTAH, Mr. HINOJOSA, Mr. HOLDEN, Mr. GRIJALVA, and Mr. WEXLER.

H.R. 4238: Mr. MARCHANT, Ms. GINNY BROWN-WAITE of Florida, Mr. FEENEY, Mr. PITTS, Mrs. MYRICK, Mr. GINGREY, Mr. CHABOT, Mr. GOODE, Mr. GUTKNECHT, Mr. KING of Iowa, Mr. GARRETT of New Jersey, Mr. KUHL of New York, Mr. MCHENRY, Mr. PRICE of Georgia, Mr. JINDAL, Mr. ISSA, Mr. DOOLITTLE, Mr. BARRETT of South Carolina, Mr. GOHMERT, Mr. WILSON of South Carolina, Mr. KLINE, Mr. WESTMORELAND, Mr. WELDON of Florida, and Mr. COLE of Oklahoma.

H.R. 4239: Mr. KLINE and Mr. PEARCE.

H.R. 4243: Mr. RUPPERSBERGER.

H.R. 4259: Mr. WEXLER.

H. Con. Res. 42: Mr. UPTON.

H. Con. Res. 222: Mr. TERRY.

H. Con. Res. 230: Mr. SMITH of Texas, Ms. BEAN, Mrs. MCCARTHY, and Mr. DOOLITTLE.

H. Con. Res. 231: Mr. ALLEN.

H. Con. Res. 234: Mr. PASTOR and Ms. KAPTUR.

H. Con. Res. 235: Mr. MICHAUD.

H. Con. Res. 272: Ms. BEAN, Mr. HINOJOSA, and Mrs. KELLY.

H. Con. Res. 273: Ms. MCKINNEY.

H. Con. Res. 285: Mr. ROGERS of Alabama.

H. Con. Res. 287: Mr. AL GREEN of Texas, Mr. LIPINSKI, Mr. WAXMAN, Ms. BORDALLO, Mr. LEWIS of Georgia, and Ms. SOLIS.

H. Con. Res. 288: Mr. FARR.

H. Con. Res. 289: Mr. CARNAHAN.

H. Con. Res. 293: Ms. SOLIS.

H. Res. 196: Mr. BROWN of Ohio, Mr. CLEAVER, Mr. DOGGETT, Mr. SMITH of Washington, Mr. GONZALEZ, Mr. RUPPERSBERGER, and Mr. STRICKLAND.

H. Res. 223: Mr. STARK, Ms. ZOE LOFGREN of California, and Mr. GRIJALVA.

H. Res. 230: Mr. SPRATT, Mr. ANDREWS, and Mr. OLVER.

H. Res. 409: Mr. STUPAK.

H. Res. 410: Mr. DOYLE.

H. Res. 456: Mr. LANTOS, Mr. FALEOMAVAEGA, and Mrs. MALONEY.

H. Res. 458: Mr. PRICE of North Carolina.

H. Res. 479: Mr. GONZALEZ.

H. Res. 499: Mr. GERLACH, Mr. FITZPATRICK of Pennsylvania, Mr. PITTS, and Mr. SHIMKUS.

H. Res. 504: Mr. CARTER.

H. Res. 505: Mr. LANGEVIN, Mrs. DAVIS of California, Mr. THOMPSON of Mississippi, Mr. SCHIFF, Mr. LARSEN of Washington, and Mr. GONZALEZ.

H. Res. 517: Mr. ACKERMAN, Mr. KUHL of New York, and Mr. HOLT.

H. Res. 524: Mr. DAVIS of Tennessee and Mr. GEORGE MILLER of California.

H. Res. 526: Mr. SIMMONS.