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House of Representatives

The House met at 10 a.m.

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

''We place our trust in the word of the Lord. All our hope is in Your Holy Name.''

Eternal God and Father of us all, February weather would deceive us and have us think spring is yet a long way off. Yet even as the snows penetrate the depths of the earth, Your laws nurture new life. Winter's weight breaks off what seems unfruitful branches; and rushing streams wash away all that is rootless.

Invigorate the House of Representatives; that restorative justice may inspire new confidence in this Nation; and the work of Congress may produce a fruitful land.

May the daily work of Your people silence a cynical world with blossoms of truth. And early growth release the scent of eternal life in the seasons of our lifeline and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina 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.

DEMOCRATS CANNOT HAVE IT BOTH WAYS

(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 to discuss the NSA terrorist surveillance program. It seems that on this issue the Democrats want to have their cake and eat it, too. They want to say they are tough on national security while at the same time demonizing anything that President Bush does to protect our country.

On the one hand, we have the junior Senator from Massachusetts calling the program ''illegal.'' Other Democrats have deemed this a ''domestic spying program.'' And when this program came to light, leading Democrats acted outraged as if they did not know about it. But now these same Democrats are admitting that in fact they were briefed on the program all along and are arguing that they actually support the NSA program. So which is it?

Mr. Speaker, Democrats must decide. They cannot have it both ways. The American people deserve to know where the Democratic Party stands on this issue. If they disagree with the terrorist surveillance program, then they need to say so and offer up a real alternative. But let me remind them: criticism, demagoguery and demonizing are not alternatives.

MEDICARE PART D DISASTROUS PROGRAM

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

Mr. DEFAZIO. Mr. Speaker, the Medicare part D plan is getting some rave reviews. You might be surprised to hear a Democrat say that; but, yes, it is: Rave reviews from the CEOs of pharmaceutical companies, insurance companies and a few political hacks downtown appointed by President Bush.

But from seniors, there is incredible confusion; and if they find their way through this myriad of confusing plans and find one that provides the drugs they need, they find now there is a new barrier. These are the most restrictive insurance products in history in terms of prior approval for needed drugs.

One company has 39 different forms, which its CEO denied until he was shown them. Then he said, Oh, yes, that is right, I guess we do. They require doctors to conduct all sorts of tests for drugs that seniors have been taking for years to prove that they really need them. And even then if you get a plan that lets you through and does give you your drugs, they can change that benefit on a weekly basis, but seniors cannot change plans on a weekly basis.

And then there is the doughnut hole. I had my first constituent call about the doughnut hole. She has exhausted her benefits. She is on Social Security disability, and she has to pay $2,850 out of pocket for drugs to stay alive. She does not have $2,850.

PRAISING ACCOMPLISHMENTS OF USAID IN IRAQ

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

Mr. WILSON of South Carolina. Mr. Speaker, since 2003, the United States Agency for International Development has supported efforts to revitalize Iraq's economy, improve education, develop a vibrant civil society, and assist Iraqis in the development of their new democracy which protects American families by denying terrorists training camps.

Thanks to USAID, 10 sewage treatments plants in Iraq have been refurbished; 97 percent of Iraqi children

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have been immunized against polio; 8.6 million new textbooks have been supplied to Iraqi schools; 790,000 Iraqis participated in town meetings on democracy during their historic elections; five cities in Iraq have 19 refurbished or expanded water treatment plants; nearly 3,000 Iraqi schools have been rehabbed; 2,500 Iraqis have been trained to provide primary health care; 1,200 megawatts of new/rehabilitation generation capacity have been added to Iraqi's electricity grid.

Today, the Victory in Iraq Caucus will host USAID Iraq director Dawn Liberi to learn more about progress taking place throughout Iraq. I urge my colleagues to join me for this important event.

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

HEADLINES

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

Mr. EMANUEL. Mr. Speaker, yesterday Press Secretary Scott McClellan said, ''We are moving on to the priorities of the American people. That is our focus.''

Well, Scott, here are the headlines my constituents care about:

''Ex-CIA Official Says Iraq Data Was Distorted; White House Knew of Levee Failure; Brown Faults White House and Agency for Poor Response; Doctors, Pharmacists Say Medicare Benefit Limits Drugs For Seniors; Government Will Forgo $7 Billion in Oil, Gas Royalties; Bush Budget Would Kill Popular Health Projects; Government Was Underpaid $345 Billion; American Bar Association Says Bush Exceeded Constitutional Powers in Surveillance Program; Washington Lobbyists Spent $1.6 Billion in First Half of 2005 Lobbying Congress; Photograph Shows Abramoff with Bush in May 2001; Iran Restarts Uranium Program.''

Scott, if you are listening, the American people are ready and waiting. As they say in the news industry, good night and good luck.

HONORING THE LIFE OF VIRGINIA HAMMERSCHMIDT

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

Mr. BOOZMAN. Mr. Speaker, I rise today to honor the life of a member of our congressional family, Mrs. Virginia Hammerschmidt, the wife of former Congressman John Paul Hammerschmidt. Virginia and John Paul were married for almost 58 years before she passed away over the holiday recess.

Any of us who have had the honor of serving in this House know that the full support, encouragement and guidance of a loving spouse makes our job so much easier. John Paul served in this institution for 26 years. I am sure that he would be the first to tell you that he could not have done it without Ginny by his side.

Many of John Paul's former colleagues are still serving in the House today, and they remember Ginny with fondness. Gracious, dignified, sincere, these are some of the words people have used to describe her. I had the privilege of being in her company on numerous occasions and can personally attest to what a warm, caring person she was. She will be missed by many. She touched the lives of so many in Arkansas and here in these halls.

Mr. Speaker, I ask my colleagues to keep John Paul, his son, John Arthur, and the rest of the Hammerschmidt family in their thoughts and prayers.

PRESCRIPTION DRUG DEBACLE

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

Mr. PALLONE. Mr. Speaker, the Miami Herald got it right when it described the Republican Medicare prescription drug plan as an ''unmitigated disaster.''

For years, American seniors have been looking for help in paying for their prescription drugs. Republicans chose to pass a confusing law that forces seniors to go outside of their trusted Medicare to receive drug coverage from one of many private insurance plans. We have all heard stories of seniors leaving pharmacies without their drugs after being told their name could not be found in the system. Talk about incompetence.

But then again, this prescription drug plan is another sorry example of how congressional Republicans have turned this House over to the special interests. Republicans chose to help the pharmaceutical and insurance companies rather than help the seniors who desperately need assistance with skyrocketing drug prices.

Democrats have a plan to take this House back from the special interests so we do not have another prescription drug debacle in the future.

RAISING AWARENESS TO COMBAT HUMAN TRAFFICKING

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

Mr. PITTS. Mr. Speaker, yesterday in Cannon Caucus, I hosted an event for diplomats based in D.C. to watch portions of a film entitled ''Human Trafficking.''

We had 97 countries, over 160 diplomats, many ambassadors there. They were very interested to learn what other countries are doing, the cooperation and partnership between nations and leaders around the world to combat trafficking in persons. They are very interested in increased training for their staff, particularly consular staff, and the many NGOs and their resources that are available.

I want to thank the governmental leaders, the law enforcement personnel, NGOs, business people, and ordinary citizens around the world who are helping combat this horrible exploitation and violence against women and children.

I look forward to talking with them again about creative ways to stop trafficking, not just through stronger legislation and prosecution of traffickers but through other means, particularly providing assistance to victims, their families, addressing corruption, interdicting assets.

I commend to my colleagues this film, ''Human Trafficking.'' It will be shown on TV on April 22 to educate yourself on this issue.

DISTURBING REVELATIONS ON YUCCA MOUNTAIN

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

Ms. BERKLEY. Mr. Speaker, a newspaper article headline states, ''Yucca In need of Repair After 9 Years.'' It says that Yucca Mountain research facilities, from ground support to railroad tracks, need repairs after just 9 years of use.

Now this is the same Yucca Mountain that the Energy Department is proposing to put hundreds of thousands of tons of toxic radioactive nuclear waste for hundreds of thousands of years.

Just this past week Energy Secretary Bodman said, ''There are problems with the U.S. Geological Survey work that was done,'' and we now know that the work was fudged and they made up the data. ''There are problems with the EPA standards,'' and we know they are short by 290,000 years. ''And there are problems with the efforts of the Department of Energy.''

What did the Department of Energy just say: They can no longer estimate how long it will take to ready Yucca Mountain to accept nuclear waste or how much it will cost.

The latest estimate is $308 billion, and now the Energy Department says that might not be right. It is time that we stop this boondoggle, end this project and let us figure out a sane and sensible way of dealing with nuclear energy in this country.

CONGRATULATING KENNESAW STATE LADY OWLS

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

Mr. GINGREY. Mr. Speaker, I rise today to congratulate Kennesaw State University women's cross country team on winning the 2005 Atlantic Sun Conference championship.

The Lady Owls exhibited dedication, teamwork and perseverance all season long, and it paid off. I congratulate

head coach Stan Sims and the whole team on their accomplishments.

The Lady Owls were the only team to have all competitors finish in the top 20. In fact, Patrina Haines finished second in the field, and her teammate Erin Sutton, whose grandfather, Jack Sutton, works in my district office, was named Atlantic Sun Conference's Freshman of the Year and earned a spot on the all-conference team.

Winning a conference championship is quite an achievement, but this victory is even more inspiring when you consider it was the Lady Owls' first year participating in Division I sports. If this season is any indication, we can expect many more winning seasons for the Kennesaw State University team.

Mr. Speaker, these athletes have brought much pride to Kennesaw State University and the entire Kennesaw community. I ask that you join me in celebrating their accomplishment.

CUTS AT NATIONAL RENEWABLE ENERGY LABORATORY WRONG POLICY

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

Mr. HOLT. Mr. Speaker, here is another chapter in the competitiveness saga. A couple weeks ago in the President Bush's State of the Union address he stated, ''So tonight, I announce the Advanced Energy Initiative, a 22 percent increase in clean-energy research at the Department of Energy to push for breakthroughs.''

This was followed a week later by an announcement from the National Renewable Energy Laboratory in Colorado of cuts in outside contracts, cuts in operating expenses, and the laying off of 35 staff, including eight researchers, one in photovoltaics and seven in biomass and hydrogen.

The words and the actions simply do not match. The researchers will leave the lab, affecting our economy and distancing us further from solutions in energy technologies. We will lose their knowledge and their creativity.

There is a lot of talk about lost competitiveness, outsourcing of jobs, and lost opportunities in the alternative energy market. We could lead the world in energy technologies if we invest in alternative energies.

Mr. Speaker, which is it: Are we pushing for breakthroughs or are we cutting research?

□ 1015

SBA KATRINA LOAN FUNDING

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

Ms. BEAN. Mr. Speaker, more than 5 months after Hurricane Katrina ravaged New Orleans and the gulf coast, many small business owners are still struggling with no relief in sight. Businesses are strained from a lack of customers, employees, infrastructure, electricity, and most particularly the access to capital that they need to get back to business. With no other funds available, many small business owners turn to the SBA for assistance. The Small Business Administration is prepared to help entrepreneurs through its disaster loan programs.

Yet today, real criticisms continue to surround the SBA over the agency's failure to provide adequate assistance to the gulf coast's businesses. Since the devastation from Hurricanes Katrina, Rita and Wilma, the SBA has declined approximately 80 percent of all disaster loans, with a backlog of over 200,000 pending applications. On January 30, the SBA released a statement that approximately 51,000 applicants have been approved for financial assistance from the agency; but with over 312,000 total applicants, this is a dismal ratio between those businesses and individuals who are getting loans and those who are left waiting.

As a member of the House Committee on Small Business and because of my own experience as a small business owner, I am well aware of the stimulative effect that small to medium-size firms can have on our regional economies. In the gulf region it couldn't be more critical to ensure small business owners reopen their doors to provide essential services and jobs that allow families to get back on their feet.

We can do better. I ask my colleagues to help me in this effort.

AMERICAN HEART MONTH/WOMEN & HEART ACT

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

Mrs. CAPPS. Mr. Speaker, I remind my colleagues that February is American Heart Month. Throughout this month, we recognize the millions of Americans struggling with heart disease and recommit ourselves to helping them. And we acknowledge the efforts of organizations like the American Heart Association, which help all of us prevent and treat heart disease.

What is not well enough known is that heart disease, stroke, and other cardiovascular diseases are the number one killer of women in the United States. Each year, 480,000 women die from heart disease. That is one every minute.

In addition to experiencing classic chest pain, women often have a greater tendency to exhibit atypical symptoms of heart attack, such as difficulty breathing, nausea and unexplained fatigue. So they are often misdiagnosed.

Yesterday, Representative CUBIN and I introduced the Women & HEART Disease Act. This legislation will increase awareness, education, data collection, and the detection of heart disease in women so that we can improve the prevention, diagnosis, and treatment of women with cardiovascular disease.

I urge each of my colleagues to support this bill and other efforts to address the costly scourge of this disease.

ON THE DRUG PLAN DEBACLE AND THE COST OF CORRUPTION

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

Ms. SOLIS. Mr. Speaker, leave it to Washington Republicans to create a chaotic and confusing system that has left a large majority of seniors just saying no. The Republican prescription drug plan shows the everyday cost congressional corruption has on the American people.

Republicans promised American seniors they would have access to prescription drugs through private plans beginning January 1, but to date it has been an utter failure. In many instances, beneficiaries who tried to have their prescriptions filled under the new system were either told that their enrollment could not be verified or that their drugs were not covered. As a result, many beneficiaries, particularly those that are called dually eligible for both Medicare and Medicaid, were at risk for receiving no coverage at all.

Rather than choosing to work to alleviate drug costs for seniors, Republicans were more interested in coming up with a bill that benefited their friends in the pharmaceutical and insurance industries, friends who have been very loyal to them over the years.

America must do better, we can do better and put special interests aside so that we can help those people who truly need our assistance. Let's start thinking about our senior citizens.

VIOLENCE AMONG GIRLS

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

Mr. DAVIS of Illinois. Mr. Speaker, a Chicago Sun Times article today reveals that fighting among girls in schools is up. As a matter of fact, fights involving girls are up 31 percent, assaults are up 18 percent, and battery is up 15 percent. So far this school year, 529 girls in the Chicago schools have been written up for fighting in incident reports to the district's bureau of safety and security. While girls have been steadily catching up to boys in violence rates in the past 25 years, there are few programs to address this great need.

As we go into budget talks and budget negotiations, let us be mindful of this need and allocate resources to stem this tide of growing violence among girls.

BUSH'S BUDGET AND ITS FAILURES TO MAKE AMERICANS SAFE

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

Ms. WATSON. Mr. Speaker, it appears that the Bush administration refuses to learn anything from 9/11 or Hurricane Katrina. Once again this year, President Bush's budget shortchanges America's security, failing to make it the number one priority. Here are some startling examples of how the President refuses to make Americans as safe as they should be:

First, the budget underfunds key programs that provide local communities with the resources to protect our borders, our ports, mass transit, and critical infrastructure. Second, the budget continues the trend of cutting grants for our first responders, cutting overall funding for three key first responder grant programs by 35 percent below 2 years ago. Third, the budget zeros out funding for interoperability grants, grants that would allow Federal, State, and local governments the ability to communicate during a major disaster or terrorist attack.

President Bush claims he is protecting the homeland, but he refuses to back it up with the funding necessary to prepare agencies at all levels for the worst case scenarios. Hasn't he learned anything from Katrina?

Pull FEMA out from under Homeland Security.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

RECORD votes on postponed questions will be taken later today.

SENSE OF CONGRESS REGARDING PALESTINIAN AUTHORITY

Mr. HYDE. Mr. Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 79) expressing the sense of Congress that no United States assistance should be provided directly to the Palestinian Authority if any representative political party holding a majority of parliamentary seats within the Palestinian Authority maintains a position calling for the destruction of Israel.

The Clerk read as follows:

S. CON. RES. 79

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that no United States assistance should be provided directly to the Palestinian Authority if any representative political party holding a majority of parliamentary seats within the Palestinian Authority maintains a position calling for the destruction of Israel.

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

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

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

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

There was no objection.

Mr. HYDE. Mr. Speaker, I yield myself such time as I may consume, and I rise in support of S. Con. Res. 79.

This resolution was sponsored in the other body by our former colleague Senator THUNE of South Dakota and was cosponsored by Senators BROWNBACK, CHAMBLISS, JOHNSON, LIEBERMAN, TALENT and VOINOVICH. It passed the Senate by unanimous consent on February 1, 2006.

On January 25, 2006, Palestinians turned out in large numbers from all walks of life to forge a new government that can respond to their various needs. The Palestinian people voted for change and improvement in their livelihoods. They were largely frustrated by the growing occupation in the West Bank, the inability of the Fatah-backed Palestinian Liberation Organization to deliver on the expectations of the peace process, and internal strife and rampant corruption. The Palestinian citizens used the power of democracy to send a loud and a clear message to their leadership.

Speaking in a press conference shortly after the elections, President Bush noted the power of democracy, saying, ''When you give people the vote, you give people the chance to express themselves at the polls, and if you're unhappy with the status quo, they will let you know. Obviously, the people were not happy with the status quo. The people are demanding honest government. The people want services.''

The Bush administration's pursuit of freedom and democracy in the Arab world has strengthened the weight and role of ''people power'' in the region's political development. Representative democracy may result in the coming to power of groups in the Middle East or, for that matter, in Spain, that are critical of the United States or our policies in the Middle East. Certainly the recent Palestinian parliamentary elections pose a unique challenge. Over 50 percent of the seats in the Palestinian Legislative Council will be filled from a list chosen by an armed group that believes in the destruction of Israel, a United Nations member state, and is recognized as a terrorist organization by the international community.

This result demonstrates the serious contradiction we see in Palestinian territories between the ideal of a democratic government characterized by the rule of law and the reality of a political process in which armed rejectionist groups participate. Should the United States at this point abandon all means to remain constructively engaged with the Palestinian people and the Palestinian Authority under President Mahmoud Abbas? Tying the hands of the administration is not in the interest of United States national security. We need to react with some care. Hurting the Palestinian people will reward terrorist regimes like Syria and Iran which seek to exploit the suffering of the Palestinians for their own selfish reasons.

S. Con. Res. 79 is direct and to the point. It sends a strong message about the expectations of the United States and the international community toward Hamas when it comes to Hamas' attitude toward Israel. We declare that the United States will not provide direct assistance to a government that believes in the destruction of Israel.

The election of the Change and Reform Party, Hamas' alter ego, has raised questions about other forms of assistance to a future Palestinian government. The Quartet, in which the United States is a core member, concluded that ''it was inevitable that future assistance to any new government would be reviewed by donors against that government's commitment to the principles of nonviolence, recognition of Israel, and acceptance of previous agreements and obligations, including the Roadmap.''

Many might be surprised to know that the United States does not provide ongoing, direct financial assistance to the Palestinian Authority. The majority of funds are channeled through the United States Agency for International Development to nongovernmental organizations under a strict vetting process. The United States has provided direct assistance only four times, three of which have been under this administration, with the funds being closely regulated and monitored.

United States and other assistance to the Palestinian people is vital to meeting basic needs and avoiding a humanitarian disaster. According to the World Bank, unemployment in the West Bank and Gaza is 23 percent. Forty-three percent of the population is living below the poverty line. United States assistance to nonprofit organizations is also critical to achieving our objective of a two-state solution. Closing the door on moderates in Palestinian civil society will contribute to the growth of warlordism and chaos.

□ 1030

The United States has a vital national security interest in a Middle East in which two states, Israel and Palestine, will live side by side in peace and security, based on the terms of United Nations Security Council Resolutions 242 and 338. A viable, contiguous, and prosperous Palestinian state is necessary to achieve the security that Israel longs for.

I believe the administration is responding appropriately to the situation

at hand. Currently, the U.S. is reviewing all forms of assistance to the Palestinian people. However, neither the administration nor the Congress should make final decisions in advance of the formation of the new Palestinian cabinet, which is likely to occur in the coming weeks. If it is necessary to address this issue by legislation, we can do so at the appropriate time and will not prejudice their consideration by agreeing to this resolution at this time.

As disappointed as we are by the results, I congratulate the Palestinian people for conducting what were arguably the freest and fairest democratic elections in the Arab world. I hope their leaders will be wise and represent the true interests of the Palestinians as the process moves forward. As Secretary Rice stated in Davos this month, ''The Palestinian people have apparently voted for change, but we believe that their aspirations for peace and a peaceful life remain unchanged.''

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

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

Mr. Speaker, I rise in strong support of the resolution.

First, let me thank Chairman HYDE and Ranking Member LANTOS for bringing this matter to the floor.

Yesterday, I read a news article quoting a Hamas representative who thanked the United States for providing Hamas with ''the weapon of democracy.'' The weapon of democracy. Like other Hamas spokesmen, this man was being completely frank. In my experience, people who think they are on a mission from God generally do not dissemble about their intentions. The decision by the Bush administration to press for elections that did not exclude Hamas, as the Oslo agreements required, is seen by Hamas, quite literally, as a gift from heaven. Indeed, it is a fact of surpassing strangeness that the same President who would not deal with Yasser Arafat because he was tainted by terrorism is in large measure responsible for insisting on the elections that brought Hamas to power.

Allowing Hamas to compete was substantially our grave mistake. Electing Hamas, however, was the Palestinian people's own free choice. No one questions the mechanics of the election itself, only the nature of the elected. Let us recall that Hitler's National Socialists, the Nazi party, also came to power in free elections. References of this type are usually inappropriate. The Holocaust was a unique, horrible event, and nothing should ever be done to diminish it or turn it into another rhetorical cheap shot. But in this case the comparison of how coming to power was the same is very apt.

What is Hamas? Hamas is declared to be, by our government and the European Union, a terrorist organization. It is an ally and an aid recipient of Iran. It is an organization of religious zealots who put bombs in stores and clubs and restaurants, hotels and discos and buses and proclaim their work to be the will of God. It is an organization that insistently proclaims its intention to exterminate the State of Israel and to replace it with an Islamic state under Sharia law. It is an organization that proudly declares its beliefs that Jews are the descendants of ''pigs and monkeys.'' Hamas is responsible not only for the cold-blooded murder of hundreds of Israeli citizens but also dozens of Americans.

And while they may be crazy, they are not stupid. They are watching us very closely, and they are looking for any sign of weakness, any departure from principle, any signal of grudging acceptance. It is absolutely vital that they see nothing of the sort. When Hamas looks at America, at the administration, at the Congress, they must see nothing but fierce, unrelenting, and implacable rejection.

There can be no political absolution for this pack of killers; and the very idea of giving our taxpayers' money to these bloody-handed fanatics, people who have slaughtered our own citizens, is offensive. Suggesting that we do it indirectly, that we merely subsidize rather than fund their rule, is no less unacceptable.

People in the executive branch trying to figure out how to square this circle should pay close attention to this debate. I would say to them: Before you urge the President to ask the Congress to provide assistance to the Palestinians, you had better start counting votes. This Congress is more likely to restore British sovereignty over the United States than it is to appropriate even $1 for the West Bank or Gaza.

Hamas is a terrorist organization, and the United States has clear policy for dealing with terrorists: We do not do it. We do not legitimize them, and we do not acknowledge phony distinctions between their political and their terrorist ''wings.'' We do not forgive them for the hundreds they have murdered in exchange for a handful of promises. And we certainly do not pay them. Not in cash, not in coupons, not in vouchers, not in green stamps, not in airline miles. Americans do not give money to terrorists, to terrorist governments, and to people who elect terrorists. We have better things to do with our money.

When President Abbas was first elected, I was among those who were strongly encouraging the administration to boost his prestige and help build him up with assistance and projects. But he never demanded that Hamas and other terrorist groups disarm and disband. Now we see that after a year of trying things the way Abu Mazen wanted and not feeling they got any real benefits, Palestinians have voted to go in a different direction. That is their right. But it is absolutely critical that our policies adjust to reflect their decisions.

Just as I believed that the Palestinian choice of Abu Mazen's vision of nonviolence and peace deserved our support and assistance, I think the election of Hamas, with its dogmatic adherence to terror and its insistence on Israel's extermination, deserves our strongest condemnation and is an unmistakable change in how we do business.

Elected terrorists are still terrorists. We should not give them legitimacy. We should not deal with them diplomatically. And, most obviously, we should not give them hundreds of millions of dollars from our taxpayers. U.S. foreign assistance is a gift, not a right. The Palestinian Authority, as long as it is led by Hamas, is a terrorist organization responsible for the deaths of dozens of Americans and obviously disqualified from this kind of aid.

Not doing business as usual means, by definition, that things have to change across the board. Only a comprehensive rejection of Hamas's leadership can satisfy the requirements of continued U.S. leadership in the war on terror. The message and the methods of Hamas must not only fail but they must be seen to fail throughout the world and especially in the Middle East.

Compromising with Hamas and doing a little bit of business here, a little bit of business there, accepting phony commitments and using back-door intermediaries will prove to Islamic radicalists that there is no price they pay for terrorism as long as you succeed in taking the reins of power. We cannot afford to send that message to the Palestinians or to anybody else.

I strongly encourage the adoption of this resolution and prompt consideration by the House of additional legislation to respond to the challenge to America and our interests that are posed by Hamas.

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

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

Very briefly in response, I would like to say that I am taken by the arguments of Mr. ACKERMAN. I think he has a message, a point of view, that is legitimate and worthy of attention.

I do not agree with him. I think that having Hamas, with all its flaws, participate in the democratic process, something alien to their spirit, is a sign of strength on our part, not weakness. And I think the effort, a legitimate effort, to help bring into the democratic process all of the dissident elements is worth it because, unless this situation gets solved, staring at each other with muscles flexed and weapons cocked gets us nowhere. But we shall see.

Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I thank the chairman for yielding me this time.

I rise in support of the resolution before us, S. Con. Res. 79, because this resolution is a reinforcement and a restatement of longstanding U.S. policy to prohibit direct assistance to the Palestinian Authority except under such strict and specific circumstances in furtherance of U.S. foreign policy and our security objectives.

It has long been U.S. policy to bring both sides of the Israeli-Palestinian conflict to the negotiation tables and to work out a peaceful compromise. For years, we supported Abu Mazen economically and politically, hoping and praying and wishing that it would strengthen the moderate constituency that does exist in the Palestinian territories. Yet time and again we have repeatedly asked the Palestinian leadership to dismantle the Islamist terrorist infrastructure in its midst, to disarm these jihadists, to promote tolerance and to accept Israel. But this was not to be.

The U.S. has spent hundreds of millions of dollars on programs to address the needs of the Palestinian people. Those include work programs, infrastructure projects, in addition to humanitarian aid, aimed at providing food, sanitation services, and medicine to the Palestinian people. We have done all of this, Mr. Speaker, in an effort to foster the conditions that would bring about peace and security for both the Israeli and the Palestinian people.

Last summer, Israel underwent a sacrifice of historic proportions by withdrawing from Gaza. Why did Israel do this? Israel withdrew from Gaza in hopes of making progress toward a peaceful solution to this conflict. Yet, despite all of these efforts, Hamas, an Islamist extremist jihadist entity, was allowed to participate in the recent Palestinian elections and, as all of us know, won control of the Palestinian government. U.S. monetary and political investment has produced little, if anything, in return.

In fact, soon after these Palestinian elections in January, Hamas placed disturbing videos on its Web site, videos which glorified bloodshed and terror. One of the clips included a farewell scene between a mother and her Palestinian terrorist son as she helps him dress for his suicide mission against Israel. Another clip is of two Hamas terrorists expressing their message to the Jews. And the first terrorist says: ''My message to the loathed Jews is that there is no God but Allah. We will chase you everywhere. We are a nation that drinks blood, and we know that there is no blood better than the blood of the Jews. We will not leave you alone until we have quenched our thirst with your blood and our children's thirst with your blood. We will not leave until you leave the Muslim countries.''

The second Hamas terrorist made the following statement: ''In the name of Allah, we will destroy you, blow you up, take revenge against you, and purify the land of you, pigs that have defiled our country. This operation is revenge against the sons of monkeys and pigs.''

These horrific clips, again, were posted on an official Web site of the entity that now controls the Palestinian Authority.

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Hamas' victory in the parliamentary elections poses a direct threat to U.S. strategies for regional stability. We must not and cannot allow taxpayer funds to directly or indirectly assist or support in any way Hamas or any other Palestinian terrorist groups that glorify blood, bloodshed and terror and use violence as a political tool. We must take immediate steps to prevent any further manipulation of U.S. assistance to the Palestinians.

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

Mr. Speaker, just in brief response to my good friend, the chairman, Mr. HYDE, who always stands up and fights so well and eloquently for democracy, my concern about allowing Hamas to participate in the election is not just my opinion. This was part of the Oslo Accords, to which the Israelis and Palestinians both agreed and signed. It is a governing document that no group that participates in violence and commits themselves to the destruction of the other will be allowed to participate in the election. That is the law. That is the doctrine.

I just express my dismay that our President, with his great leadership against terror, would take a pass and lean on the Israelis to allow this election to take place with Hamas.

Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, this resolution is an unequivocal statement of principle, a statement of our continuing support for our ally, the democratic State of Israel, as well as an explicit rejection of the hateful ideology that seeks her destruction. And I hope every Member will support it.

The resolution states quite simply that the United States should not provide direct assistance to the Palestinian Authority ''if any representative political party holding a majority of parliamentary seats within the Palestinian Authority maintains a position calling for the destruction of Israel,'' or, in fact, the destruction of another free country.

The resolution, of course, is necessitated by the electoral victory of Hamas, an internationally recognized terrorist organization that is publicly committed to the destruction of Israel. Anyone who questions this need only read the Charter of Allah, the platform of the Islamic Resistance Movement, otherwise known as Hamas.

Consider just one passage. Ms. ROS-LEHTINEN has referred to some other statements incorporated in other documents, but this is their basic charter: ''In order to face the usurpation of Palestine by the Jews, we have no escape from raising the banner of jihad.'' Destruction of a people. Destruction of children, families, of a nation.

Mr. Speaker, the Palestinian people voted in January in what appears to be a free and fair election, and the democratic expression of the people will and should always be encouraged. It is clear, however, that this victory by Hamas is, in significant part, a reaction by Palestinian voters to the rampant corruption in the Fatah movement that began and continued under Yaser Arafat. However, the Palestinian side must recognize that the election of Hamas to a parliamentary majority will not change or alter the absolute, irrevocable precondition for peace, the dismantlement of the Palestinian terrorist infrastructure. In fact, I believe that the international community must now exert its collective will upon Hamas and insist that it renounce the tactics of terror and proactively dismantle that terrorist infrastructure.

Finally, Mr. Speaker, let me say to our friends in Israel that the United States-Israel relationship today is stronger than ever and we are fully committed to our ally's security, sovereignty, and success.

I urge my colleagues to vote for this resolution.

Mr. ACKERMAN. Mr. Speaker, it is my pleasure to yield 5 minutes to the gentlewoman from Nevada (Ms. BERKLEY), a member of the committee.

Ms. BERKLEY. Mr. Speaker, it seems that every time the Palestinian people take one step forward, they take two steps back. When Abu Mazen was elected, he pledged to root out terrorism and end corruption within the Palestinian Authority. Unfortunately, he has done nothing to help his people. He has continued the corruption that is rampant in the Palestinian Authority, and he has refused to disarm and dismantle the terrorists and their terrorist organizations.

We all know that Yaser Arafat did a tremendous disservice to the Palestinian people. He was a disgrace to humanity. Abu Mazen and the Fatah Party have done, sadly, no better. They had a historic opportunity to make peace. Instead, they chose a path of continued corruption, terror, and violence.

This resolution sends a strong and unambiguous message: if you choose terrorism, the United States will not support you. Road map to peace is also unambiguous. The Palestinian Authority must denounce terrorism, disarm and dismantle the terrorist infrastructure and shut down the terrorist organizations before, before, there can be a two-state solution.

Hamas has never accepted Israel's right to exist, and it has never accepted the peace process. It continues to support terrorism and violence. In fact, Hamas not only supports it, it is it. Since 1989, Hamas has killed more than

500 people, including more than two dozen American citizens.

Just last week, and this is after the election, so if anybody thinks being elected to the Palestinian Authority is going to moderate Hamas, just last week the leader of Hamas reiterated their commitment to destroy the Zionist state. Hamas also promised that the armed struggle will not end.

Hamas' control of the new Palestinian government further undercuts the ability of its government to engage in true reforms and further strengthens the enemies of Israel and those who oppose peace.

Hamas must disavow its stated goal of destroying Israel and change its charter to recognize Israel's right to exist as a free and independent Jewish state. Until the Palestinian government recognizes Israel's right to exist as a Jewish state, renounces its demand for right of return, which will create two Palestinian states, not a Jewish state and a Palestinian state, ceases all forms of incitement and violence, condemns terrorism, dismantles its terrorist infrastructure, and, most important, removes terrorist organizations from the government, Congress must end all U.S. aid.

If negotiating with terrorists is not an option for this country, and it is not, then funneling Americans' hard-earned tax dollars to terrorists certainly is not an option either.

I argued unsuccessfully while I was standing in this very spot that the United States Congress should not give additional aid to the Palestinian Authority until they demonstrated with deeds, not rhetoric, with deeds that they were serious about making peace with Israel and took concrete steps to show us that they were indeed serious. Unfortunately, my colleagues did not agree with me, and we continued to fund Abu Mazen and the Palestinian Authority, although they did nothing to earn our trust and they certainly did nothing to earn taxpayers' hard-earned dollars.

I urge in this resolution that my colleagues stand with me in supporting the resolution that will end all U.S. aid to the Palestinian Authority until Hamas recognizes Israel's right to exist and, indeed, does it with deeds, not words.

Mr. CROWLEY. Mr. Speaker, I rise in strong support of S. Con. Res. 79.

The United States exercising the option of cutting off assistance to the Palestinian Authority because of the participation of Hamas in the Palestinian Government should not be a surprise to the Palestinian people.

This House spoke out strongly with the passage of H. Res. 575, which clearly stated before the elections that we did not approve of terrorist organizations participating in the Palestinian elections.

Today's resolution should bring home that the United States will not provide aid to a government run by terrorists.

The Hamas victory is unacceptable because it provides a group of murderers with a seat at the table. I can not understand how the most secular Palestinian people would support an organization whose goal is to take their rights away.

The United States must stand by our friend and ally Israel in this relationship as should the rest of the world. The United States should refuse to lend legitimacy to an organization whose primary goals include the elimination of the State of Israel and the use of violent measures to attack the Israeli people.

The United States cannot support any government that continues to approve of and utilize terrorism. Terrorism takes many forms, dressing up a political party in the trappings of an election does not negate the underlying mission of what Hamas seeks to achieve, the abolition of the Jewish State.

We must make it clear to the Palestinian people that the United States does not approve of terrorist actions and will not provide financial assistance to any group or organization that condones, plans, or enacts violent activities.

The United States has designated Hamas as a terrorist organization, and as such should not provide any funding to them.

The victory of Hamas indicates the Palestinians are not interested in achieving peace with Israel and does not move the Palestinian people towards their goal of statehood.

The United States should not supply any government aid to the Palestinian authority until Hamas renounces all terrorist activities, recognizes the right of the State of Israel's right to exist, and fully disarms its terrorist organization.

The United States has worked for years to find a peaceful solution to the Israeli-Palestinian conflict.

But a solution will not come about with the current leadership of Hamas involved in any form of Palestinian Government.

In order to help facilitate the development of a true and lasting peace between the Israeli people and the Palestinian Authority, the United States, European Union and other countries must speak with a united voice that the activities of Hamas in any sort of elected Palestinian Government is anathema.

Mr. LANTOS. Mr. Speaker, I rise in strong support of this resolution.

A few weeks ago, the Palestinian people stunned the world by giving majority control of the Palestinian Legislative Council to Hamas, an entity determined to be a foreign terrorist organizations by both the United States and the Europe Union. Some may point out that the Fatah party's fragmentation combined with the nature of the electoral system chosen by the Palestinian Authority led to this strong Hamas majority.

We will be discussing these and other explanations for Hamas's victory over the coming weeks and months. But they do not change the reality that 74 out of 132 seats in the Palestinian Legislative Council were won by an organization that not only preaches the destruction of Israel, but has sent suicide bomber after suicide bomber to kill innocent civilians, including young children, and that has been implicated in the deaths of Americans. Mr. Speaker, the resolution we are considering today is simple and to the point: There should be no money for the Palestinian Authority as long as its legislature is controlled by a party that is both a terrorist organization and advocates the destruction of Israel.

This is not some plot to effect regime change—this is merely to send a message that the civilized world does not tolerate and will not support terrorists. This resolution means no American funding for the Palestinian Authority as long as Hamas controls the legislature, since there is absolutely no credible sign that Hamas intends to change its ugly charter or do anything else to demonstrate that it now accepts Israel's right to exist. Mr. Speaker, our action on this resolution today will not be the final word of the Congress on this issue. We will return to it again and again.

Last week, our colleague from Florida, Congresswoman ROS-LEHTINEN, and I—with over 50 of our colleagues—introduced H.R. 4681, the Palestinian Anti-Terrorism Act of 2006, and I am confident that it will soon be brought to the floor. H.R. 4681 puts legislative teeth into the resolution we are considering today. It would, among other things, prohibit by law the funding of a Palestinian Authority controlled by a terrorist organization.

Mr. Speaker, the basic thrust of American foreign policy is to fight terrorism globally, and it is self-evident that the United States will not fund an organization such as Hamas that continues to advocate and carry out terrorist acts in the Middle East. Nor will we fund a government which is controlled by a terrorist organization or in which major institutions, such as the legislature, are controlled by a terrorist organization. This should not come as a surprise to anyone. In December, the House of Representatives overwhelmingly adopted House Resolution 575 by a vote of 397–17 which warned that there would be serious consequences—including financial consequences—for U.S.-Palestinian relations if Hamas were to take over the Palestinian Authority.

Mr. Speaker, not one thin dime of American taxpayer money should be devoted to supporting a terrorist organization. Nor should one thin dime be devoted to making a terrorist organization look good. Our desire to support strictly humanitarian assistance for the Palestinian people, of course, will continue unabated. But we should not fund major projects, whatever their purpose. Such projects would only make a Hamas government look like a success story. They would be taken as evidence that Hamas can defy the international community and continue to receive financial support, while supporting terrorism, rejecting Israel's right to exist, and spitting on pre-existing Israeli-Palestinian agreements.

Mr. Speaker, that is why the Ros-Lehtinen-Lantos legislation will put severe restrictions on all Palestinian assistance that is not strictly for humanitarian purposes. The notion that an organization hell-bent on destroying the sole democratic state in the Middle East should be receiving or exploiting U.S.-taxpayer funds is simply unacceptable. We will be relentless in isolating and fighting terrorists. Hamas officials and their representatives will not be given visas to visit the United States. American officials will not deal with Hamas representatives unless—and this is a major unless—unless they publicly and without reservation recognize the right of the democratic State of Israel to exist, renounce terrorism as a means of achieving their goals and objectives, and accept all previous Israeli-Palestinian agreements. And we will fight direct assistance to a

terrorist-controlled Palestinian Authority through any international institution. Hamas must understand that their ability to deal with the United States and to be accepted in the community of civilized nations rests on a thorough repudiation of their hateful policies.

Governments have made such changes in the past. Organizations and movements have made such changes in the past. And certainly, Hamas has that opportunity. But if Hamas does not clearly take full advantage of this opportunity, our legislation will soon come into effect and we will prohibit American funds. If Hamas does take advantage of this opportunity and definitively and unequivocally meets these requirements, then our government would be willing to deal with it, continue assistance, and work to see that the long-suffering Palestinian people have a better life in the future. Otherwise, I fear the Palestinians and prospects for Middle East peace will face a long, difficult winter that could be measured in years not months.

Mr. Speaker, I support this resolution, and I urge all my colleagues to do likewise.

Mr. CARDIN. Mr. Speaker, I rise in support of S. Con. Res. 79, which expresses the sense of Congress that no U.S. assistance should be provided directly to the Palestinian Authority if any representative political party holding a majority of parliamentary seats within the Palestinian Authority maintains a position calling for the destruction of Israel.

On January 25, Hamas won a majority of the seats in the Palestinian Authority parliamentary elections. Their charter calls for the ''obliteration'' of Israel and states that they can achieve their objectives only through violence. They have rejected the ''two-state'' solution and Road Map peace process. They continue to call for a Palestinian State which includes and ultimately subsumes the sovereign territory of Israel.

Mr. Speaker, this House has already gone on record on the issue of assistance to the Palestinian Government should Hamas become part of the government. On December 14, 2005, the House passed H. Res. 575, which I cosponsored, which in part calls upon the United States to reassess its financial assistance to, and its diplomatic relations with, the Palestinians should Hamas join the government.

I am pleased that the Quartet issued a statement on January 30, 2006, which ''concluded that it was inevitable that future assistance to any new government would be reviewed by donors against that government's commitment to the principles of nonviolence, recognition of Israel, and acceptance of previous agreements and obligations, including the Roadmap.''

I also agree with the Quartet that the Palestinian Authority must move quickly to ensure law and order, prevent terrorist attacks, and dismantle the infrastructure of terror. Finally, the new government must also take concrete steps to establish the rule of law, tolerance, reform and sound fiscal management in the Palestinian territories.

The foundation of the Road Map peace process hinges on Palestinian recognition of the right of Israel to exist and a pledge by the Palestinians to end violence and terrorism. Just as the United States will not negotiate with terrorists, neither will Israel. We cannot allow American taxpayer dollars to fall into the hands of terrorists who have no intention of renouncing violence.

I therefore urge my colleagues to support this important resolution.

Mr. BERMAN. Mr. Speaker, a top Hamas leader was recently quoted as saying the U.S. would ''get used to Hamas in a year or two.''

I'm afraid he's sadly mistaken. America will never accept a Palestinian Authority controlled by a terrorist organization—1 year, 5 years, 10 years or 50 years from now.

Hamas must face reality. Either they meet the conditions of the international community—recognize Israel's right to exist as a Jewish state, renounce terrorism and disarm—or face a massive reduction of assistance and isolation.

The civilized world should not bend to Hamas; they must bend to us.

This resolution—to be followed soon by binding legislation—sends an unambiguous signal to Hamas and the rest of the world that Congress will not bankroll a terrorist government responsible for the deaths of thousands of innocent civilians and committed to the destruction of Israel.

Mr. SCHIFF. Mr. Speaker, I rise in strong support of this simple resolution and of its central underlying premise—that this Nation will not support a Palestinian Government that is not unambiguous in its recognition of Israel's right to exist and unequivocal in its support for a two-state solution to the decades-long conflict between Israel and the Palestinians. I also commend the distinguished chairman and the ranking member of our committee who have dedicated themselves to working for true peace in the Middle East.

The Hamas victory in last month's Palestinian Legislative Council election is a major setback to the prospects for peace. Last year's withdrawal from Gaza and parts of the West Bank by Israel was a positive step after several years of bitter fighting between the two communities.

While much of the world was taken by surprise by the Hamas victory, we really should not have been shocked. Last summer, even as Israeli soldiers physically removed settlers from their homes, the Israeli Government, the United States Government, the European Union and others were emphatic in telling the Palestinian Authority and the Palestinian people that they now bore the burden of centralizing authority in Gaza and maintaining security there. This country and our allies sought to strengthen the P.A. with aid and diplomatic support. Unfortunately, the Palestinian Authority was unable to seize the opportunity to show the Palestinian people the true benefits of peace.

Polling before the election and exit polling done on election day shows clearly that Palestinian voters chose Hamas because they were fed up with the corruption of Fatah and its inability to deliver a wide range of basic social and economic benefits. Hamas may be best known to Americans as a violent terrorist organization, but within the P.A. it has also run schools, medical clinics and day care centers.

The same polling that showed Palestinian disgust with Fatah also showed that a large majority of Palestinians favor a two-state solution and peace with Israel. The problem now is how do we, the United States, Israel and the rest of the international community, convince Hamas that the only way forward is to abandon its dream of driving Israel into the sea and replacing it with an Islamist Palestine.

Frankly, Mr. Speaker, I do not know if this is possible, but I have become convinced after multiple refusals by Hamas spokesmen to repudiate its call for Israel's destruction, that the only way forward is to ratchet up the pressure. This resolution is, I believe, a good first step. It does not mandate specific action by the administration, but reiterates the message that this country will not support a Hamas government that will not recognize Israel.

Those who cling to the dream of Israel's destruction must realize that this resolution is a warning and that continued intransigence will be met with sterner countermeasures.

Mrs. CAPPS. Mr. Speaker, I rise in support of S. Con. Res. 79 and am pleased that the House leadership has decided to pursue this thoughtful and constructive response to the success of Hamas in the recent Palestinian Legislative Council elections.

With passage of this resolution, the Congress will be on record in opposition of any direct U.S. aid to the Palestinian Authority if the majority party in parliament maintains a position calling for the destruction of Israel.

This reflects longstanding U.S. policy. And it is clearly the right policy. Hamas is a ruthless terrorist organization with the blood of innocents on its hands. When Hamas assumes control of the Palestinian parliament, it must recognize Israel's right to exist and renounce terror. If not, the Palestinian Authority should receive no direct U.S. aid. It's as simple as that.

But I would like to use this opportunity, Mr. Speaker, to point out that the outcome of the Palestinian election does not lend itself to simple analysis. And the U.S. response to this development must not be knee-jerk and simplistic.

Let us first remember that the Palestinian people went to the polls and conducted an election that was remarkably democratic, free, fair, and devoid of violence. We may not like the results, but we should take note of what is among the most democratic elections the Arab world has ever seen.

And while Hamas attracted the most votes, there is little evidence that Palestinian voters were in fact endorsing Hamas's call for Israel's destruction. Exit polls show that three-quarters of all Palestinian voters support reconciliation between Israel and the Palestinians based on a two-state solution. Armed with the ballot, Palestinians gave political voice to their anger and anguish over two related problems—the rampant corruption and cronyism within the Fatah establishment, and the lack of any tangible improvement of the quality of life under Israeli occupation.

So what should the United States do in response to this election? One thing we cannot do is simply throw up our hands and refuse to engage in efforts to help Israel and the Palestinians achieve peace. We cannot turn back the clock. Every week that goes by without any progress to achieve a solution to this conflict increases the threat to U.S. national interests. This was true before Hamas came to power and it is just as true today.

Yesterday, I received a letter from the Assistant Secretary of State for Legislative Affairs assuring me that the administration ''remain(s) committed to working toward the peaceful resolution of the Israeli-Palestinian conflict . . .'' This is a positive statement, and Congress should play a positive role in partnership with the President to advance our interests in the region.

For this reason, I am concerned about some legislative proposals that have been introduced in the House which would, in my view, sharply curtail our ability to engage constructively in the Israeli-Palestinian conflict.

Future legislation should include a mix of sticks and carrots—not just sticks. Clearly, direct aid to a Hamas-led Palestinian Authority must be stopped right now, but we should keep the door open for future aid if the P.A. undertakes the changes and reforms we are demanding of them. Permanently restricting our assistance provides little incentive and dramatically limits the President's options. Similarly, we must distinguish between the Hamas elements of the Palestinian Government and members of the PLO with whom the U.S. and Israel have negotiated for many years. Terminating diplomatic contact with the entire Palestinian leadership will do nothing but undermine the very moderates who oppose violence and support dialogue with Israel.

In addition, I am concerned about legislative efforts that would restrict the delivery of U.S. humanitarian assistance to the Palestinian people through credible and transparent nongovernmental organizations. I am pleased that the recent report in the New York Times about a coordinated American-Israeli effort to ''starve'' the Palestinian people has been strongly denied by both countries. The average Palestinian on the West Bank and Gaza leads a very difficult life and the further deterioration of economic conditions will not only be devastating for the Palestinians, but will also weaken Israel's security.

Mr. Speaker, today the House is taking an important step by stating unequivocally that U.S. assistance will not flow to a government dominated by a terrorist group bent on Israel's destruction. I hope, in the weeks and months ahead, as the situation in Israel and Palestine evolves, we can come back to this floor and enact thoughtful legislation that helps the Palestinian people, secures the State of Israel, and advances our own important interests in the Middle East.

Mr. GARRETT of New Jersey. Mr. Speaker, I proudly pledge my support for S. Con. Res 79, which expresses Congress's disapproval of any foreign aid distributed to the Palestinian Authority if a group holding the majority of seats supports the destruction of one of America's closest allies, Israel.

The recent election by the Palestinian people that put Hamas in control of their governing body should be troubling to all. This organization, with a foundation of hate and a track record of evil, has as its platform, one goal—the annihilation of the Jewish State of Israel.

It is quite troublesome that a people, desperate to prove to the world that they are deserving of recognition, peaceful, would with overwhelming support put in power a group solely motivated by the ruin of the peaceful and freedom-loving Nation of Israel.

Hamas is responsible for the tragic deaths of thousands of innocent Israelis and Americans, including women and children. They have refused to take part in any peace talks, including the Oslo Accords. They have refused to participate in previous, formal governmental operations that have worked with Israel. And they actively recruit children to accomplish their malevolent and homicidal agenda.

For generations, we have been working towards a plan that will finally bring peace to the most unstable region in the world—the Middle East. In recent years, peace looked as close as it ever has, held together by fragile promises of Arab leaders to end their over half-century assault on the nonviolent and democratic State of Israel. The control of the Palestinian Authority by Hamas could very well tip the scales away from a peaceful resolution.

Congress, who holds the purse strings of the peoples' money, should never provide any aid to any organization set on such destructive results. As a Member of Congress representing a district whose sightline used to include the Twin Towers, I know all too well the devastating effects of vengefulness and abhorrence.

I am proud of Congress's actions today and commend those who have worked to bring this resolution to the floor. I was similarly proud to stand with my colleagues in December when with strong bipartisan support, we passed H. Res. 575, warning against the very inclusion of Hamas and other terrorist groups in the Palestinian elections. I am also a proud original cosponsor of H.R. 4668, a House bill denying aid to a Hamas-controlled Palestinian Authority.

As our only ally in a region filled with unrest and American hatred, I vow to continue to stand firm with the State of Israel. The rise to power by the terrorist establishment Hamas only spells trouble for Israel and the United States, as well as for all our collaborative efforts to reverse the trend of a region that has been a breeding ground for terrorists sought on eliminating freedom and liberty from this world.

Mr. NADLER. Mr. Speaker, I rise to support S. Con. Res. 79, a resolution expressing the sense of Congress that no United States assistance should be provided directly to the Palestinian Authority so long as the Hamas-led government maintains a position calling for the destruction of Israel.

In fact, I will go further and say that the United States should freeze all aid to the Palestinian Government until Hamas denounces violence, renounces terrorism, and recognizes the State of Israel's right to exist within secure borders. Hamas's mission is the destruction of the State of Israel, and its methods include wholesale violence against civilians. To fund that regime is to legitimize terrorism against innocent people.

Hamas has been responsible for more than 425 terrorist attacks since the start of the second Intifada in the fall of 2000. These attacks have resulted in the deaths of 377 people, including approximately 27 Americans since 1993.

With Hamas in the majority—an organization designated as a terrorist group by the United States and the European Union—the Palestinian Authority is now led by a regime whose actions and covenant directly reject a diplomatic and peaceful resolution to the Israeli-Palestinian conflict. Hamas must publicly acknowledge Israel's right to exist as a free, Jewish state, denounce terrorism and dismantle its terrorist infrastructure, halt anti-Israel incitement, and commit itself to the peace process. The logical consequence of Hamas's failure to follow these civilized principles must be a freeze on foreign aid from the international community.

Today, the Palestinian Authority receives approximately $1.1 billion a year in foreign aid. According to a report prepared by the Congressional Research Service, the Palestinian Authority receives about $320 million a year in direct foreign aid, and about double that amount in indirect aid.

I am concerned that the international community may not be united in its opposition to Hamas. There is already disagreement within the Quartet, with President Putin declaring that Russia will not stop foreign aid to the Palestinian Authority. I have already written President Putin to urge him not to fund Hamas, and I hope he will reconsider his decision. But the problem goes beyond Russia.

Arab nations, many of them purported friends of the United States, have openly declared that they will step in and fund the Hamas-led government. Saudi Arabia and Qatar have already pledged $33 million. Several countries in Latin America, including Argentina, Brazil, Venezuela, and Bolivia, have invited Hamas officials to visit with their governments. The international community must neither fund, nor legitimize Hamas.

Therefore, I am circulating a letter to President Bush urging him to build an international consensus to withhold foreign aid as a way to isolate the Hamas-led government until Hamas denounces violence, renounces terrorism, and recognizes the State of Israel's right to exist within secure borders. Many Members of Congress have joined me in this effort, and I hope with this action by Congress today, more Members will join our efforts.

Mr. SHAW. Mr. Speaker, the Palestinian elections last month provided the Palestinian Authority an incredible opportunity to take the necessary step in the Israeli-Palestinian peace process. However, Hamas continues to incite violence and advocate for the destruction of Israel.

The resolution before us today states that the United States will not support sending tax dollars in the form of aid to a terrorist government. This resolution sends the message that America does not do business with a government that calls for the total destruction of one of our allies.

Hamas, for its part, continues to support the killing of Israeli civilians and denies the legitimacy of the state of Israel. Hamas has a choice, they can renounce violence, govern and work towards peace, or they can choose violence and the consequences that follow.

Last fall, I sent a letter to President Abbas calling on him to institute clear criteria for participation in Palestinian elections. Groups or individuals such as Hamas who support violence, racism, intolerance and hatred should have no right to participate in democratic elections.

Mr. Speaker, I do not see President Abbas working towards peace. This resolution reiterates that America does not deal with terrorists. I urge Members to support this resolution.

Mr. PAUL. Mr. Speaker, I intend to vote in favor of this legislation because I support any statement by Congress indicating hesitation to send U.S. taxpayer money abroad.

Unfortunately this legislation is motivated by politics rather than a genuine desire to limit unconstitutional foreign aid programs. The wording of the resolution itself does not close the door to providing U.S. aid to the Palestinians even if Hamas, the political party that won recent parliamentary elections, takes its seats in parliament without altering its stated policies toward Israel. Indeed, the legislation states that ''no United States assistance

should be provided directly to the Palestinian Authority'' if Hamas occupies a majority of seats in the Palestinian parliament. This obviously suggests that the money can be spent ''indirectly'' in any case.

So this is hardly a strong statement opposing any and all aid to the Palestinians, which is the position that I hold.

I find it interesting that the same proponents of the United States government exporting democracy overseas are now demanding that something be done when people overseas do not vote the way the U.S. Government thinks they should. It seems that being for democracy means respecting that people overseas may not always vote the way Washington wants them to vote. If our aim is to ensure that only certain parties or individuals are allowed to lead foreign nations, why not just admit that democracy is the last thing we want? That attitude is evident in the fact that the U.S. Government spent more than $2 million trying to manipulate the Palestinian vote in favor of parties supported by Washington. You cannot have it both ways. Although it is always a good idea to eliminate foreign aid, we should be careful about calling the manipulation of elections overseas an exercise in ''democracy promotion.''

Mr. McDERMOTT. Mr. Speaker, I have been occupied with the Ways and Means Committee all day and have not been able to participate in floor debate. I wish I had been able to participate in the discussion of S. Con. Res. 79 which was on the floor this morning because I have a question about the resolution.

My question is: How does this resolution further the cause of peace in the Middle East or make Israel more secure?

The resolution states that it is the sense of Congress that the U.S. should not directly aid the Palestinian Authority ''if any representative political party holding a majority of parliamentary seats within the Palestinian Authority maintains a position calling for the destruction of Israel.''

Of course there is a party with that sentiment, Hamas, and—as we all know—that U.S. law prohibits aid to Hamas. As far as I know, neither President Bush nor Secretary Rice nor anyone else in our Government has proposed trying to find a loophole through which the U.S. can bankroll Hamas.

So we have a resolution opposing an action which is already prohibited in existing law. We are bravely opposing doing something illegal that no one at all in the administration or Congress has proposed to do.

Why? Why did we come to the floor and vote on this? Who does it help?

I am submitting two articles for the RECORD along with this statement. The first, ''The Right Way to Pressure Hamas,'' is an editorial from this morning's New York Times.

It discusses the rumors that the U.S. and Israel are trying to create conditions that would lead to new elections to oust Hamas, presumably in favor of Fatah.

The editorial notes that ''in the long, sorry history of the Israeli-Palestinian dispute, there is not a shred of evidence to support the notion that pushing the Palestinian population into more economic desperation would somehow cause them to moderate their political views. In fact, experience teaches the exact opposite.''

The Times goes on to say that a wise course ''would be to step back and desist from deliberately provoking the Palestinians, and give Hamas a chance to reconsider its own options.''

The second article, ''Talking with the Guys from Hamas,'' appeared last Saturday in the Daily Star, a well-respected, moderate Beirut daily. I urge every member to take time to read it.

Its author, Rami Khouri, notes that a ''Hamas-led Palestinian government and the new Israeli government to be elected next month face a historic opportunity.''

He predicts that Hamas ''will surely continue its 3-year slow shift toward more pragmatism and realism because it is now politically accountable to the entire Palestinian population, and to world public opinion.''

However, Khouri warns: ''It is not very helpful—as so may pro-Israel American apologists do—to focus mainly on Hamas' theology or its 1987 founding charter, any more than one should deal with Israeli parties that base their claim to all of Palestine—Eretz Israel on the book of Genesis account of God's land patrimony to the Jewish people.''

So, what was the point of today's vote? To spell out for Hamas that Congress is going to stand in the way if Secretary Rice suddenly decides to try to send them a big aid package? To tell the President that he'd better not be trying to exploit some loophole to subsidize Hamas?

To clarify for Israel that the position that Harry Truman took isn't being abandoned after 58 years?

Mr. Speaker, time and time again, my Republican colleagues have come to the floor with resolutions opining on various issues.

Regrettably, they often serve to worsen the problems under consideration and to boil complex issues down to radio talk show-sized sound bites. This is a sensitive, dynamic time in Arab-Israeli relations, and I hope members can restrain themselves from show-boating.

As Rami Khouri suggests: ''Political theologians and collectors of historical ideologies, please go home for a while.''

[From the Daily Star, Feb. 11, 2006]

TALKING WITH THE GUYS FROM HAMAS

(By Rami G. Khouri)

I had the opportunity Thursday to explore first-hand the implications of the victory of Hamas in last month's Palestinian parliamentary elections. I went to talk to Hamas leaders at the Palestinian refugee camp of Burj al-Barajneh in Beirut, where poor, disenfranchised Palestinian refugees live in rather atrocious material conditions.

After two-and-a-half hours of discussions among Hamas, other Palestinian parties and an Anglo-American visiting delegation, I now know better why Hamas swept the Palestinian elections. The human contact also reveals what the news does not convey: this exiled, marginalized, downtrodden and vulnerable refugee community walks today with its head held higher than any other group of people in the entire Middle East, because of its unique combination of self-confidence, perseverance, success and legitimacy. Hamas is the only Arab party that enjoys an authentic mandate from its people, genuinely manifested through victory in two free elections at the municipal and national levels.

What does one learn from such encounters? The two most significant themes that emerge from discussions with Hamas officials—and from their many statements—are a commitment to national principles and a clear dose of political pragmatism. Both dimensions are important, and cannot be separated.

It is not very helpful—as so many pro-Israeli American apologists do—to focus mainly on Hamas' theology or its 1987 founding charter, any more than one should deal with Israeli parties that base their claim to all of Palestine-Eretz Yisrael on the Book of Genesis account of God's land patrimony to the Jewish people. Political theologians and collectors' of historical ideologies, please go home for a while.

Now that Hamas will share or hold power, they are likely to persist in both their principled and pragmatic ways. They will assert rather than drop their existing principles related to domestic governance, resisting Israel and liberating the Israeli-occupied territories, and potentially coexisting with an Israeli state under certain conditions. It is foolhardy to expect Hamas to reverse its principles at the moment when it has achieved a historic victory precisely because it has adhered to them. At the same time, it will surely continue its three-year-old slow shift toward more pragmatism and realism, because it is now politically accountable to the entire Palestinian population, and to world public opinion. Incumbency means responsibility and accountability, which inevitably nurture practicality and reasonable compromises.

Here is where Hamas' experience is instructive, and why it is so important to speak with them to understand how they are likely to behave. My sense from such discussions, along with 35 years of watching Islamists at work, is that they do make compromises and practical concessions. But they only do so on four conditions: they talk and compromise in a political context of negotiations between two equal parties; they give only when they get something of equal value in return; they respond emphatically to the consensus position of their national constituency; and they do not compromise on what they identify as core national rights of equality, dignity, liberty and sovereignty.

One more vital point to remember: Hamas and Hizbullah are the only two Arab groups that have ever forced Israel's fabled military to withdraw involuntarily from occupied Arab land (South Lebanon and Gaza). American presidents and other purveyors of fantasy are free to call this sort of unilateralism a ''courageous initiative for peace,'' as George W. Bush said of Ariel Sharon. The rest of the rational world calls this what it is: a retreat, and a tacit admission of defeat. Hamas will build on the policies that achieved this, not repudiate them.

Hamas lives in the real world, not in fantasyland. It and its supporters are not so impressed with having tea in the White House. They are much more focused on bringing back a degree of personal dignity, communal self-respect, and national integrity to Palestinian life. They also know that the majority of Palestinians, other Arabs and world nations wish to coexist in negotiated peace with the state of Israel, if Israel in turn reciprocates the sentiment to the Palestinians and other Arabs whose lands it has occupied. How to reconcile these realities is a priority issue for them in the coming months.

I expect that Hamas will combine its legacy of both principles and pragmatism in slowly making important decisions on key issues in coming months. These will include sharing power in Palestine, reforming corrupt and mediocre national institutions, galvanizing an effective national Palestinian leadership representing all Palestinians in the world, negotiating peace with Israel while resisting its occupation, and fostering the development of a society that is not necessarily ruled by Islamic law.

A Hamas-led Palestinian government and the new Israeli government to be elected next month face a historic opportunity, if they are prepared to see each other as representing peoples and nations with equal rights. Hamas has reached this triumphant

moment precisely because it has insisted on such equality, rather than pandering to Israeli-American promises as other Palestinian leaders did without success.

Hamas can be pragmatic only because its resistance and consistent principles have brought it success. Understanding the dynamic relationship between these factors is the key to movement forward to a win-win situation for all, including Palestinians, Israelis and the slightly dazed denizens of fantasylands far away.

[From the New York Times, Feb. 15, 2006]

THE RIGHT WAY TO PRESSURE HAMAS

America and Israel have to walk a very narrow line in defining their relations with a democratically elected Palestinian government built around Hamas, a party that not only endorses terrorism but also commits it. They cannot possibly give political recognition or financial aid to such a government. Neither can any country that claims to oppose terrorism. That defines the right side of the line.

On the wrong side lies the kind of deliberate destabilization that, according to a report by our Times colleague Steven Erlanger, Washington and Jerusalem are now discussing. That would involve a joint American-Israeli campaign to undermine a Hamas government by putting impossible demands on it, starving it of money and putting even greater restrictions on the Palestinians with an eye toward forcing new elections that might propel the defeated and discredited Fatah Party back to power.

Set aside the hypocrisy such a course would represent on the part of the two countries that have shouted the loudest about the need for Arab democracy, and consider the probable impact of such an approach on the Palestinians. They are already driven to distraction by fury, frustration and poverty. Is it really possible to expect that more punishment from the Israelis and the Americans, this time for not voting the way we wanted them to, would lead them to abandon Hamas?

In the long, sorry history of the Israeli-Palestinian dispute, there is not a shred of evidence to support the notion that pushing the Palestinian population into more economic desperation would somehow cause them to moderate their political views. In fact, experience teaches the exact opposite.

Fatah lost last month's election because its incompetence and corruption drove Palestinian voters into the arms of the more austere, social-services-oriented Hamas. If the new government fails to deliver because it puts continued terrorism over the well-being of the Palestinian people, it may indeed be booted out of office. But a Hamas that could explain continued Palestinian misery by a deliberate American-Israeli plan to reverse the democratic verdict of the polls would be likely to become only stronger.

Washington publicly asserts that no such plan is being discussed. A far wiser course for the United States to pursue would be to step back and desist from deliberately provoking the Palestinians, and give Hamas a chance to reconsider its own options. Some hints about its intentions may emerge from the way its leaders respond to overtures by the Russian president, Vladimir Putin. Last week, Mr. Putin indicated that he intended to invite them to Moscow for a visit.

Mr. Putin's move was controversial in the West, and perhaps he should have provided more warning. But that would be a minor snub indeed if he prods Hamas toward renouncing terrorism, accepting Israel's right to exist and reviving the peace process.

Ms. JACKSON-LEE of Texas. Mr. Speaker and my fellow Representatives, we have before us a resolution that, in its brevity, expresses the apprehension, concern, and resoluteness of our country in response to the victory of Hamas in the Palestinian elections 3 weeks ago.

I stand here to support the sense of Congress that an organization that does not recognize the right of another sovereign state to exist should not be the recipient of our aid. I have grave reservations about this resolution, however. Rather than pressure Hamas to recognize Israel, we may instead add more fire to the hostilities and prematurely halt the peace process by asserting this punitive resolution.

I hope that the Palestinian Authority will engage in diplomatic relations and come to an understanding that is satisfactory to all involved. The violence and suicide bombings are still present in our minds, and our objective is to never have to witness events such as these again.

But I also know that the Palestinian people need our help desperately. They are vulnerable. They need food, shelter, warmth, sanitation, medicine, schools. But they also need safety, protection, confidence, and a reason to believe that they may someday witness and achieve stability and peace. By joining in the sense of Congress today and refusing aid to a government that does not recognize Israel, we cannot forget the Palestinian people, who still urgently need our humanitarian aid.

Some may say that the majority voted for a historically terrorist political party. But the picture is never as simple as it seems on the surface—Palestinians had a choice between corruption and terrorism. They have seen the wasted resources and the ineffectiveness. They voiced their disgust in their leadership by democratically voting them out of office. The elections were a success in that regard—campaigning was energetic and nonviolent, and the election turnout was beyond expectations. They chose to replace the party in power with an alternative that promised more solidity, more leadership, and more hope for the future.

I do, however, implore that Hamas recognize the state of Israel and renounce violence. We can help them achieve many great things, including their own sovereign state. I hope that they will take us up on our offer.

Israel has found a way to exist as both a religious state and as an international diplomatic partner while protecting its own interests. Many Arab states have also tried this with varying degrees of success. Hamas needs to understand that you can run your country holding religious values close, while participating in a secular process that will give you what you seek. Daily, we see reports that Hamas refuses to acknowledge Israel's right to exist. Although we understand the anger, we've been shocked and dismayed at the violence in the Islamic community as a result of the publication of offensive cartoons. Unfortunately these images are present in our minds as we consider our relationship with the Middle East. I strongly urge Hamas to reassess its tactics and its position in relation to its goals, as well as reassess how best it can serve its people in its new position of government leadership. I know that your religion values human life. Prove it by protecting your people, and assuming the authority you have democratically earned by recognizing Israel's right to exist, just as you assert your right to exist.

The Israeli national anthem is entitled ''The Hope,'' and it expresses an optimistic, yet sober understanding of what is needed to attain peace. Today, as a Member of Congress, I will join my colleagues in telling the Palestinian Authority that it must step onto the international diplomatic arena with honesty, openness, and a willingness to compromise. I still believe that a State of Palestine and a State of Israel will someday be able to coexist in peace, but in order for that to happen, both must acknowledge one another.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of this resolution as a first step toward helping our close ally, Israel, from an increasing threat. This resolution responds to the troubling results of the Palestinian Legislative Council, PLC, elections last month, in which Hamas—the radical Islamic Palestinian organization that has sought to expel Jews and destroy the state of Israel to establish an Islamic Palestinian state based on Islamic law—won a majority of the seats.

Hamas has been recognized by the United States and the European Union as a terrorist organization, and has committed hundreds of acts of terrorism against Israeli citizens since its creation in 1987.

The group has employed car bombings, suicide bombings, mortar attacks, Qassam rocket attacks, and assassinations to achieve its stated goal of destroying Israel, and in doing so has killed thousands of innocent Israelis, as well as several Americans, including 5 during a series of bombings in 1996.

In FY 2005, $275 million was appropriated to the West Bank and Gaza, with $50 million of that funding going directly to the Palestinian Authority. We can never allow U.S. taxpayer dollars to get in the hands of a Hamas-controlled government to be used against Israel.

The Palestinian people voted and selected Hamas, but that does not mean we must support an organization that is counter to real peace in the Middle East. Elections are serious business, and I am disappointed the Palestinian people selected a group who does not want peace.

Passing this resolution is just a first step to notify a Hamas led government; the US and its allies can not support a government in Gaza and the West Bank that does not recognize Israel's right to exist.

Mr. Speaker, these election results are extremely troubling and this resolution shows solidarity and concern for the security of Israel and its people. I urge my colleagues to join me in supporting this resolution to send a strong message to Hamas that we will not recognize them as a legitimate government so long as they promote terrorism.

Mr. BROWN of Ohio. Mr. Speaker, I rise in support of S. Con. Res. 79, a resolution urging that no U.S. assistance should be provided directly to the Palestinian Authority if any representative political party holding a majority of parliamentary seats within the Palestinian Authority maintains a position calling for the destruction of Israel.

With Hamas's victory in the Palestinian elections and the continued nuclear aggression of Iran, it is now more important than ever for the U.S. to reaffirm its support for Israel.

With Hamas's new power comes new responsibility. It is time for Hamas to recognize Israel's right to exist. It is time for Hamas to lay down its arms and realize the road to peace lies through direct negotiations with Israel.

We must call on Hamas to put an end to violence and terror. They must cease their rhetoric of hate. The U.S. and the international community must strongly urge Hamas to recognize Israel's right to exist.

Mr. FARR. Mr. Speaker, Hamas maintains and asserts a radical, violent ideology within its charter—the destruction of Israel. I believe that S. Con. Res. 79, which reaffirms that no U.S. funds should go to the Palestinian Authority if the majority party maintains a position calling for the destruction of Israel, is a good first step in creating a more peaceful region. Voting in support of this Resolution is not a hard choice.

But harder choices and questions lay ahead. Should we choose a knee-jerk reaction that cuts off all communication, as well as all assistance to the Palestinian people? The alternative is taking a deep breath and reflecting on more constructive ways to bring about a long-term, sustainable peace within the region, while maintaining our opposition to a political party that supports the idea of the destruction of another nation.

The reasons behind Hamas's victory are complicated. Polling data continues to show that the majority of Palestinians want peace and believe in a two-state solution. Palestinians are tired of a corrupt government and are exhausted by living in poverty. The U.S. Government's actions should not feed these root causes of Palestinian discontent. In fact, we should be supportive of efforts to mitigate these problems, including continued support for NGO-run humanitarian assistance. This path of moderation, I believe, will help bring more security to Israel, Gaza and the West Bank, and some day a Palestinian State.

Silence does not create peace and we shouldn't turn our backs on the Middle East and push all Palestinians down a path of isolation and extremism. The U.S. and Israel must remain engaged and push for a peace process that supports moderate Palestinian voices and peaceful leaders and urge Hamas to conduct itself as a legitimate political authority by renouncing the ideology of the destruction of Israel.

I urge Hamas to change its charter and urge the U.S. State Department to choose peace.

Mr. SHAYS. Mr. Speaker, I appreciate this resolution being brought to the floor so quickly and urge its passage.

The Hamas victory in Palestinian parliamentary elections is of great concern to me and many others and presents a major challenge to the peace process. There is simply no way our government can meet with or provide assistance to a government led by a terrorist organization.

Hamas ran a campaign based on cleaning out the corruption of the Fatah party. The Palestinian people responded to this pledge, but sadly in the process elected a terrorist government. Unless Hamas recognizes the State of Israel's right to exist, ceases incitement and permanently disarms and dismantles their terrorist infrastructure, the United States will not work with this government, nor can we expect Israel to.

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

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

The SPEAKER pro tempore (Mr. KOLBE). The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 79.

The question was taken.

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

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

PAYING TRIBUTE TO SHIRLEY HORN

Mr. PORTER. Mr. Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 300) paying tribute to Shirley Horn in recognition of her many achievements and contributions to the world of jazz and American culture, as amended.

The Clerk read as follows:

H. CON. RES. 300

Whereas on October 20, 2005, the United States lost jazz legend Shirley Horn, who contributed greatly to the musical landscape of the Nation through her artistry and musical talent;

Whereas Shirley Horn was born in 1934 in Washington, DC, and started her musical career at the age of four on her grandmother's piano;

Whereas at the tender age of 12, Shirley Horn studied composition and piano at Howard University and was invited to attend the prestigious Juilliard School in New York City when she was 18;

Whereas jazz gives a powerful voice to the American experience and is born of a diverse society, uniting people across the divides of race, region, and national boundaries, and draws from life experience and human emotion;

Whereas over her long and distinguished career, Shirley Horn performed and worked with jazz legends, including Miles Davis and Quincy Jones;

Whereas Shirley Horn recorded over two dozen albums and was lauded with numerous honors, including the Grammy Award for best jazz vocal performance in 1998, election into the Lionel Hampton Jazz Hall of Fame in 1996, an honorary doctorate from the Berklee College of Music in 1998, the 2003 Jazz at Lincoln Center Award, inclusion in ASCAP's Wall of Fame as the 2005 living legend, and the 2005 NEA Jazz Master, the Nation's highest honor in jazz;

Whereas Shirley Horn never forgot her roots and continued to support and perform in her local community of Washington, DC, receiving the Mayor's Arts Award for Excellence in an Artistic Discipline; and

Whereas Shirley Horn's voice and piano had a profound effect on her listeners around the world: Now, therefore, be it

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

(1) notes with deep sorrow the death of Shirley Horn and extends heartfelt sympathy to her husband and family; and

(2) recognizes Shirley Horn's many achievements and contributions to the world of jazz and American culture and notes the loss to American culture with her passing.

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

The Chair recognizes the gentleman from Nevada.

GENERAL LEAVE

Mr. PORTER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H. Con. Res. 300, as amended.

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

There was no objection.

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

Mr. Speaker, I rise in support of H. Con. Res. 300, which pays tribute to Ms. Shirley Horn, one of the leading jazz musicians of her generation. Ms. Horn passed away this past October, leaving behind a legacy of unsurpassing musical achievement and a family thankful for her dedication as a wife, a mother, and a grandmother. I thank the resolution's author, Mr. CONYERS, for drawing our attention to Ms. Horn's accomplishments and her status as one of America's artistic treasures.

Ms. Horn's talent was evident in early life. She began playing the piano at age 4 and started formal musical training at age 5. At the age of 12, she studied composition at Howard University in Washington, DC and received a scholarship to the Julliard School in New York at the age of 18. Unable to afford the high costs of living in New York, Ms. Horn instead remained in Washington, again studying music at Howard University.

Ms. Horn released her first album in 1961. The record, entitled ''Embers and Ashes,'' established her as a gifted jazz musician and attracted the attention of such musical luminaries as Miles Davis and Quincy Jones. Following the release of ''Embers and Ashes,'' Ms. Horn recorded two more albums and spent several years touring major jazz clubs throughout the United States.

However, Ms. Horn struggled with the travel demands of an active tour schedule and chose to spend the bulk of her time at home with her husband and daughter, occasionally playing at local jazz clubs in the Washington and Baltimore areas. Then, in 1980, while attending a musicians' convention in Washington, she was rediscovered while playing at a hotel piano with a group of old friends.

This rediscovery led to several years of touring and recording, with audiences and critics alike responding enthusiastically to her resurgence. Ms. Horn received nine Grammy nominations during this period, culminating in her 1998 Grammy Award for Best Jazz Vocal Performance for ''I Remember Miles,'' her tribute to Miles Davis.

□ 1100

Ms. Horn's awards also include a 2003 Jazz at Lincoln Center award for Artistic Excellence, and being named the

2005 National Endowment for the Arts Jazz Master, this country's highest honor for jazz, composers and musicians. In 2004, Ms. Horn was honored during a star-studded tribute and concert at Washington's Kennedy Center.

Musically, Ms. Horn will be remembered for the interaction between her voice and the piano and her slow, intimate ballads that have influenced the new generation of jazz artists. She will also be remembered for her dedication to family and the sacrifices she has made to be a good wife, mother and grandmother.

Mr. Speaker, as a musician myself, certainly nowhere near the accomplished musician as Ms. Horn was, I would like to also state from the personal side that I truly believe that the avenue to world peace is through music. I think she played a major role in bringing different cultures, different groups together for generations. I applaud her for that.

I would like to thank Mr. CONYERS for bringing this national treasure to our attention today and providing this opportunity to pay tribute to Ms. Horn's accomplishments. I ask my colleagues to support this resolution.

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

Mr. DAVIS of Illinois. Mr. Speaker, I would yield myself such time as I might consume.

Mr. Speaker, I am pleased to join with my musician colleague from Nevada in support and in consideration of this resolution. I want to thank my colleagues from Michigan and Washington for their leadership in bringing this resolution that pays tribute to the renowned Shirley Horn to the floor today. Mr. CONYERS and Ms. NORTON introduced this resolution to honor Ms. Horn after she passed away on October 20, 2005.

Mr. Speaker, there are jazz singers who go for the bangs and booms of rhythm and speed. And then there is Shirley Horn, who took it slow. She moseyed along the piano keys, gently stepping and loving the ivories with her fingers. Her raspy voice and her way with the grand piano made her legendary.

Shirley Horn was born on May 1, 1934, in Washington, DC. She tinkled the keys of the piano ever since she was 4 years old with encouragement from her mother, who dreamed of her daughter being a black classical pianist.

Discovered by Miles Davis when she was just a teenager singing in a bar in Washington, DC, she was admired by jazz greats. She won a Grammy award in 1999, her first win after nine nominations. She also was inducted into the Lionel Hampton Jazz Hall of Fame in 1996.

Ms. Horn did not reach stardom until she was well into her fifties. She put off her performing in clubs in D.C. in order to raise her daughter. She made certain that she balanced performing and raising her family.

Later in life, she continued to share her music, even though she had many health barriers to overcome. Nevertheless, she persevered.

For example, even after having her foot amputated due to complications with diabetes, she still played her music even though it was difficult for her to use the pedals on the piano. Ms. Horn once said, and I quote, ''I have to do it. I think when I was born, it's like God said, 'Music!' and that was it. All my life, that's all I knew. It's in me, it's jammed up, and it's got to come out.'' She let her great raspy voice fill our ears, and she let us sit and listen to her slow leisurely stroll along the 88 keys of the grand piano.

Generations to come will listen to her music, appreciate the ability of her voice to communicate deep intimacy, set to just the right tempo, and honor her great accomplishments as a jazz legend and as a black woman.

Mr. Speaker, music is an international language. Those who are gifted to convey it can communicate with individuals from every spectre of life, individuals from many different countries, individuals who speak different languages and understand different dialects. That is the value of the musician, and that has been the value of Shirley Horn.

Mr. CONYERS. Mr. Speaker, I rise in support of this resolution, which honors the life of my friend, Shirley Horn. Shirley, who passed away on October 20, 2005, was one of this country's last great jazz vocalists, one in the triumvirate of Ella Fitzgerald and Carmen McRae. Her luminous voice gave rise to whispery vocals that made songs lucky to be sung by her. Many fans noted that her songs simply melted in the air. She was a giant in the world of music and will forever remain an icon of American culture. I had the privilege of sharing my memories of her at her memorial service last year, surrounded by her family and countless friends.

Shirley was born here in Washington in 1934 and started her career in music at the age of ten on her grandmother's piano, unaware of the impact she would have on the world. She studied music at Howard University and was invited to attend the prestigious Juilliard School in New York. While financial difficulties at home kept her from Juilliard, they did not impede her spirit and drive.

While she started as a piano virtuoso, she was seventeen when she was coaxed into singing at a Washington, DC club called One Step Down. A customer promised her a turquoise teddy bear if she would sing "My Melancholy Baby." Shirley said she was so shy, but she wanted that teddy bear enough to sing the song.

It was none other than Miles Davis and Quincy Jones who plucked her from that local club to international fame, and the story is worth repeating. Miles called her out of the blue after the release of her very first album, "Embers and Ashes," and asked her to open for him at the Village Vanguard in New York. Not surprisingly for a young artist, she thought it was a joke and did not believe it until she went to New York and actually heard Miles's children singing from the album. Miles and his trumpet later joined a concert of hers but would not come out from behind a pillar while playing "My Funny Valentine."

With encouragement from Miles and Quincy, two other jazz icons, Shirley went on to record over two dozen albums and was lauded with numerous awards. After seven consecutive Grammy nominations, she won in 1998 for best jazz vocal performance. It was fitting that the winning album was "I Remember Miles," a tribute to her mentor and friend, Miles Davis. I cannot think of a more fitting honor for Shirley and Miles.

But her contributions to music go far beyond one album. On recordings for Verve Records, she collaborated with Miles Davis, Wynton Marsalis, Gary Bartz, and Toots Thielman. She even recorded the soundtrack for the movie "For Love of Ivy." The person who asked her to do the soundtrack was the star of the film, Sidney Poitier. She also recorded a tribute album to Ray Charles called "Here's to Life, Light out of Darkness."

She also was elected into the Lionel Hampton Jazz Hall of Fame, received an honorary doctorate from Berklee College of Music, and won the 2003 Jazz at Lincoln Center Award.

Importantly, she never forgot her family or her background. She lived mainly in Washington during the early part of her career so that she could take care of her daughter. Recording equipment and jazz legends like Elvin Jones came to her house to record albums.

She even remembered how one person could make a difference in the lives of others. Just as Miles recognized her talent and took her under his wing, Shirley reached out to a young drummer named Aaron Weiman and took him under her wing. And none other than pianists-singers Diana Krall and Norah Jones count her as mentors.

I again express my deepest sympathies to her family and urge my colleagues to vote "yes" on this resolution.

TAKOMA PARK, MD,
February 14, 2006.

Representative JOHN CONYERS, JR.,
Rayburn House Office Building,
Washington, DC.

DEAR CONGRESSMAN CONYERS: I am writing in support of House Concurrent Resolution 300, saluting the life and music of Shirley Horn.

Shirley Horn was an American original. She was an outstanding jazz singer and musician. She lived that uniquely American music, jazz, respected its traditions: and passed them on for all to share. In small clubs, and in large auditoriums, Shirley Horn performed throughout the United States and around the world. This resolution honors Shirley for all time. It is richly deserved. I applaud its introduction and urge the House to vote to pass it.

Shirley Horn worshiped words and the stories they told—and her renditions of standards and other songs were lyrical magic.

When we first met, she sat right next to me at the piano for a whole night at Washington's famous and now defunct jazz club, the One Step Down. At first, I was intimidated by a giant of America's music sitting no more than three feet away. This was someone who worked with Miles Davis and so many other greats! But, she was warm and infinitely gracious to a young, developing pianist. A wonderful friendship grew over the last 7 years of her life and Shirley Horn became my 'third' grandma.

Through the terrible illness that eventually took her life, she always thought about leaving her hospital bed and playing music. She yearned to sing, play piano, and perform alongside her long-time band members, Steve Williams on drums and Ed Howard on bass.

Her love of lyric and melody inspired me, musicians and singers, and audiences around the world. Shirley was wonderful at making all the songs she sung and played beautiful, rich, and full of emotion and stories.

She made famous a song entitled'' Here's to Life'' written by Phyllis Molinary and Artie Butler. This was the closing song at many of her concerts. She ended with the last lyric, which was ''Here's to life / Here's to Love / Here's to You.''

Here's to you, Shirley,

I urge all house members to support House Concurrent Resolution 300.

AARON WEIMAN.

SILVER SPRING, MD,
February 14, 2006.

Hon. JOHN CONYERS,
Rayburn House Office Building,
Washington, DC.

DEAR REPRESENTATIVE CONYERS: I was thrilled to learn that you introduced and the House of Representatives will soon consider are solution to honor the life of Shirley Horn.

As her drummer for approximately 30 years, and her, as she would say, soul mate, I can honestly say Shirley Horn is already and has been among the great ambassadors—to America and to the World—of this truly authentic American art form, jazz.

I also have to include, that through her music, piano and voice, Shirley Horn taught us, the very important things in life—heart felt honesty, companionship, love and the art of swing, the later I personally believe native of this country.

Shirley Horn, being a complete musician, was able to interpret to me, on my instrument, the drums, precisely what she wanted. It was then I realized her knowledge of the importance of each instrument. That included her ability to show me the way to express what had to be said purely and simply.

We traveled the world and each performance was an adventure. Of notable performances, I must recall the evening hosted by President Bill Clinton and First Lady Hilary Clinton. Even with the audiences who didn't speak our language, Shirley Horn was able to communicate her message of song, melody and love, truly qualities of an ambassador.

During my time with Shirley Horn, I was able to record and perform with many of the greats of this music; Miles Davis, Milt Jackson, Gary Bartz, Roy Hargrove, Wynton Marsalis, Toots Thielemans, Joe Henderson. And a particularly educating experience, we recorded at her home with two colossal men of my instrument: Elvin Jones and Billy Hart. There was no end to what she was able to give.

Now we have the rest of our lives to ingest and pass on her legacy.

Our Nation was enriched by Shirley Horn and her wonderful legacy.

My sincere thanks and appreciation for asking the House of Representatives and the U.S. Senate to honor this great Lady.

Sincerely,

STEVE WILLIAMS.

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

Mr. PORTER. Mr. Speaker, I again appreciate having the opportunity to speak on this resolution today, and my strong feelings that we should recognize her for her many accomplishments. I would ask that my colleagues support this resolution as amended.

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

The SPEAKER pro tempore (Mr. KOLBE). The question is on the motion offered by the gentleman from Nevada (Mr. PORTER) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 300, as amended.

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

A motion to reconsider was laid on the table.

NATIONAL FLOOD INSURANCE PROGRAM ENHANCED BORROWING AUTHORITY ACT OF 2006

Mr. NEY. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2275) to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program, as amended.

The Clerk read as follows:

S. 2275

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''National Flood Insurance Program Enhanced Borrowing Authority Act of 2006''.

SEC. 2. INCREASE IN BORROWING AUTHORITY.

The first sentence of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)), as amended by the National Flood Insurance Program Further Enhanced Borrowing Authority Act of 2005 (Public Law 109–106; 119 Stat. 2288), is amended by striking ''$18,500,000,000'' and inserting ''$20,775,000,000''.

SEC. 3. EMERGENCY SPENDING.

Amendments made pursuant to this Act are designated as emergency spending, as provided under section 402 of H. Con. Res. 95 (109th Congress).

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

The Chair recognizes the gentleman from Ohio.

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

Mr. Speaker, it is a pleasure to be here with my colleague from Massachusetts on an important bill. It is designed, of course, to increase the borrowing authority of the National Flood Insurance Program.

In the immediate aftermath of Hurricane Katrina, I introduced H.R. 3669, the National Flood Insurance Program Enhanced Borrowing Authority Act of 2005. That piece of legislation increased insurance by $2 billion, which went a long way in helping the Department's flood insurance response.

The bill before us today would provide a total of about $20.775 billion in borrowing authority to help ensure that the NFIP have sufficient funding on a cash basis in the short-term. This bill would allow FEMA to continue paying claims resulting from Hurricanes Katrina, Rita and Wilma, while the administration further evaluates the extent of the damage and the most appropriate means to cover all potential future claims.

These claims from those whose homes and businesses have been damaged or destroyed by Hurricanes Katrina, Rita and Wilma are not a new obligation. They are the result of a legal promise we made to these homeowners and business owners, a commitment we made when Congress passed the National Flood Insurance Act of 1968 and subsequent revisions.

Homeowners and business owners across the country agreed to pay premiums, communities agreed to adopt building codes to mitigate flood dangers, and the Federal Government agreed to provide insurance coverage to policyholders after a disaster. Every single one of these claims represents someone who has taken the responsible course of action by purchasing flood insurance and paying premiums to the government.

We not only have a legal obligation to honor our commitments, we have a moral obligation to provide the coverage we promised to provide to these people. I think the thrust of this bill is so important for people. I understand the argument some of my colleagues are making about the need to have further reforms for the National Flood Insurance Program.

I note the Committee on Financial Services held a markup in November of 2005 that addressed several reform initiatives to enhance accountability and ensure 2004 reforms are implemented. We had the support of Chairman OXLEY and our ranking member Mr. FRANK of Massachusetts on a bipartisan basis.

Mr. Speaker, I just want to make it clear, we had reforms. This is not going to be the last of these bills that we are going to see, and we will work towards having some reforms.

In addition, the Subcommittee on Housing and Community Opportunity held four hearings on this important program last year, including an August field hearing in rural Ohio, in my district. The Housing subcommittee will have continuous oversight of this important program, NFIP and look for all possible legislative solutions that will make this program as efficient and responsive as it can be.

Floods have been and continue to be one of the most destructive and costly natural hazards to our Nation. Early last year, there have been three major floods in the district that I represent, all three of these incidents qualify for Federal relief granted by the President, and this flooding event, in January of last year, resulted in historic levels of damage in several communities.

Now, we have a major disaster of the likes of which we haven't seen before down in the gulf, and the national flood insurance is a valuable tool in addressing the losses incurred throughout the country due to these floods. I urge the support of this bill.

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

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

Mr. Speaker, I want to reinforce what the gentleman from Ohio, the chairman of the subcommittee, said. In the Committee on Financial Services, on a bipartisan basis, we marked up a bill that would authorize increased funding, but accompanied that with some reform. Let me go back to a couple of years ago, when, at the initiative of a bipartisan pairing of Members, our former colleague, Mr. Bereuter of Nebraska and our continuing colleague, the gentleman from Oregon (Mr. BLUMENAUER) took up the cause of reforming the flood insurance program.

We began that process. Frankly, I find it a little ironic. Some of those who have been critical recently of the flood insurance program were some of those who resisted our efforts to make tougher reforms back then. But at the insistence of those two Members who I mentioned, the chairman of the full committee, the gentleman from Ohio (Mr. OXLEY); the chairman of the subcommittee Mr. NEY and I and others worked hard. We did insist on some reforms. We didn't get everything we wanted.

This year, as the gentleman from Ohio pointed out, or last year, in this Congress, we again had a very serious markup in our full committee. It was controversial. One or two items that some of us supported were defeated, but we worked this out, and we had a bill to come to the floor that would have increased borrowing authority, but would also have further reformed the program, and this is a case, by the way, where environmentalism and protecting the taxpayers go together. It is not in anybody's interest to have buildings put into places inappropriately.

Unfortunately, the Senate did not show any interest in doing the same, and we have heard some comments from some Members of the Senate about reform, but their preference for reform seems very abstract. It does not often make its way into legislation.

The Senate sent us a bill, which, as I understand it, they intended to keep going until July. Frankly, that troubled me, because if we were to extend this program until July, given this being the even year of the session, with all that implies, the likelihood of our getting to the reforms would have diminished. What I like about this bill, and I hope it is a reassurance to some of those who want reforms, our understanding is you can't be precise if you don't know exactly how the spendout is going to be, but this should run out in May. That means that we have got to pass legislation again on this subject, as the gentleman from Ohio said.

I want to serve notice now, and I think I speak for the Members on my side, and I know this is something that both the subcommittee chairman and the full committee chairman agree with in desirability, we need to do further reforms. We are not talking about depriving people of the benefit of this program, we are talking about improving it from an environmental and efficiency standpoint.

By the way you do people no favor if you encourage them to build where they are then going to be the victims of a diaster. I know the chairmen of the full and subcommittee feel strongly about this.

Let me speak for myself. I will support this bill. I will not support a further grant of increased borrowing authority unless we have had a chance to deal with the reforms. If some of the changes that I support are voted on, and I am defeated, I accept that.

But to be confronted with a situation where the Senate sends us legislation that simply extends the money without any consideration of reform will be unacceptable to me. I don't want to victimize the people who are there, but it is simply does not comply with our duties to the taxpayers, to the environment, and elsewhere, to the public interest, to simply continue to put more money into this program without further reforms.

As I said, we did begin the process. So I will support this now. I am pleased that the chairman of our committee has noted we have a bill which was marked up in our committee, which has some reform. I hope we will bring our further bill to the floor with those reforms and let Members work their will on it and send it to the Senate.

But I again want to stress, I agree with those who say we need more reforms. I congratulate the leadership of the committee who have scaled this back in terms of how long it will last, so that we will not get an extension that makes it unlikely that we will be able to do some further reform.

□ 1115

I do not plan to support a further increase in funding to keep this program going until both Houses have dealt seriously with the need for reform.

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

Mr. NEY. Mr. Speaker, I yield 4 minutes to the gentlewoman from Michigan (Mrs. MILLER).

Mrs. MILLER of Michigan. I appreciate the gentleman yielding.

Mr. Speaker, today this Congress is being asked to raise the amount of money that the FEMA flood insurance program is allowed to borrow from $18.5 billion to $21.2 billion.

Now, obviously, we all understand that the disaster of Katrina was unprecedented in the history of our Nation. And our Nation responded by appropriating unprecedented funds to deal with this catastrophe. But at some point enough is enough, and today I rise to express my concerns about the fairness of this program.

I have a very difficult time allocating any additional funds to the FEMA flood insurance program because of the way that program is treating the people of Michigan. FEMA is currently going about a remapping of communities in my State that will bring thousands more of my constituents and perhaps tens of thousands across the State of Michigan into the flood plain. This will force those with federally guaranteed mortgages to purchase FEMA flood insurance.

Mr. Speaker, let me share a few numbers with you and ask you to determine for yourself whether or not Michigan needs to pay more into this insurance pool.

Since 1978, that was the year Michigan actually opted into the program, the people of Michigan have paid premiums totaling over $138 million; and in that same time, FEMA has paid outside claims totaling less than $38 million. So since 1978, as you can see through this chart, Michigan has subsidized this program to the tune of over $100 million. And the people of FEMA seem to agree.

In fact, there was an article I think last week in the Detroit Free Press which quoted FEMA spokesperson Eugene Kinerney saying this about Michigan's participation in the program. He said, ''You guys subsidize other policies in other parts of the country, absolutely.'' That is what FEMA said. So in what appears to me to be a grab for even more of our money, along comes FEMA saying, even though you have never had a flood, you live in a flood plain and you need to purchase insurance, even though the Great Lakes are at historically low levels; even though my State of Michigan has only had claims totaling 27 percent of what we have paid into the program; even though only eight other States received a lower percentage in their premiums than Michigan.

If a private insurance company tried to do this same thing, they would be hauled in front of our State insurance commissioner and have to beg to keep their license. I refuse to support any more legislation that enables this type of irresponsible management that seems to be the norm in the FEMA flood insurance program. In fact, one of my constituents who is a township supervisor in a township called Clay Township, this is a community on St. Clair River going in to Lake Huron; this is a community that is going to be hit very hard by this remap, I asked him, what do you think about FEMA remapping our area? He said, why would FEMA want to come here and raise the elevations when our water levels are at low levels? Well, they are broke, are they not?

I know this: my district is along the shore of Lake St. Clair, the St. Clair River and Lake Huron. We also have many rivers and tributaries, and they occasionally flood, but not as often as the amount of these claims paid shows.

We also look down at the water, not up like they do in places like New Orleans. We do not need any more of my constituents forced into this program, and we do not need others across the State of Michigan forced into it either.

In Michigan we are struggling economically. We have been hit by an economic hurricane of higher energy costs, low-cost foreign-manufactured goods, and competition from lower-wage States, many of which are recipients of the subsidy that the people of Michigan provide to the FEMA flood program. We have the highest unemployment in the entire Nation, and our citizens can absolutely not afford to continue to pay higher costs for insurance that they do not even use. Yet once again we are being asked to subsidize the insurance payouts to people in other States.

Before we allow this to happen, FEMA must show the methodology behind this program and show how it makes sense. I think this is an issue of basic fairness; and until that time, I will not support any expansion of the program; and I urge my colleagues to do the same.

Mr. FRANK of Massachusetts. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. BLUMENAUER), who has been one of the two leading Members of Congress in recent years to try to improve this program.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak on this measure and I appreciate the leadership that has been exhibited by Mr. FRANK of Massachusetts, Mr. OXLEY, and Mr. NEY. The Committee on Financial Services is trying to get this right. It provides a back drop as the story of Katrina continues to unfold.

Our Republican colleagues are going to put together a critique that is somewhat hard hitting. But the real failure is not just limited to the administration's response and problems with FEMA. The real failure is a much greater policy failure.

Over a long period of time, a variety of circumstances have put people at risk. The tragedy is that we are not better equipped today. There will be another catastrophic natural disaster before we have actually finished the job with Katrina. God forbid that there be a terrorist act on top of it.

Now, this bill provides an opportunity for a simple mid-course correction that would be a longer-term reform of the flood insurance program. As Mr. FRANK of Massachusetts mentioned, I have been working on this for the last 6 years officially with some limited success. I understand some of the difficulties and the reluctance, I am pleased that we are making some progress, but it is long past time to be timid. We know what to do. We face a disaster zone from the California coast to the tip of Florida. Drought, flames, storms, a whole mixture of issues are what we are going to be facing. We should be having something on the floor soon like the bill offered by our colleague from Louisiana, Mr. BAKER. And for heaven's sake, we need to be trying to look in a comprehensive form to be sure that we do not end up making the same sort of mistakes.

Today we are going to vote on increasing the borrowing authority. It is appropriate. I will vote for it. There is no way that we can have the rate payers absorb these catastrophic events. But I am extremely disappointed that somehow the bill we have before us does not have the measures to include more people to participate in the program, spread the financial risk, make people safer, and make participation mandatory.

In the hearings that took place in the other body this month, there was near unanimous support from groups as wide ranging as the National Taxpayers Union, the Association of Floodplain Managers, the National Wildlife Federation, the Consumer Federation, on and on. They know that we want to reduce or eliminate subsidies for people living in the most hazardous areas and for second homes.

We need to expand the mandatory purchase requirements for people who live behind levees and experience residual risk. We need to fully support FEMA's efforts to update flood plain maps and include areas beyond the hundred-year flood plain.

We finally have implemented the reforms made in the Flood Insurance Act of 2004. I appreciate the hard work that the Financial Services Committee did in putting the spotlight on FEMA and working with our friends in other committees. But we need now for FEMA to promulgate the regulations to implement it, otherwise the reform is meaningless.

We cannot overstate the importance of mitigation. FEMA and the Multihazard Mitigation Council just released a report on the benefits of mitigation, which found that for every dollar spent, our government saves an average of $4. The insane system we have here now, however, is that mitigation costs Mr. OBEY and costs Mr. LEWIS of California hard dollars. If it is in a supplemental, billions of dollars come in and they are off budget and that is easier. We have got to change that as well.

We do ourselves no favors by lowering our sights, tempering our expectations, and failing to do what we know how to do in the best interests of the taxpayer and the people who are in harm's way. Delay will simply mean more lives lost, more property damage. It will cost the taxpayer more money, not under the limits that the Appropriations Committee operates under; but it will be taxpayer money nonetheless.

We continue the cycle of responding after the fact to disasters instead of doing everything beforehand to fulfill our obligations and to act in the best interests of our constituents everywhere.

I echo the words of Mr. FRANK of Massachusetts: I hope this is the last time we have legislation of this nature before us. I appreciate the subcommittee's hard work, and I for one will support it today; but I add my voice as someone who will fight like the devil one more suboptimal effort.

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

Mr. Speaker, I do not have any additional speakers. I want to thank the gentleman from Oregon, and I also want to point out just a few things.

We had the Bunning-Bereuter-Blumenauer provisions in our bill to have FEMA enforce the 2004 that the gentleman from Oregon had mentioned was in there, also increased insurance coverage. We had raising the penalties on lenders who do not enforce the regs. So there were a lot of the reforms that we had in there.

I am going to tell you today, we have a commitment, of course, and I know the gentleman from Oregon understands that and we all do here today, we have a commitment to these people that paid in and we need to pay back to these people because they paid their money; but we need to have the reforms.

The other thing is if anybody stands here today and says this is going to last us, we will be okay until August, I want to tell you we will not be okay until August. This will not take us through to August. I predict to you today FEMA can say what it wants, it can communicate what it wants. This will not last maybe 2 months or more. I predict we will be back. We have to do the reforms. I personally commit to work with you on it.

Mr. FRANK of Massachusetts. Mr. Speaker, will the gentleman yield?

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

Mr. FRANK of Massachusetts. Mr. Speaker, I understand there probably has been some confusion about how long things are going to go. I will say I am now convinced that the problem is FEMA has no idea of what the spend-out rate is, and this is a further indication.

While we are on the subject, since we are talking about FEMA, I do have to say it is not on a related subject, it is not related, but the decision by FEMA to evict people who have lost their homes, who are living in hotels because some of them did not fill out the right forms, is the single cruelest most senseless public policy I have seen. It serves no purpose. It is an infliction of further misery on people who have already been beset. And it is an example of incompetence and callousness compounding each other.

Let me get back to this. Here I sympathize with my friends on the majority who have the responsibility of trying to make sense out of what they are hearing. We do not want to cut off the people who need help. I appreciate what the gentleman said. Let me say we have put a bill out. I hope we will see that bill on the floor soon, that we will get to vote on it, that we will send it to the Senate. And until and unless we get Senate consideration on the kinds of things we are talking about, I will vote for this one, but for no further ones.

Mr. NEY. Reclaiming my time, I predict we will be back here within 60 days, 60 or 90 days, I will bet that we will be back here, so we will have to work towards the reforms. Also, our subcommittee was the first committee of the House to go down to New Orleans and to Gulfport, Mississippi. We went down with our ranking member, the gentlewoman from California (Ms. WATERS). Some Democrats and Republicans on the staff went down there and they did a fine job. They saw what we saw. This is going to be a long, long process.

I will tell you we will be back here within 90 days again because they can say it will last, but it will not last.

Mr. FRANK of Massachusetts. I think, given the calendar, we should do it as quickly as possible.

Mr. HENSARLING. Mr. Speaker, I would like to insert the following letter into the RECORD of the debate on S. 2275, National Flood Insurance Program Enhanced Borrowing Authority.

WASHINGTON, DC,
February 14, 2006.

Hon. DENNIS HASTERT,
Speaker of the House, The Capitol, Washington, DC.

Hon. JOHN BOEHNER,
Majority Leader, The Capitol, Washington, DC.

DEAR SPEAKER HASTERT AND MAJORITY LEADER BOEHNER: As you know, the President's Fiscal Year 2007 budget requests a $5.6 billion increase in FEMA's borrowing authority because its flood insurance program, the National Flood Insurance Program (NFIP), is unable to cover current claims against it from the unprecedented losses resulting from Hurricane Katrina.

Since 1968, the NFIP has offered property owners in coastal and river areas federally subsidized flood insurance. It currently insures approximately 4.7 million homeowners, renters and other policyholders, who pay premiums for coverage. Total insured assets are above $800 billion with some 20,100 communities participating. In heavy loss years, when losses exceed its premiums, FEMA is authorized to borrow from the U.S. Treasury up to $1.5 billion. This borrowing has historically been repaid with interest within very short time periods from NFIP premiums and fees.

However, the catastrophic damage and losses resulting from the 2005 Gulf Coast hurricanes is far exceeding the available resources in the National Flood Insurance Fund. Consequently, Congress last year eventually raised FEMA's borrowing authority to $18.5 billion. But despite this, flood damage claims from the 2005 hurricanes are now estimated to be in excess of $20 billion and growing, surpassing all combined payments in the program's history. This will again necessitate Congress raising the limit on FEMA's borrowing authority to pay these claims. And, if additional flooding occurs in 2006, these costs will only grow higher.

Unfortunately, this new borrowing will likely never be repaid by the beneficiaries. According to CBO, it "is highly unlikely that the program will be able to repay that amount of borrowing out of its income from premiums and fees." It is estimated that the interest expenses alone from these loans would consume a large portion of the program's annual revenues for the foreseeable future. It would take decades to repay these costs, assuming no other flooding—undoubtedly, these payouts will be forgiven at some point.

Lacking this ability to repay within a reasonable period, we view deficit-financed spending from any additional FEMA borrowing above its current $18.5 billion level to be essentially identical to those of a conventional federal spending program. Therefore, spending flowing from additional federal borrowing authority should be fully paid for by spending reductions elsewhere in the federal budget.

In addition, any long-term extension must include comprehensive structural reforms to the program. The hurricanes of 2004 and 2005 have made it clear that legislative action is urgently needed to make the NFIP actuarially sound and able to build sufficient cash reserves to cover higher than expected losses. For instance, comprehensive reform would better align premium rates with the policyholder's associated risk while reducing direct subsidies of over $1.3 billion annually, starting with the elimination of all subsidies for vacation homes, and address the repetitive loss problem, where subsidies flow to homes to be rebuilt over and over after multiple flood losses, while ensuring proper flood mitigation measures and mapping are in place, enforced and used to reduce losses from future floods. We believe these and other reforms are critical to reducing the taxpayers' risk exposure while strengthening and improving the flood insurance program.

This week, Congress is scheduled to extend FEMA's borrowing authority through April. While this spending should be offset, we appreciate your work with House conservatives to ensure this a short-term extension that will allow substantial time for a vigorous and comprehensive reform of the flood insurance program over the coming months. If this imperative reform effort falters, we will oppose any future increases to FEMA's borrowing authority that are not fully offset.

We look forward to working with you and committee leadership to ensure that this component of federal assistance is both timely and fiscally responsible, and that any package of reforms continues to meet core federal responsibilities.

Sincerely,

MIKE PENCE,
Member of Congress.

JEB HENSARLING,
Member of Congress.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of S. 2275, to temporarily increase the borrowing authority of Federal Emergency Management Agency, FEMA, for carrying out the National Flood Insurance Program NFIP.

The National Flood Insurance Program was developed in 1968 in response to private insurers' unwillingness to issue flood insurance to homeowners residing in areas prone to flooding. The program makes available federally subsidized insurance policies for purchase to communities willing to comply with NFIP standards. Those standards include the adoption of floodplain mapping and building regulations. Currently, over 20,000 communities, supporting 4.7 million people, participate in the program. Statistics show that compliance with NFIP guidelines works—Communities in compliance, suffer 80 percent less property damage than that those not in compliance.

The act before us today will increase FEMA's borrowing authority for administration of the program from $18.5 billion to $21.2 billion. Two point seven billion dollars may seem like a lot, but it is a necessary step towards prevention, and prevention should be our ultimate goal. It is important remember that the $2.7 billion is not a handout—it must be repaid by profits made from premiums and interest accrued from the loan.

Hurricane Katrina opened everyone's eyes to the importance of flood insurance. Flooding is not a problem that just comes around when a hurricane hits, neither is it going to disappear after the damage inflicted on the gulf coast is repaired.

Most are unaware that the United States suffers $2 billion of damage annually. In fact, in my home district of Houston, from 1978 to 1995, almost $300 million in flood insurance claims were made. If those facts are not startling enough, consider that the NFIP, the arm of FEMA that makes coverage available to communities in need, is now bankrupt.

Even more alarming is the fact that current evidence indicates that the insurance industry has acted irresponsibly, without compassion, and only in the interest of profits. In 2004, the insurance industry had a record year netting $800 billion in policy holder premiums. The insurance industry must realize that they have a responsibility to the public, as well as to generate profits for their companies, and that they must find a way for the two to coexist. A staggering 40 percent of property owners along the gulf coast do not have flood insurance coverage. As we have now been reminded in the wake of Katrina, the absence of coverage creates a difficult situation.

The NFIP was created to serve as a safety net to those unable to purchase flood insurance from private companies, and their services are once again in need. The act before us today is an important step in the right direction, but a dramatic change in national policy is the only way we can ensure that the necessary change will take place. I ask my colleagues to rise in support of S. 2275.

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

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

The SPEAKER pro tempore (Mr. GILLMOR). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and pass the Senate bill, S. 2275, as amended.

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

A motion to reconsider was laid on the table.

□ 1130

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material thereon.

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

There was no objection.

SMALL BUSINESS ADMINISTRATION'S DISASTER LOANS PROGRAM SUPPLEMENTAL APPROPRIATIONS, 2006

Mr. LEWIS of California. Mr. Speaker, I move to suspend the rules and

pass the bill (H.R. 4745) making supplemental appropriations for fiscal year 2006 for the Small Business Administration's disaster loans program, and for other purposes.

The Clerk read as follows:

H.R. 4745

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for fiscal year 2006:

SMALL BUSINESS ADMINISTRATION

DISASTER LOANS PROGRAM ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for ''Disaster Loans Program Account'' for the cost of direct loans authorized by section 7(b) of the Small Business Act, $712,000,000, to remain available until expended: *Provided,* That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further,* That the amount provided under this heading is hereby derived by transfer from the amount provided for ''Disaster Relief'' in Public Law 109–62: *Provided further,* That the amount provided under this heading is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress), the concurrent resolution on the budget for fiscal year 2006.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 20 minutes.

The Chair recognizes the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this supplemental appropriations bill, H.R. 4745, provides critical funding to assist victims of Hurricanes Katrina, Rita and Wilma by making $712 million in loan subsidy funds available for the Small Business Administration's disaster loans program.

The funding provided in this bill translates into $4.8 billion in loans that will now be available to victims of the gulf coast hurricanes.

To date, the Small Business Administration has approved more than 60,000 business and home loan applications, awarding $4.3 billion in loans. Loans continue to be approved at a record pace, yet 160,000 applications remain in the pipeline, and the application period remains open for 3 more weeks.

Without this critical infusion of funds, the Small Business Administration is in danger of depleting its loan funds prior to the Congress considering the administration's next supplemental request for hurricane-related costs.

This bill simply provides a temporary fix by shifting funds previously appropriated for the Federal Emergency Management Agency and redesignating them for the Small Business Administration's disaster loan program.

I also note that the SBA administrator has informed the Appropriations Committee that the need could be much higher than the amount provided in this bill. However, the committee has used the best available estimates to determine the short-term funding requirements and will continue to review the matter as it considers the next supplemental request submitted by the administration.

This funding is needed immediately as a stopgap measure so that lending to affected homeowners and businesses can continue uninterrupted.

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

Mr. OBEY. Mr. Speaker, I yield myself 7 minutes.

Mr. Speaker, as the gentleman from California has indicated, the majority is bringing to the floor a bill that transfers $712 million from FEMA to SBA for Katrina-related costs. We are told that SBA projects they will run out of money by February 21 without the action contained in this bill. That is despite the fact that the Congress has just passed a supplemental appropriation for Katrina that was signed into law on December 30 of 2005.

At that time, Congress actually provided SBA emergency supplemental funding totaling $441 million. SBA stated that the reason their projections were inadequate was because the size of the loans were much larger than previous disasters, from approximately $30,000 to $60,000 per loan.

Even though Katrina and other hurricanes hit in late August, because the SBA was so slow in approving loans, they had no idea of the size. Once the SBA began to approve loans at a quicker pace, they apparently discovered that they would probably be short of funds, but even that, Mr. Speaker, is not the whole story.

SBA believes they will need an additional $400 to $600 million on top of what is being provided here to provide funding for all the hurricane victims of Katrina, Rita and Wilma. The difference is expected to be presented during the larger Iraq-Katrina supplemental, which is supposed to be coming any day.

The fact that the administration had no idea that one of the key agencies on the ground in Louisiana was almost out of money seems to me to be just another example of the wholly inadequate response which the Nation has seen in the aftermath of these hurricanes. The administration's initial response was disorganized and indecisive. The people who knew what they were doing, the experienced career employees of FEMA and other first responders, were apparently ignored by incompetent and unqualified political cronies who should never have been in the positions of leadership that they had.

I would have thought that 9/11 would have been a wake-up call. I would have thought that Katrina would be a wake-up call. I think that every Member of this House has the right to be tired of being disappointed by the folks who cannot shoot straight when it comes to providing the needed relief.

Let me also, Mr. Speaker, express my concern about the fact that this Congress is not taking action to address another problem which is an emergency, namely, the energy crisis in this country. Despite some relief being caused by warmer than usual temperatures, the latest figures issued on February 7 by the Department of Energy confirm that the cost of heating one's home has still risen dramatically this winter. Comparing this winter to last, average prices for natural gas are up by 31 percent, average prices for home heating oil are up 25 percent, and average prices for propane are up 18 percent just over that year.

In spite of those price increases, this year's appropriation for the Low Income Heating Assistance Program is actually $21 million less than last year. A shortfall in LIHEAP is even more serious than these price figures would suggest, Mr. Speaker, because, first, this winter's increase comes on top of price increases over the past several years that far outpace the appropriations this Congress has provided for LIHEAP.

Since the winter of 2001–2002, the average price of home heating oil has more than doubled, the average price of natural gas has gone up 95 percent, and propane is up 68 percent, yet funding for LIHEAP has increased only 20 percent over that period.

So high energy prices were causing a serious problem even before the gulf hurricane disrupted oil and gas production, and that drove prices still higher. The hurricanes simply made an existing problem worse.

I would also point out that these big increases in heating bills mean big increases in the number of people who need our assistance, as well as increases in the amount of aid that they need. The LIHEAP program has been serving only about 16 percent of those who are eligible based on Federal income standards, and I think we ought to be able to do better than that.

I would say that with the number of recipients rising faster than the appropriation, the average grant has been going down. At the very same time, prices are going up. The energy assistance directors estimate nationwide that the average LIHEAP grant shrunk by about 10 percent over the last 4 years.

So it seems to me, Mr. Speaker, the need for supplemental funding for LIHEAP is apparent. I wish that we could provide it. I wish it were before the House today in a vehicle which would allow an honest discussion of what funding level is needed, in a vehicle that would allow the House to work its will, offer whatever amendments Members think are appropriate so we can approve at a funding level commensurate with national need.

It would seem to me that at the very least we should be providing emergency funding to bring the LIHEAP program up to the authorized level of $5.1 billion. This is an emergency now, not in April or May, and I wish that this Congress saw fit to deal with this problem.

We obviously have enough time today. I am told that when this debate is over we are going to be rolling these votes or delaying them until about 4:30 or 5 o'clock. That would have been plenty of time to have a spirited, full debate on the issue, give Members the opportunity to offer whatever amendments they needed in order to fulfill our responsibilities to attack national problems. We are not doing that today with respect to that problem. We are meeting a temporary need in SBA, and I am sure Members will want to vote for that, but we ought to be doing a lot more.

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

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Virginia (Mr. WOLF), my colleague, who is the chairman of our Subcommittee on Science, State, Justice and Commerce.

Mr. WOLF. Mr. Speaker, I thank the chairman for the time and rise in support of the bill and would say that the subcommittee will be holding hearings to get to the bottom of this.

The funding provided in the bill translates into $4.8 billion in loans that will now be available to victims of the gulf coast hurricanes. The bill simply provides a temporary fix by shifting funds previously appropriated to the Federal Emergency Management Agency and redesignating them for the Small Business Administration disaster loan program.

The funding is needed immediately as a stopgap measure so that lending to affected homeowners and businesses can continue uninterrupted.

As a personal comment, when we listen to the different debates and comments and all the shows and all the attacking, the things going on in this city, I think it is really time for both parties to come together and to attempt to deal with some of these issues that we have in this country in a less partisan way. There was a very good article that David Broder did in the Washington Post about a week-and-a-half ago when he talked about when President Ronald Reagan was shot outside the Hilton, Tip O'Neill went to his bedside at the George Washington University Hospital and held his hand and prayed with him. There were differences in the country those days, but there was just a different tone.

So I would hope that we could return to the days of Ronald Reagan and Tip O'Neill whereby the differences were less sharp and more civil to do which, quite frankly, with the problems that this country has both domestically and internationally, come together to do the best thing for the country.

With that, I appreciate the gentleman bringing up this bill.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
January 30, 2006.

DEAR COLLEAGUE: You may have missed the David Broder column below that appeared in the Sunday, January 29, Washington Post on the same day my pastor preached a sermon based on Ephesians 4:29–32 about being kind to one another.

There will always be real differences in our views on issues, but there should not be an absence of kindness and civility in our dealings with one another.

It would be a good idea for the Congress and the country to adopt the Ronald Reagan/''Tip'' O'Neill model.

Sincerely,

FRANK R. WOLF,
Member of Congress.

[From the Washington Post, Jan. 1, 2006]

WHEN PARTISAN VENOM DIDN'T RULE

(By David S. Broder)

The stench of partisanship is so strong in Washington these days that it is difficult to remember that it was not always the case that Republicans and Democrats were at each other's throats. But, in truth, there was a time when friendship and simple human compassion were far more powerful than any political differences.

A wonderful reminder of that fact can be found among the oral histories compiled by two dozen of Ronald Reagan's main associates that are being released Sunday by the Miller Center of Public Affairs at the University of Virginia. The transcripts are available at www.millercenter.org.

One of the tapes was furnished by Max Friedersdorf, who ran the White House congressional liaison staff for Reagan. Friedersdorf recounts in the interview what happened while the president was recovering at George Washington University Hospital after the assassination attempt outside the Washington Hilton hotel on March 30, 1981.

Reagan was seriously wounded by John Hinckley, and the day after the shooting, Friedersdorf got a call in the White House from James Baker, Reagan's chief of staff, who was at the hospital. ''Get over here,'' Baker commanded.

''I went over to GW Hospital and went up to the president's room,'' Friedersdorf said, ''and Jim was outside the room with Mrs. Reagan and her Secret Service agent. Baker said, ''I want you to stay here until I tell you to leave.''

What had happened, Friedersdorf learned, was that Nancy Reagan ''was all upset,'' because Sen. Strom Thurmond had come over to the hospital a few hours earlier and somehow had talked his way through the lobby, up the elevator and into Reagan's room, where he attempted to chat with the gravely wounded president.

''Mrs. Reagan was outraged, distraught,'' Friedersdorf said. So Baker directed him to take up the watch, and ''if any congressman or senator comes around here, make sure the Secret Service doesn't let anybody up, even on this floor.''

Friedersdorf said he remained on duty during daylight hours for the next three or four days, and then word came from Baker that the president had recovered enough to start to see people.

The first person to be admitted, Friedersdorf said, was Thomas P. ''Tip'' O'Neill, the speaker of the House.

When the Massachusetts Democrat arrived, Nancy Reagan slipped out of the room and Friedersdorf retreated to a corner of the suite where he could remain unobtrusive. ''Tip got down on his knees next to the bed, and said a prayer for the president, and he held his hand and kissed him and they said a prayer together . . . the 23rd Psalm.

''The speaker stayed there quite a while. They never talked too much. I just heard him say the prayer, then I heard him say, 'God bless you, Mr. President, we're all praying for you.'

''The Speaker was crying. The president still, I think was a little, he was obviously sedated, but I think he knew it was the speaker because he said, 'I appreciate your coming down, Tip.' He held his hand, sat there by the bed, and held his hand for a long [time].''

When I reached Friedersdorf last week at his retirement home in Florida, I asked him how it happened that Reagan's first guest was the leading Democrat on Capitol Hill. ''Well,'' he said, ''Tip was third in line of succession [after the vice president] and the fact he was a Democrat didn't bother anybody. We didn't even think about it. Tip had been calling constantly to see how the president was doing. And there was a bond there.

''I remember,'' Friedersdorf continued, ''the first dinner the Reagans had in the private residence was for Tip and his wife, and my wife and I were there. Tip and the president had a drink or two and started swapping Irish stories.

''Often, after that, Tip would say pretty harsh things about some of our legislative proposals, and the staff would want Reagan to answer him. But they trusted each other, and the president would say, 'That's just Tip,' and let it go.''

I asked Friedersdorf if he could imagine that sort of relationship flourishing now between the Republican president and the top Democrats in Congress.

''Absolutely not,'' he said. Sadly, I think he is right.

Mr. MANZULLO. Mr. Speaker, I commend the Chairman of the Appropriations Committee, Mr. LEWIS, and the Chairman of the Science, Departments of State, Justice, and Commerce Subcommittee, Mr. WOLF, for the expeditious consideration of this legislation. Without passage of this legislation today, the disaster loan program of the Small Business Administration would not be able to offer critical disaster loan assistance to anyone across the nation after February 21. This legislation is also budget neutral—it simply redirects $712 million previously appropriated to the Federal Emergency Management Agency to the SBA's disaster loan account. This bill does not create any new spending. However, HR 4745 will enable the SBA to support about $4.8 billion in disaster loans to homeowners, renters, and businesses through May 1 when the next Katrina-related supplemental is expected to be completed.

This legislation is needed because SBA is, in a sense, a victim of its own success. Despite all of the huge hurdles and unfair attacks the SBA has received in recent weeks, the SBA has approved over $4.3 billion in disaster loans to more than 60,000 residents and business owners in the Gulf States region in five and a half months—despite not being able to get into the region until after the first month after Hurricane Katrina hit the Gulf coast. In comparison, it took the SBA more than 12 months to approve a similar amount of disaster loans to the victims of the Northridge Earthquake in California in 1994.

The SBA disaster loan program offers low-interest loans up to $200,000 for homeowners and $1.5 million for small business owners in a disaster area for those items not covered by insurance for the purpose of long-term recovery. Most of the victims of Hurricanes Katrina and Rita did not have flood insurance because they weren't in a designated flood plain. Thus, the average size of a typical SBA disaster loan has doubled for this event.

Combine this with the fact that this is the largest unprecedented natural disaster ever to

hit the United States, I trust that my colleagues can see why it is very difficult to accurately predict exactly how much should be appropriated for the SBA disaster loan program for an entire year.

I commend the hard work of the SBA and their disaster loan officers, led by Administrator Hector Barreto and Associate Administrator Herb Mitchell, in providing this record-amount of assistance to Gulf States victims. I urge my colleagues to support HR 4745 so that these fine public servants can continue their good work not just in the Gulf States region but also for other parts of the United States that may unfortunately be hit by a natural disaster in the coming weeks and months.

Mr. RANGEL. Mr. Speaker, as a result of this Administration's failed leadership and mismanagement of resources, H.R. 4745, Hurricane Katrina Small Business Loan Supplemental is a corrective measure. The supplemental funding needed is directly in response to the gross incompetence and poor planning by the Bush Administration. This proposed legislation comes on the heels of Congress providing more than $400 million for Katrina disaster loans two months ago. This highlights that the Small Business Administration is unable to accurately assess the needs on the ground and funds that have already been allocated have been mismanaged. Running out of disaster loans for Hurricane Katrina victims is an embarrassment to this Administration and a slap in the face to those who survived Hurricane Katrina. The facts are clear; the Bush Administration is failing to help Gulf Coast residents rebuild their homes and their lives.

Immediate assistance must be given to the region's local small businesses. Currently, only 37 percent of Hurricane Katrina disaster loan applications have been approved from a total of 280,000. Furthermore, less than 10 percent of those loans approved have been paid out. As it stands now, there is a backlog of 105,664 pending applications. Congress must take action to ensure that this mismanagement does not continue to compound the devastation of Hurricane Katrina survivors. The Gulf Coast region is depending upon swift deliberate action to revive its economy and put it on the road to full recovery. However, the Bush Administration is steeped in incompetence, mismanagement and cronyism.

Nearly 750,000 families remain displaced from their homes and are paying the price for this Administrations lack of strong leadership. Additionally, this administration has rejected the only bi-partisan plan to rebuild Louisiana. The recent budget proposal indicates misplaced priorities and seeks to slash funding for small businesses, community development and rural development. These funds are precisely what the Gulf Coast requires in order to rebuild. Furthermore, the abuse and the fraud persist in this Administration regarding no-bid contractual agreements which are not capable of rebuilding communities effectively and efficiently in the Gulf Coast.

The Bush Administration has not met the needs of Katrina families, small businesses and communities. To further compound this colossal failure in leadership, the Republicans are refusing low-income energy (LIHEAP) assistance funds today, even though home heating costs are up and federal grants are down. Additionally, 12 states have already run out of energy assistance, and some people may have their heat shut off in the next month. I must underline that these are poor families that are struggling to make ends-meat. Congress has cut home energy assistance by $21 million, while the number of people applying for help with their heating bills has reached a 12-year high. Families are essentially paying 17 percent more this year for home heating and 67 percent more since this Administration took office. While millions of Americans are cold at home, oil companies are reporting record profits and Republicans are ensuring that this does not change.

It is clear that Democrats are moving to the beat of a different drum than this Administration. We are committed to putting an end to the corruption, mismanagement and poor leadership that has adversely impacted Hurricane Katrina survivors.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of H.R. 4745, but not without reservations. During the last 5 months the Small Business Administration has issued $4.12 billion in disaster assistance loans to homeowners and businesses in declared disaster areas, processing 214,000 applications. It has approved approximately $1 billion in loans to businesses surviving the destructive attacks by hurricanes in 2005.

On the surface it would appear that the SBA is performing well. However, upon closer inspection, reports indicate, that in Louisiana, the roughly 185,000 applications made on behalf of homeowners, a shocking 60,000 were denied. The SBA is distributing a large amount of aid, but that aid is not reaching all of those in serious need. This is evident by the House Minority Small Business Committee's statement that 80% of overall disaster loans have been denied.

I bring these statistics to the forefront of my argument not to completely admonish the agency, but to make the point that if we are to appropriate more funds, they must be better distributed.

The administration's low interest rates on loans are necessary for the reconstruction of the economy in Gulf Coast region, and vital if any sense of stability is to be achieved. The denied applicants often have no other sources of loans, unable to secure the necessary credit.

The interest rates are of particular importance and have increasingly been coming under attack. The Bush administration has announced that as part of its 2007 budget proposal that it would require recipients of loans to pay higher interest rates after five years.

The SBA may be approving loans at an unprecedented rate, but it is failing to sufficiently respond to the situation. The destruction caused by the hurricanes occurred on an enormous scale, which is why more funds should be appropriated to the organization only on the condition that it make better use of those funds. The administration is doing a disservice to potential recipients of aid by denying them the resources that should be made available to them.

In the wake of these wide-scale disasters, we should not be cutting funds, but rather focusing on better and wider-reaching distribution of those funds and the waiving of restrictive regulations that prevent help going to deserving Katrina and Rita survivors to bring relief to those in need. I urge my colleagues to support the appropriation of additional funds to the SBA, but with confidence that in the future the SBA can make the necessary changes to ensure the widest distribution of loans.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today concerned that H.R. 4745, legislation making a supplemental appropriation for the Small Business Administration disaster loan program, is another example of the continued mismanagement of the Gulf Coast recovery effort.

This $712 million supplemental comes before us today as we discover that the SBA will completely run out of funding for disaster loans sometime in the next week. It is clear that the $441 million previously appropriated to this program was far from adequate to meet demand for the loans. As a result, the SBA has approved only 37 percent of the 280,000 disaster loan applications the agency has received and is facing a backlog of over 105,000 applications. Of the loans approved, only 10 percent have been actually paid to the homeowners and small businesses that are relying on this critical funding to rebuild their livelihoods in the wake of this unprecedented natural disaster.

How this administration could so grossly underestimate the need for these loans is beyond me. From the very beginning, the response by our Government to this disaster has been wholly inadequate—and this shortfall is just another sad example of the consequences of the poor planning, lack of leadership and incompetence demonstrated in the wake of Hurricane Katrina. Rebuilding the Gulf Coast is going to take a long term commitment of will and resources by the Federal Government. Yet, time and again, this administration has failed to level with Congress and the American people on the full costs needed to support the rebuilding effort.

The needs of the families, small business and communities of the Gulf Coast are too important to be shortchanged by estimation errors or budgetary gimmicks. I hope that any Katrina legislation this Congress may consider in the next few months includes a full accounting of the funding truly needed to meet our commitment to the Gulf Coast.

Mr. OBEY. Mr. Speaker, I was told that I had one other Member who wanted to speak, but she is detained in another meeting. So I think if the gentleman is interested in yielding back the balance of his time, we could do that on this side as well.

Mr. LEWIS of California. Mr. Speaker, I have no additional speakers. I might mention that the gentleman and I, our ranking member, have been working hard to try to bring ourselves together and go down and visit the gulf coast. I think we are going to be able to accomplish that sometime in the near term. It is on both of our agenda, but, in the meantime, I have no additional speakers, and I yield back the balance of my time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LEWIS) that the House suspend the rules and pass the bill, H.R. 4745.

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. LEWIS of California. 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. 4745.

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

There was no objection.

RECESS

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

Accordingly (at 11 o'clock and 44 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1746

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WESTMORELAND) at 5 o'clock and 46 minutes p.m.

MAKING IN ORDER AT ANY TIME CONSIDERATION OF H. CON. RES. 341, RESOLUTION OF CONDEMNATION REGARDING IRAN

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I ask unanimous consent that it be in order at any time to consider in the House the concurrent resolution (H. Con. Res. 341); that the concurrent resolution be considered as read; and that the previous question be considered as ordered on the concurrent resolution and preamble to final adoption without intervening motion or demand for division of the question except (1) 1 hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations and (2) one motion to recommit which may not contain instructions.

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

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 motions to suspend the rules previously postponed. Votes will be taken in the following order:

Senate Concurrent Resolution 79, by the yeas and nays; and H.R. 4745, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. The second will be conducted as a 5-minute vote.

SENSE OF CONGRESS REGARDING PALESTINIAN AUTHORITY

The SPEAKER pro tempore. The pending business is the question of suspending the rules and concurring in the Senate concurrent resolution, S. Con. Res. 79.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HYDE) that the House suspend the rules and concur in the Senate concurrent resolution, S. Con. Res. 79, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 418, nays 1, not voting 13, as follows:

[Roll No. 10]

YEAS—418

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)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
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)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
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
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Abercrombie

NOT VOTING—13

Berman
Bishop (UT)
Blumenauer
Campbell (CA)
Evans
Hinchey
Hunter
Miller, Gary
Osborne
Pitts
Wamp
Wasserman Schultz
Woolsey

□ 1812

So (two-thirds of those voting having responded in the affirmative) the Senate concurrent resolution was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BERMAN. Mr. Speaker, I was unable to vote on S. Con. Res. 79 today because I was traveling on official business to a Middle East regional security conference in Athens, Greece, and then on to Egypt and Israel for meetings with top government officials. Had I been present, I would have voted "yea."

SMALL BUSINESS ADMINISTRATION'S DISASTER LOANS PROGRAM SUPPLEMENTAL APPROPRIATIONS, 2006

The SPEAKER pro tempore (Mr. WESTMORELAND). The pending business is the question of suspending the rules and passing the bill, H.R. 4745.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. LEWIS) that the House suspend the rules and pass the bill, H.R. 4745, 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 410, nays 5, not voting 17, as follows:

[Roll No. 11]

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)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
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Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
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Cole (OK)
Conaway
Conyers
Cooper
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Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
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
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 (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
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
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
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
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
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NAYS—5

Duncan
Flake
Gutknecht
Royce
Tancredo

NOT VOTING—17

Berman
Bishop (UT)
Blumenauer
Campbell (CA)
DeFazio
Evans
Hinchey
Hunter
Leach
Marshall
Miller, Gary
Murtha
Osborne
Pitts
Wamp
Wasserman Schultz
Woolsey

□ 1821

Mr. ROYCE changed his vote from "yea" to "nay."

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ELECTION OF MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE

Mr. CLYBURN. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution (H. Res. 678) and ask for its immediate consideration in the House.

The Clerk read the resolution, as follows:

H. RES. 678

Resolved, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON INTERNATIONAL RELATIONS.—Mr. Carnahan.

(2) COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE.—Mr. Barrow.

(3) COMMITTEE ON VETERANS AFFAIRS.—Mr. Salazar.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Al GORE STATEMENTS OUT OF LINE

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

Mrs. BLACKBURN. Mr. Speaker, most of us have been respectful on the issue of security, even though some of our colleagues on the other side of the aisle obstruct for reasons that many times we do not discern. But there has been a trend of late of Democrat leaders traveling overseas to deliver speeches bashing America.

This past weekend, former Vice President Al Gore gave a speech in Saudi Arabia declaring that America had committed terrible abuses against Arabs after September 11. He said that Arabs had been indiscriminately rounded up and held in unforgivable conditions.

Mr. Speaker, there are some things that you simply do not do as a former American leader, and one of them is to bash your country on foreign soil. His comments are out of line, incorrect, and further proof of his disconnect with reality. He owes an apology to the countless men and women working around the clock trying to keep this country from experiencing another September 11. Our colleagues across the aisle ought to take him to task for his irresponsibility.

VICE PRESIDENT MUST ALSO FOLLOW LAWS

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I am delighted to follow my colleague from Tennessee to talk about the bad behavior of vice presidents.

Let me first of all say that when you are a civilian, you are a civilian. But I rise today to express my deepest disappointment in the behavior of the Vice President of the United States of America. A man was injured on the soil of Texas; and, lo and behold, it took us 20 hours before the American people and the President of the United States could have one iota of information.

I wish the attorney in Texas best wishes and good health, but I want to say to the Vice President of the United States that the inherent powers of the presidency do not inure to you, where you are allowed to travel secretly on Air Force II, to not allow the press to follow you as any public servant would have and to hide and cover up a drastic and tragic incident that occurred in the United States of America or anywhere around the world.

I believe the Vice President should own up to what occurred. I understand he made some remarks today, a little too short and a little too delayed. I believe we have seen again a cover-up of this administration, and the Vice President is the chief cover-upper of the United States of America.

Mr. Vice President, you, too, are subject to the laws of the United States of America.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WESTMORELAND). The Chair reminds all Members to direct their comments to the Chair.

REIMPORTED PRESCRIPTION DRUGS BEING DESTROYED

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

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I would like to bring to everyone's attention that Customs and Border Protection has recently begun confiscating and destroying prescription drugs intercepted at the U.S.-Canadian border. Unfortunately, CBP is offering no recourse to appeal this action.

While we all know that reimporting prescription drugs from Canada has not been legal in the United States for decades, this practice is not helping our seniors. However, if Border Patrol is suddenly going to enforce a law that many believed that government was no longer interested in enforcing, then they certainly should notify shippers and purchasers. Instead of simply confiscating and destroying these prescription drugs, they should include a warning in the first instance. The majority of the people purchasing these drugs are seniors on fixed incomes and likely do not have the money to repurchase them once they are destroyed.

I urge Customs and Border Protection to at least warn customers when agents intercept these packages. A simple letter would save a lot of grief for many, many seniors who use this procedure and not just seniors but other Americans who choose to purchase their drugs from a Canadian connection.

SAY NO TO HEALTH SAVINGS ACCOUNTS

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

Ms. KAPTUR. Mr. Speaker, when President Bush served as governor of Texas, that State had more uninsured people than any other State in the union, and his system continues until today: Texas still has more uninsured people percentage-wise as well as numerically.

Today, President Bush visited Ohio to try to sell his latest health care scheme. The reality is his health savings accounts are simply tax shelters for the healthy and wealthy, leaving more Americans worse off. Indeed, the numbers of the uninsured in Ohio have grown dramatically during his administration. More than one out of four people under the age of 65 went without health insurance, and almost half of Ohio's households with children are uninsured, while 76 percent of the uninsured are members of working families.

The President's travel stop today reminds me of his Social Security drive to privatize that a year ago. The American people said no. Our working families deserve better and should not buy this latest ploy for health savings accounts either that are going to leave most Americans in the drink.

HONORING SARAH TERRY

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

Mr. GOODE. Mr. Speaker, Sarah Terry, who is the director of the Farmville Fifth District Office, has battled breast cancer for the last several years and has undergone numerous chemotherapy treatments.

She has served as Executive Director of the Farmville Area Chamber of Commerce, a member of the Longwood University Board of Visitors, and a leading promoter of outdoor activities such as hiking and cycling. She is a leading proponent of the Virginia Life Fund for the Uninsured, which has raised funds for catastrophic health care for those who cannot afford insurance.

Sarah's enthusiasm for life, her community and her fellow Americans is contagious; and she is a true inspiration for many. We are grateful for the contributions that she has made; and we look forward to her continued outstanding service to Farmville, Virginia, and America.

□ 1830

HEALTH CARE

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

Mr. KUCINICH. Mr. Speaker, we are always glad to have the President of the United States in Ohio, but his health care policies miss an important fact, and that is that $1 out of every $4 for health care in the United States goes to the for-profit sector. $1.6 trillion is spent every year on health care in the United States, but over $400 billion goes for corporate profits, advertising, marketing, the cost of paperwork, up to 30 percent for the cost of paperwork.

We have over 46 million Americans who lack health insurance, who lack access to quality health care. H.R. 676, the Conyers-Kucinich-Kaptur bill, presents Americans with an alternative, universal, single-payer, not-for-profit health care, Medicare for all.

There is no reason why anyone in this country should be lacking health care when America has the resources right now. It would not cost much more than what we are paying right now. As a matter of fact, Americans are paying for a universal standard of care. They are just not getting it because it is all about corporations making a profit. It is not about people. Support Medicare for all.

CHECKS AND BALANCES

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

Mr. BURGESS. Mr. Speaker, I would remind the gentleman from Ohio that Tulane Medical Center opened today with a lot of fanfare. That is one of those dreadful private, for-profit corporations; and they are the first such hospital back in business in New Orleans. Ray Nagin said he wished he could bottle that and extend it to other companies.

Mr. Speaker, I rise tonight to talk about the domestic surveillance that was in the news earlier. My colleagues may not have noticed a rather insightful op ed piece that appeared in the Washington Times on January 6 of this year penned by an Alan Nathan.

Mr. Nathan writes that neither Congress nor the judiciary can remove this repeatedly court-recognized inherent authority granted to the President under the Constitution, just as the President cannot remove any of their powers guaranteed in the same great document.

When called upon, all intelligence organizations in the United States are structured to operate in conjunction with the military and accordingly become an integral part of the President's domain as Commander in Chief. Congress voted for this on September 14, 2001, in the war resolution invoked under the War Powers Act of 1973 authorizing the President to use force against all nations.

Given that the battleground includes this country, where the attacks were made, Democrats and Republicans objecting to his actions should be hard pressed to find him derelict in his duty.

Mr. Speaker, we should take the words of Mr. Nathan to heart. They were germane January 6. They are germane now.

ELECTION AS CHAIRMAN OF COMMITTEE ON EDUCATION AND THE WORKFORCE

Ms. PRYCE of Ohio. Mr. Speaker, by direction of the House Republican Conference, I offer a privileged resolution (H. Res. 679) and ask for its immediate consideration in the House.

The Clerk read the resolution, as follows:

H. RES. 679

Resolved, That the following Member be, and is hereby, elected to the following standing committee of the House of Representatives:

COMMITTEE ON EDUCATION AND THE WORKFORCE: Mr. McKeon, Chairman.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. WESTMORELAND). 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 North Carolina (Mr. JONES) is recognized for 5 minutes.

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

MEDICARE PART D

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

Mr. DEFAZIO. Medicare part D. Now, with great fanfare in the dark of the night, this Congress passed this plan, a plan written by and for the pharmaceutical industry. The pharmaceutical industry is the number one beneficiary. According to some academics, it should raise their profits by 28 percent over the next 5 years, not bad for the pharmaceutical industry.

Some forget history. The first time this bill came up on the floor of the House, it was being hotly debated, and then suddenly at 5 o'clock the House had to adjourn. Why did the House have to adjourn? Because the Republicans were going downtown to have their huge annual fundraiser, and a number of the principal fund-raisers were from the pharmaceutical industry. They are very, very generous to those who benefit them.

The pharmaceutical industry does really well. The insurance industry gets subsidies to offer these plans, even though they say that these are going to be great plans. They are getting subsidies to offer them. Still, seniors aren't lining up in great numbers for the plans because they are unbelievably complex plans.

Now, there are a number of problems that have come to our attention recently. In fact, even the chairman of Walgreen's, no lefty Democratic institution there, said that the government needs to intervene because the multiplicity of plans is just so unbelievable that people cannot understand them. Even worse than that, these plans are the most restrictive insurance product in history for requiring prior approval and testing before drugs are approved.

When the CEO of Coventry Health Care was contacted regarding the 39 different forms with multiple procedures the physicians would have to access in order to give drugs with prior approval to seniors, he said that could not be true. He checked, he came back, and he said it was true. He said, for instance, there are things like Accutane which could cause birth defects.

I know that we are pushing the boundaries of science, but I don't think too many 65-and-over American women eligible for Medicare have to worry about that. There are some other disorders for which Accutane can be a very helpful and legitimate treatment.

What they are doing is, first off, you have to buy into a plan. They can change the benefits weekly. Even if you took that plan because it offers the drugs you need on a weekly basis, the insurance industry can change it. Then even if they keep those drugs available, they are going to require that your doctor and you jump through incredible hoops to get prior approval.

Even seniors in nursing homes who have been on drugs for 10 and 15 years with a very well-known and documented condition, their doctors are being required to order expensive tests to justify continuing prescriptions for those seniors; and in some cases prescriptions have been interrupted, jeopardizing the patients.

This is a plan that wasn't set up to be convenient or easy for seniors to use to provide a meaningful benefit. It was set up first to benefit the pharmaceutical industry, then the insurance industry. The plausible excuse for that is to provide some coverage for seniors, coverage which, by the way, is going to cost taxpayers $800 billion.

Because, guess what, the bill, as written by the pharmaceutical industry, and passed by the Republican Congress and signed by the President, says that the Federal Government is outlawed, outlawed, from negotiating lower drug prices for seniors. That is prohibited by Federal law, despite the fact that the VA does it, and recent studies show that the VA is acquiring drugs between 40 and 80 percent cheaper than are being offered under these plans to our seniors.

The pharmaceutical industry said it would not be fair if the government negotiated lower drug prices for everybody on Medicare. It would not be fair to do that.

Come on, the most profitable industry consistently in the world, and they say that would not be fair; the industry that is gouging profits out of Americans, while selling drugs for half or a third the price overseas, and then crying all the way to the bank, when seniors here have to pay three and four times as much for those particular drugs.

What would be fair is to have the government negotiate lower drug prices for everybody eligible for Medicare. You can walk in. You do not have to have any insurance; you are going to get that big discount. Then the government could offer a simple plan, one plan, that would give benefits to cover that additional cost, and they could do that on a sliding scale basis.

We could save, over the next 5 years, the taxpayers of the United States $600 billion and provide a more meaningful benefit to all our seniors than this plan is doing. But we will not do that here, because the seniors aren't big campaign contributors like the pharmaceutical and insurance industries. Hopefully, there will be a revolt among America's seniors, and they will demand we change this plan, do something meaningful and save the Treasury $600 billion.

WESLEY SMITH

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

Mr. DEAL of Georgia. Mr. Speaker, many institutions affect the progress of communities and States across this Nation as we continually evolve in our march of civilization. Usually, those of us in government in particular think about those institutions being governmental units, or maybe even churches or philanthropic foundations. We usually think those are the institutions that affect this.

Recently I was reminded of a rather profound affect that the banking institutions of this country have on our history, and especially history of my congressional district and my State. Yesterday, my good friend Wesley Smith celebrated 35 years of service as president of Northwest Georgia Bank. Now, most of you do not know where that is. But it is in, as its name implies, in northwest Georgia, headquartered in Ringgold, Georgia, right below the Tennessee line just south of Chattanooga.

Wesley, in those 35 years, has become the longest-serving president of this rather dynamic banking institution, which itself was created in 1904. During the tenure of Wesley Smith, the bank has grown from $6 million to more than $500 million, has tripled its number of branch offices, and now operates in both Georgia and Tennessee.

Wesley has served as chairman of the Georgia Bankers Association and is currently serving on the board of directors of the American Bankers Association. His service on community boards, chambers of commerce, college foundations, and other charitable efforts are simply too numerous to mention.

But as I said, banking institutions have a unique history in and of themselves. In order to celebrate the 100th anniversary of the Northwest Georgia Bank, a book was written, and it is a delightful read. It is one of those kinds of books that at first glance you would say is only self-serving, but it is not, as I read it. It reminded me of the history of my part of the country.

This bank, first of all, had its initial beginnings back in 1856. It was part of an empire that was built in those days as the banking industry was beginning to take root in our country.

But in 1856, we all know what came shortly thereafter, and that was the devastation of the Civil War. In Ringgold, which is there in the gap of Lookout Mountain, it was one of the major trade routes of olden days and certainly was one of the trade routes with a railroad coming out of Chattanooga.

Many of you recall the story of the race of the General, the locomotive that was stolen during the Civil War, and it was recovered just north of the Ringgold area. But the bank itself was thriving, as was the community of Ringgold, until the Civil War. Being directly in the path of General Sherman's march after he left Chattanooga, the town of Ringgold and the bank were destroyed.

As a result of that, for 40 years this community was without a bank. It had been literally burned to the ground, as had most of the town. But then in 1904 a gentleman, who had gained quite a reputation as a dynamic individual in the banking industry and was putting together a chain of banks, by the name of W.S. Witham came to Ringgold and started the bank again in that community.

It survived in spite of closings in 1927 and 1933, survived the Great Depression, survived Roosevelt's bank holiday period, and continued to prosper, even with its ups and downs and even in spite of a daring daylight bank robbery where the president was held at gunpoint in this small community.

Well, that is a very quick history of an institution in my part of the world. I congratulate the Northwest Georgia Bank, which is certainly unique. I most certainly congratulate my friend Wesley Smith for his 35 years of service as the president of that institution.

I remind all of us again that we sometimes take for granted that not only the things that happen in governmental units affect the history of our country, but also institutions like banks play a vital role in weaving that tapestry that holds us all together.

□ 1845

HOUSE FOR SALE

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

Mr. EMANUEL. Mr. Speaker, the special interests may have gained access to the Capitol, but the American people are paying for it.

My colleague from Oregon talked about the prescription drug bill. It is a classic example when you see what happens to seniors across all of our districts who are not more than confused but have to fill out more than 30 pages of forms to get a single drug, where the drug companies or HMOs or insurance companies that are providing the plan can switch drugs like that at any moment, but they cannot switch out.

The basic tenet of business is to take care of the customer first. If this was designed with the customer in mind, it really does come as a surprise.

But I will tell you what is happening in the industry of healthcare specifically as we talk about the pharmaceutical industry and the prescription drug bill is happening in the energy area. The energy industry last year spent $87 million to lobby the United States Congress. Now what did they get for that $87 million? They got $14.5 billion in taxpayer support to drill for oil. We are paying ExxonMobil, Texaco $14.5 billion to drill for oil when energy is at a little over 60 bucks a barrel. For their $87 million of investment, they got taxpayers to fork over $14.5 billion. And we pay at the pump nearly 3 bucks a gallon, the highest price in a long time, and yet we also pay on April 15 with tax breaks for big oil, Texaco, ExxonMobil, Chevron, and all the other big oil companies, BP Amoco.

They also got a waiver in the lost revenue from royalties, that they are supposed to pay about $7 billion in royalties for drilling in the Gulf of Mexico. We also support them with another $2 billion for deepwater drilling in the Gulf of Mexico. So $87 million has gotten big oil companies $14.5 billion in taxpayer support, passed on $7 billion in royalties that they own, and another $2 billion on top of that for deepwater drilling, a little north of $20 billion. You cannot get a return on your investment like that even on Wall Street, but that is just one area where the American people are paying for the type of access that the special interests have.

There is a for sale sign here on the People's House, and for the last 5 years that for sale sign has allowed any special interest access and the American people are paying for it. When the Speaker's gavel comes down, it is intended to open the People's House, not the auction house; and for the last 5 years it has been nothing but an auction house here.

My colleague talked about the prescription drug companies. They are going to get, over the next 8 years, an additional $139 billion in profits that they would not get, a 25 percent, 28 percent increase in their profit margin. They spent about $173 million lobbying the United States Congress. They got $139 billion in additional profits. The HMOs and the private insurers got an additional $130 million they would not have seen any other way if it was not for the prescription drug bill.

And what did our seniors get? Plans in which none of them can figure it out, total confusion, drugs that are being dropped, some drugs that are skyrocketing. When they used to pay 4 and 5 bucks, they are now $150, and other drugs have dropped. Absolute confusion and plans that are locked in for 1 year.

All the while, what else do they get? We cannot negotiate prices just like Sam's Club does when they do bulk purchasing. We cannot allow our seniors access to Canadian and British drugs and drugs from Ireland and France and Germany so they can get competition from free trade and choice, and we cannot allow generics on the market quicker so that they can compete with name brand drugs. In every step of the way, that prescription drug bill avoided and outlawed the very principles of a free market, all in favor of creating a captive market for the prescription drug companies; and, once again, the taxpayers and the seniors are supporting and literally backstopping the prescription drug companies and HMOs and insurance companies. We taxpayers are paying for it.

As my colleague said, the bill was sold here on the floor for $394 billion. Before the ink was dry, it was reported to cost $790 billion, twice the actual cost. There are some in government that knew that was what it was going to cost. So all of the taxpayers now are going to have to pay $800 billion over 10 years; and the pharmaceutical companies, HMO companies, and private insurance companies are going to walk off with huge profits.

And all the while what has happened to the American people? Energy is up, in the last 2 years, 78 percent. Gasoline. Health care costs are up 58 percent. On average for a family of four, $3,600 over the last 5 years. College costs are up 38 percent; yet we may end up cutting college aid.

Mr. Speaker, I would like to note that we have a for sale sign on the front of the lawn here at the people's Capitol, and this November this election should be to return that gavel to its rightful owner, the American people.

VOCA: ROUND II

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, that great Iron Lady from across the ocean, Margaret Thatcher, made the comment

that you may have to fight a battle more than once to win it.

Let me give you a little historical background. I have spent all my life in the criminal justice system, first as a prosecutor in Texas and 22 years as a criminal court judge, heard about 20, 25,000 criminal cases, everything from stealing to killing. I saw a lot of people come to the courthouse.

But another group of people also worked their way to the courthouse, and they did not want to be there either, and that was the victims of crime. They were young, they were old, they were men, they were women, they were children. They were the silent group of people who were prey because of criminals.

Victims do not really have a lobby because most of them have to take care of themselves after they become victims of crime, until recently. In 1984, a novel program was started under the Reagan administration called VOCA, Victims of Crime Act; and the idea was pretty simple: Criminals in the Federal courts that are convicted pay into a court cost fund. That money then is used for victims and helps pay for their injuries, for their medical expenses, sometimes the funeral expenses. A great idea: Make criminals pay for the system they have created. Make them pay the rent on the courthouse. And that has been going along fairly well, so well that approximately $1.2 billion is now in that fund. And it is not taxpayer money. It is not the Federal Government's money. It is money that belongs to victims, money that has been obtained from criminals. And it is a crucial resource for different organizations throughout the United States.

Most victims groups, programs, agencies operate under a shoestring. Many of them are just trying to keep lights on, and they receive this VOCA funding. We are talking about domestic violence shelters. We are talking about rape crisis centers. Victim compensation funds, funeral services, and medical expenses all receive benefit from VOCA funding. One example is in Houston, the Children's Assessment Center, a program like 400 others throughout the United States, where sexually abused children go so that they can be treated not only for their medical injuries but their emotional pain and get themselves prepared for trial.

We have approximately 4,400 agencies in this country that depend on that VOCA victim fund. We are talking about 3.6 million victims a year. VOCA is the only Federal program that supports services to victims of all types of crimes: homicide, drunk driving, elder financial exploitation, identity theft, robbery, and rape.

So what is the problem, Mr. Speaker? Well, the bandit budget bureaucrats are up to their old tricks. They are stealing this money from the victims fund, and they want it to go into the abyss of the Federal treasury.

This may all sound familiar. It is familiar. A year ago those same individuals wanted to do the same thing, and because of different victims groups in the United States, that was stopped. That VOCA fund stayed with victims. It did not go into the abyss of the Federal treasury. But now those bureaucrats are up to these old tricks again, and they want that money to be taken from victims and put into the abyss of the Federal budget.

Mr. Speaker, that money does not belong to the Federal Government. It is not taxpayer money. It is money that belongs to victims.

Victims continue to get victimized in the criminal justice system, and now this is another way of victimizing victims once again.

Mr. Speaker, when I came to the House of Representatives, I, along with Jim Costa from California from the other side of the aisle and Katherine Harris from Florida, started the Victims Rights Caucus to bring the awareness of the plight of victims to this House. Because you see, Mr. Speaker, it is the first duty, the first responsibility, of government to protect the people. Government does a pretty good job of that. We are fighting the war on terror in Afghanistan and Iraq and other places in the world. We are doing a good job.

But we have got a war on terror going on here, and those are the terrorists that live among us, those street terrorists, criminals. And when they are captured and when they are prosecuted and they are put in jail, make them pay. Make them pay financially to support victims, their medical injuries and their needs after they have come to the criminal justice system.

So this money cannot be taken from the victims fund. We will fight this battle again, as Margaret Thatcher said. The victims posse, as I call them, those victims organizations throughout the United States, they are a posse because most of them are volunteers, and they will do what they can to make sure that this money stays left alone, that it stays in the VOCA fund, that it remains moneys for victims and to be used for victims as well.

This is a user fee for criminals. They need to pay. In fact, they need to pay more. The robber barons are taking this money; and, Mr. Speaker, this ought not to be.

CAMPAIGN CONTRIBUTIONS

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

Ms. KAPTUR. Mr. Speaker, Americans are upset about what they view is a compromised, bought-out Congress. They hear of favors passing hands, deals being made, arms being twisted, while votes are held open to the wee hours of the night. They are sick of it, and they should be.

Minor procedural forms are being proposed within this Congress and are being touted as answers. But truly these proposals are window dressing, and they totally ignore the massive iceberg of campaign money that infects every single officeholder at the Federal level. The old expression goes, ''If you really want to know what is going on, follow the money.'' Thank goodness for Political Moneyline and other Web sites that help reveal what is really going on in Washington.

The reforms being proposed in this Congress do not get at the real problem. Each party is afraid of disarmament and certainly unilateral disarmament to get the money out. Ross Perot had it right a few years ago when he said, Those people in Congress, they are really good people caught in a very bad system.

Congress has nibbled around the edges of reform, and there are some congressional rule changes that may do the same. But to help move toward real reform, I am introducing a package of four bills dealing with the need for real limits on campaign spending as well as slamming shut the revolving door on lobbyists that allows too much foreign-generated influence and money inside this legislative branch.

My proposals are as follows: First, a sense of Congress resolution that recognizes that the Supreme Court erred and was not complete when, in the case of Buckley v. Valeo, they stated that free speech equaled money, that no matter how much you spent was okay because money was equated with free speech. Well, if that is true, the converse is true. If you do not have the money, you lack free speech. And more and more Americans are being shut out of the highest levels of lawmaking in this country because they simply do not have the money to compete.

My second bill is the constitutional amendment itself that would give Congress and the States the power to limit the contributions and expenditures made by, in support of, candidates for Federal, State, or local office. That is a tough proposal, but it is one that I think our children and grandchildren will thanks us for.

□ 1900

The third measure is the Ethics in Foreign Lobbying Act of 2006, which would prohibit contribution expenditures by foreign-owned corporations and would establish within the Federal Elections Commission a clearinghouse of public information regarding political activities of foreign principals and agents of foreign principals.

It was interesting that some major Russian interests were involved with Mr. Abramoff. As this scandal unravels, we are going to find some very interesting characters sitting at the bottom of that heap.

Finally, the fourth bill is the Foreign Agents Compulsory Ethics and Trade Act of 2006, which would impose a lifetime ban on high-level government officials from representing, aiding, or advising foreign governments and foreign political parties. It imposes a 5-year

prohibition on representing, aiding or advising foreign interests, including commercial interests, before the Government of the United States. It is not enough just to shut the gym to former Members who are lobbyists. You have to get at the heart of the problem.

Campaign finance authority Herbert Alexander estimated that $540 million was spent during the 1976 period on all elections in the United States. By 2000, that figure had risen to over $4 billion. To run for this job in the House in 1976 cost on average $87,000. Today, the average Member has to spend nearly $1 million, and some $2 million, 10 times what was spent just 30 years ago, and the population hasn't gone up by 10 times.

A winning Senate race back in 1976, you could spend about half a million dollars, which is a lot of money where I come from. Today, the average amount spent is over $5 million; and in places like New York, that is chicken feed.

Mr. Speaker, we have become a plutocracy. America, wake up. Please support real reform for our children and grandchildren.

A MODERN ECONOMY NEEDS MODERN STATISTICS

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

Mr. DREIER. Mr. Speaker, today's job seekers have a vast technological arsenal at their disposal. They can search online for job openings. They can e-mail their contact of networks for leads. They can fax their resumes and conduct job interviews via video conferencing. And if they get enough of the rat race, they can start their own business. That is what goes on today, becoming their own boss.

This dynamic, technologically advanced picture of the American workforce is fundamentally different from that that existed in the late 1930s and 1940s. At that time, most workers typically had lifelong employment in long-established companies. And heavy industrial manufacturers were among the most common employers.

In six and a half decades, Americans have experienced a sea change in how we look for work, where we work, and how often we find new work. We have progressed into a wired, upwardly mobile, flexible workforce. Small business, self-employment, and independent contracting have become the hallmarks of our entrepreneurial innovation-driven economy.

With such a drastic transformation, you would expect the way we measure employment would have evolved too. Yet our most frequently cited survey of job creation remains mired in a Depression-era mindset and research method. The Bureau of Labor Statistics' payroll survey tracks payroll employment by surveying established businesses. This results in monthly job creation numbers. The household survey, on the other hand, tracks employment by household and produces the unemployment rate from that.

While the household survey tracks all types of employment, from someone who holds a lifelong job at a big business to someone who just became their own boss, the public and private sectors have historically relied on the payroll survey to gauge national job growth. When we look back to the pre-World War II economy, favoring the payroll survey makes sense.

Today, however, Mr. Speaker, the employment landscape is entirely different. Just look at the area I represent in Southern California, with its biotechnology facilities, independent IT contractors and small, specialized consulting firms. Yesterday's start-up is today's big business, and today's brainstorm is tomorrow's start-up. It is not surprising then that the payroll and household numbers portray quite different results.

The disparity between the job survey became particularly apparent throughout the early stages of the post-recession recovery that we enjoyed in 2002 and 2003. While the payroll survey lagged for months, the household survey demonstrated a strong and growing workforce, where self-employment accounted for one-third of all the new job creation that we saw.

Following the end of the recession in November of 2001, job creation in the household survey rebounded by the following May. Although there were some ups and downs in the ensuing months, the household job numbers never again dipped below the November 2001 level. By November of 2003, more than 2.2 million net new jobs had been created, and the pre-recession job numbers had been surpassed.

By contrast, the payroll survey did not demonstrate net job growth until August of 2003 and did not return to the November 2001 level until April of 2004, nearly 2 years after the household survey had caught up. And the payroll survey's pre-recession job numbers were not surpassed until February of 2005, a year ago. This prolonged lag in the payroll survey's job creation numbers led to claims, and you will recall this, of the ''jobless recovery.''

Mr. Speaker, while every other major indicator of economic strength surged forward, from the gross domestic product numbers to productivity, the payroll survey persisted as an anomaly of negative news.

Only the household survey was able to accurately portray the strength of our workforce because of its ability to track the nontraditional employment that the payroll survey misses. In an already-dynamic economy, the increased churn created by economic expansion only highlighted the growing inadequacies of a Depression-era payroll survey. Using the 20th century methods to take a snapshot of the 21st century employment picture simply did not work.

To launch an overhaul of our job surveys, I introduced H. Res. 14, which called on the Bureau of Labor Statistics to review and modernize the way we collect our jobs data. BLS conducted a report that analyzed the two surveys and evaluated options for change. While the report stopped far short of proposing a complete reform of the surveys, it did acknowledge that a growing discrepancy exists between the two numbers and determined that further analysis is necessary.

Mr. Speaker, I am pleased that BLS has taken this very important first step. But it is only a first step. We must continue to push for reform so that our job surveys effectively track job creation. After all, policymakers rely on accurate economic data to draft effective legislation, and businesses need the right numbers to plan for their future. In an economy where the only constant is change, unreliable numbers will result in off-target legislation and poor business decisions.

A modern economy needs modern statistics, and we must make sure that we give it that.

U.S.-INDIA NUCLEAR COOPERATION DEAL

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

Mr. PALLONE. Mr. Speaker, I am always pleased to lend my personal support to strengthening the partnership between India and the United States, and today I rise to express my support for the recent civil nuclear energy cooperation agreement between the world's two largest democracies. I also urge my colleagues to support such an agreement when it comes under consideration in Congress.

Based on their shared values of diversity, democracy and prosperity, the United States and India have a natural connection. The growing bilateral relationship between the United States and India is creating new and profound opportunities between our two countries. We have shared democratic values and national interests that have fostered a transformed relationship that is central to the future success of the international community, and that includes the global war on terrorism and slowing the spread of weapons of mass destruction. Building this strategic partnership was unforeseen a few years ago, but its success is important in creating a strong democratic foundation in Asia.

Mr. Speaker, India, which has long been a victim of terrorism, was the first to offer its services to the United States in its war on terrorism in Afghanistan. The Bush administration has made separation of India's military and civilian nuclear facilities an important benchmark by which to judge India's seriousness. In separating these facilities and placing the civilian ones

under safeguards, it shows India's commitment to its role in the global community.

Mr. Speaker, the United States-India civil nuclear agreement strengthens energy security for both the United States and India and promotes the development of stable and efficient energy markets in India to ensure adequate and affordable supplies. Development and expansion of U.S.-India civil nuclear cooperation should, over time, lessen India's dependence on imported hydrocarbons, including those from Iran.

Mr. Speaker, India is taking necessary steps to build its relationship with the international community. Although India has never been a signatory of the Nuclear Nonproliferation Treaty, it should not be considered as a problem state with regard to nonproliferation issues. It has no record of proliferating dual-use nuclear technology to other countries. India understands the danger of the proliferation of weapons of mass destruction and has agreed to key international nonproliferation requirements.

Finally, Mr. Speaker, once the Bush administration outlines the details of the civil nuclear energy cooperation agreement, then Congress must begin steps to enact the changes necessary for implementation, and I would urge all my colleagues on a bipartisan basis to move in that direction and support it. The United States has established a remarkable strategic partnership with India, and a civil nuclear cooperation would be a great accomplishment. Its implementation is important for national security and for U.S.-India relations. Our two nations have made extraordinary progress over the last several years, and the path that lies ahead is critical to our improving relationship.

HEALTH CARE TRANSPARENCY

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

Mr. BURGESS. Mr. Speaker, Americans, American patients, are fortunate. They have access to the greatest health care system in the world. But for many, the cost to access that care is prohibitively high. So it is ironic, Mr. Speaker, that the world's largest free market economy, government control and lack of true market forces have led to diminished sophistication among medical consumers and increased health care costs.

Dr. Uwe Reinhardt, a professor of political economy at Princeton University, frames the problem by stating: ''To move from the present chaotic pricing system toward a more streamlined system that could support genuinely consumer-directed health care will be an awesome challenge. Yet without major changes in the present chaos, forcing sick and anxious people to shop around blindfolded for cost-effective care mocks the very idea of consumer-directed care.''

A lack of transparency has created a system where customers don't have the ability to hold providers accountable. We have reached a point where even doctors and nurses and other providers have difficulty in being cost conscious, because nobody really knows what anything costs any more. In a system like this, cost increases are a given.

Mr. Speaker, there is no bigger proponent of medical health savings accounts than myself. A little less than 10 years ago when the Archer Medical Savings Accounts were first made available, I went out and got one. I think it is a good method of providing health insurance, particularly for those young Americans who want to be entrepreneurs that Chairman DREIER was just talking about. But right now there is a problem, because there is a lack of transparency in the system; and that opacity in the system prevents them from being good consumers.

A more transparent pricing system would help give providers and patients more control over their health care dollar, but there are great incentives for providers to keep consumers blindfolded. For instance, every year hospitals normally raise their price list for services. Because hospitals can increase their net revenue by raising their list prices, this provides them the incentive to increase their list prices.

But hospitals also negotiate a discount in payments for patients covered by certain health plans, and these discounted amounts are not always available to individuals who may be interested in self-pay, such as the holder of a health savings account.

Additional breakdowns of hospital operating costs and how that impacts billings would be essential information to a consumer trying to select the lowest-cost provider. Since this information is obscured, the consumer can exert no pressure on a hospital to implement rational pricing structure.

What happens when pricing information becomes available to consumers? The results can be dramatic. When the Medicare prescription drug discount card was introduced in 2004, seniors could log on to Medicare.gov and see cost comparisons of what drugs cost at area pharmacies. I would submit that Lasik surgery and plastic surgery are the other such examples when transparency is brought to the marketplace.

□ 1915

Some health plans are getting into the transparency game. Aetna health plan has initiated a pilot project in Cincinnati, Ohio, that gives enrollees information on what doctors charge and gives enrollees the ability to take action before services are performed. This type of information is vital to hold providers and plans accountable for what they charge and what the patient pays.

Giving new consumer-based coverage options like health savings accounts the opportunity to plug into a fully transparent system, it gives consumers information on cost, price and quality and would transform the American health care system in a radical manner, providing care for more Americans both rich and poor. Patients with portable health care dollars that can be paid at the point of service are extremely attractive to most health care providers who otherwise normally have to wait for an insurance company to process a claim and remit the payment sometimes months or even years after a service has been rendered. To attract the business of these patients who are willing to pay cash at the time of delivery, providers could list their charges, competing for business on price and quality.

With nearly 3 million now enrolled in health savings accounts to date and the number growing daily, health care providers and hospitals would be wise to allow transparency to pervade the system and ride the coming consumer wave.

Now, Congress can play a role in leveling the playing field in favor of the health care consumer. HSAs should be supported or made more attractive to consumers by increasing their portability and maximizing the tax benefits of these accounts. Congress has already established several quality reporting programs that are available to the public. The same should go for medical costs. There is no reason to continue the system of opacity in medical pricing.

Congress should take the lead in developing a collaborative approach with all provider stakeholders to make the costs more transparent to consumers.

The Greek dramatist Sophocles said that, ''wisdom outweighs any wealth.'' The American health care system needs a healthy dose of wisdom; and consumers can deliver, given the chance.

MISSED OPPORTUNITIES

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

Mr. GENE GREEN of Texas. Mr. Speaker, the President gave the annual State of the Union speech and also released his budget recently. The speech and the budget were short on many important issues that face our families and neighbors every day.

I was glad he talked about supporting our troops; and I agree. However, I did not hear a call for creation of additional divisions to give our regular military and reserves more time at home between deployments. He announced no plans to stop extending the enlistments for the young men and women serving our country, some of whom are serving their third tours in the Middle East.

We also need better equipment and training for the people who volunteer

to serve our country. Instead, this budget request maintains and grows weapons systems that are no use to our troops on the ground, rather than adding the manpower we need for Iraq and Afghanistan, and reduces the authorized size of the National Guard by 17,000 soldiers.

I did not hear a renewed commitment to fully fund our veterans health care either. When someone serves and is injured we owe them a debt to make sure they receive health care second to none. President Bush's VA budget request for 2007 does add nearly $3 billion in real appropriations to veterans health care compared to the 2006 budget. However, it does so by charging a new annual enrollment fee for VA care, nearly doubling drug copayments and driving 1.2 million veterans out of the system created specifically for them.

A chart in the President's budget request anticipates approximately 1.2 million fewer veterans in Priority Groups 7 and 8 in 2007. These groups are forced in this budget request to pay new $250 enrollment fees and nearly double in pharmaceutical co-payments. This is not looking out for those who have served our country.

The President touched briefly on health care problems in our country. Health care is the number one domestic concern of the American people, 46 million of whom lack health insurance.

The administration's solution is expanding health savings accounts, HSAs, eliminating State mandates on health insurance policies, and the annual call to federalize medical malpractice lawsuits. HSAs have not been successful with consumers. An October, 2005, report determined that 1 percent of U.S. adults chose HSAs and only one-third of that 1 percent recommend HSAs to someone else. Another one-third of that percent would like to change plans. HSAs only fit a small portion of our society and have not helped to ensure our 46 million uninsured Americans.

Even worse, HSAs will draw healthier, higher income employees out of health insurance pools, leaving the sicker and lower income folks to share the higher risk. The unfortunate result would be increased out-of-pocket costs for those most in need of affordable health care and a weakened employer-based health insurance system.

To solve our health problems, we need bolder leadership, not plans that do not work. Let us expand the State Children's Health Insurance Program, the CHIP program, to working parents, allow early retirees over 55 to buy into Medicare, and help States with Medicaid costs so that they can expand programs for the uninsured.

Decades ago our country made a decision to use employer-based insurance unlike other industrial democracies. We have tried to bridge the gap of what employers can provide, but we still have 46 million people uninsured. Congress and the administration have a duty to bridge that gap for Americans.

I also did not hear anything in the State of the Union Speech about the administration's efforts to secure pensions. Companies are eliminating traditional pensions or going into bankruptcy to get out of commitments to their employees. At a time when the baby boomer generation is reaching retirement age, we cannot depend on Social Security, especially with an administration who wants to privatize it.

The President also did not mention anything on the biggest issues facing Americans, increasing disparity in income. Since World War II, Americans had a history of creating a great middle income majority. We are losing that great middle class as we have more and more millionaires but more and more poor people.

In 2001, the median income in 2004 dollars was $46,058. In January of 2006, it was $44,389, almost $2,000 less. Median income Americans are losing ground while median home prices have increased from $139,700 in 2001 to 215,900 in 2004.

Health insurance costs have gone up from a monthly average in 2001 of $135 to $222. College tuition for our children has increased, while government assistance has remained flat. I could go on and on about lower income and high prices, including costs of gas for our cars and utilities to heat and cool our homes. We need a concerted effort by Congress and the administration to reverse this trend that the rich get richer and the poor get poorer.

Middle income Americans are getting poorer. We have real needs in this country, and it is all too clear that the President's State of the Union speech and the administration's budget have not addressed the concerns of America.

CONSUMER-DRIVEN HEALTH CARE

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, it seems that tonight is health care night. We just heard from two of our colleagues from Texas, one of whom I agree with and one of whom on a lot of points I do not necessarily agree with. But, Mr. Speaker, I do rise tonight to express my deep concern over the high cost of health care and the toll it has taken on our families and our businesses and our economy.

I was very encouraged to hear President Bush discuss the important issue of health care reform during a speech in Ohio today. A recent NBC news poll showed 76 percent of Americans believe health care reform is a top priority for our Nation and we absolutely must act to create a more transparent accessible and affordable system, as the gentleman from Texas (Mr. BURGESS) just said.

Before coming to Congress, I practiced medicine as an OB–GYN for 26 years. I know that America has the best doctors, hospitals, research facilities in the world, but all of that is for naught if people, Mr. Speaker, cannot afford the care that they need.

However, different Americans have different health care needs, and we cannot resort to a Hillary-care program, to a one-size-fits-all system of care. We rejected that in 1993, and we reject it here today in 2006. Instead, we need reform that allows Americans to be better health care consumers.

When we shop for a new car or home what do we do? We compare prices to get the best deal and the best product. Health care should be no different. Too many Americans are paying the high cost of health care out of their own pockets, and the family budget is suffering. This is exactly why we need real practical initiatives like health savings accounts and association health plans, despite what the gentleman from Texas (Mr. GENE GREEN) just said. We need this to make health care affordable, portable and secure.

The number of people that are buying high deductible health plans along with these health savings plans is not decreasing, as the gentleman suggested, but it is increasing. Three million today and by 2010 14 million. I am very supportive and proud that the President talked about this and is going to expand health savings plans for the future. These initiatives will help businesses across America afford health benefits for their employees, which in turn will reduce the number of uninsured in this country.

I am as concerned, Mr. Speaker, as all of my colleagues are of the fact that we have maybe 41 or 42 million people in this country without health care. But this is the way you get them the health care so they can get a policy with a very low premium that covers the catastrophic and they can stash away money each year in that health savings account. It can grow just like an IRA and they can use this money in many instances for medical care that is not covered under a traditional health care policy. I am talking about things like dental care, a hearing aid or visual care.

So along with flexibility in our health care system, this is another very important point, and Mr. BURGESS just spoke about that.

We must be technologically advanced. You heard, Mr. Speaker, Chairman DREIER talk a little bit about job statistics and how we do not need to be using twentieth century machinations to determine what our growth and our job rate is. We need to have a better system that more accurately reflects the job growth in this country. It is the same thing with the health care system. It must be technologically advanced.

Mr. Speaker, I recently went to Antarctica and, amazingly, I could get cash from an ATM machine with no glitch in Antarctica. But if I had fallen ill during my travels, the hospital

there could not have accessed my medical records or known what medications I am on; and I happen to be on several heart medications.

This is a recipe for disaster, and to fix this crucial shortcoming I have introduced legislation to increase tax breaks for physicians who invest in the new technology of electronic medical records. Physicians are more likely to adopt this new technology if our Tax Code helps offset the substantial, and they can be substantial, initial costs.

We have seen the success of this tactic with other tax relief for small businesses. H.R. 4641, the Adopt HIT Act, will help our doctors save money, time and, most importantly, Mr. Speaker, save lives.

Reforming health care will make coverage more affordable and accessible for both workers and employers, especially our small businessmen and women. But affordable health care is only half of the equation. After all, the most affordable health care in the world is, Mr. Speaker, irrelevant if a patient cannot get in to see a doctor when he is sick or visit the emergency room when he is injured.

As a practicing physician for nearly 30 years, I have seen the results of our troubled medical tort system firsthand. In many communities, hospitals have closed, women have to travel across State lines for prenatal care, emergency rooms lack the on-call specialists they need to save lives. This should not happen in America, home to the greatest physicians in the world.

I call on my colleagues to join me in the effort to create a consumer-driven system of care for our country.

HONORING MORGAN PARK HIGH SCHOOL STUDENTS

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

Mr. RUSH. Mr. Speaker, today I want to tell this Congress and this Nation about a high school success story. Today I would like to acknowledge students and teachers from the Morgan Park High School located in my district, the first congressional district on the south side of the City of Chicago.

Morgan Park High School students posted world-class advanced placements test scores. Mr. Speaker, it must be noted, particularly as this is the month that we celebrate black history, February, it must be noted that out of the more than 15,000 high schools and 31 countries worldwide, more students at Morgan Park High School passed their AP exams in two courses, English language composition and European history, than at any other high school in the Nation or in the world.

□ 1930

The vast majority of these students were African American. The number of African-American students passing these college-level exams at Morgan Park High School is even more amazing considering the fact that African Americans are the most underrepresented racial group in the country in AP classrooms.

Mr. Speaker, thanks to the excellent teaching and tutelage of their teachers, Ms. Judith Keyhoe, Ms. Marilyn Jackson and Mr. Martin Luzzo, all of the Morgan Park students deserve special recognition and congratulations from this Congress today.

Morgan Park High School is a great example of what dedicated administrators, committed teachers, motivated students, and involved parents can accomplish; and I ask all my colleagues to please join me in congratulating Morgan Park High School, this fine school, for their wonderful academic achievement.

Now, Mr. Speaker, I would like to just take a moment to name the individual students that allowed Morgan Park High School to soar to these unprecedented heights. These students are: Jorge Anguiano, Jenele Anderson, Desney Avery, Nicole Banks, Brian Belcher, Aryelle Berry, Evan Beverly, Jasmine Bomer, Justin Booz, Christina Boyce, Jenise Chappell, Monique Childress, Angelo Dasilva, Eric Dorsey, Natalie Dowdell, Patrice Gardner, Jeffrey Gonzales, Brandon Hamilton, Zellonda Harris, Rachel Hoffman, Dominique Jones, Edward King, Latasha Kinnard, Juwaun Mcclain, Amanda Moore, Tichina Moore, Eduardo Morales, Jeffrey Nelson, Cecilia Ortiz, Kimberly Randle, Ashley Rouse, Lajoi Royston, Renata Sago, Bradley Thomas, Jerome Wade, Langston Wesley, Alexandria Willis, Rachel Woods, Joshua Young.

To the students at Morgan Park High School, we take our hats off to you. Keep up the good work. Make sure that you keep on the path to success. This Congress, this Nation, is very proud of you. God bless you.

The SPEAKER pro tempore (Mr. MARCHANT). Under a previous order of the House, the gentlewoman from California (Ms. SOLIS) is recognized for 5 minutes.

(Ms. SOLIS addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

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

(Ms. HERSETH addressed the House. Her 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 SPEAKER pro tempore. Under a previous order of the House, the gentleman from Michigan (Mr. STUPAK) is recognized for 5 minutes.

(Mr. STUPAK 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 gentlewoman from Florida (Ms. ROS-LEHTINEN) is recognized for 5 minutes.

(Ms. ROS-LEHTINEN addressed the House. Her remarks will appear hereafter in the Extension of Remarks.)

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

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

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

(Ms. DELAURO addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

THE OFFICIAL TRUTH SQUAD

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

Mr. PRICE of Georgia. Mr. Speaker, what a great pleasure it is to come and speak to the House tonight about a number of different topics. I want to thank the leadership and the conference for giving me the opportunity to lead an hour here and talk about things that are of utmost importance to our citizens all across this Nation.

When I have talked with some of my constituents, many of my constituents at home, over and over and over again I hear them say, what is going on up there in Washington, why has the discussion, the personal animosity that seems to be brought to so many of our debates, why is that occurring? It is a great question because it does a disservice to us all; it really does.

What we are beginning tonight is what we are calling the Official Truth Squad. This is our new logo of the Official Truth Squad, and we thought that was appropriate because there are so many times that you hear on the floor inaccuracies here, and so we thought it was appropriate to put together a group of folks that would come as often as needed to bring some truth.

To start that truth, I just wanted to set kind of the premise of why people are so disgusted, what kinds of things that are being said that make people so doggone disgusted with some of the language that is going on up here in Washington.

These are real quotes; and I think it is important, Mr. Speaker, that people

hear these things because, again, it does a disservice to the whole debate. These are quotes from Howard Dean, who is the chairman of the Democratic party. This is a quote just a year ago: ''I hate Republicans and everything they stand for.'' Can you imagine that? What an awful thing to say to at least a third of the Nation, if not more, to individuals who voted in the last general election for President, over half of the individuals that voted, and that kind of tenor is just wrong. It is just wrong. It does not help anything.

Just 6 months ago or so, he said: ''Republicans, a lot of them haven't made an honest living in their lives.'' What kind of nonsense is that? What kind of disservice does that do to our Nation?

We have heard some of that same kind of tone here on the House floor, and so we endeavored to put together a group that would talk about the truth, talk about real things, and try to bring some real information to our citizens all across this Nation.

Daniel Patrick Moynihan, I do not have the exact quote, but he said something like, everyone is entitled to their own opinion but they are not entitled to their own facts; everyone's entitled to their own opinion but not their own facts. So we thought we would bring some facts, and we will do that over this next hour and over the next number of days as we come and talk with folks.

This Official Truth Squad grew out of the freshman class group of 24 or 25 of us who get together on a frequent basis, and we thought it was an appropriate thing to do to counter what has come to be known as the culture of cynicism, the culture of pessimism and the culture of negativity that we oftentimes hear from the other side. So we hope to bring a much more positive outlook, a much more positive view, frankly, of our Nation and to bring some facts to the table that I think and we think are appropriate just so people have the right kind of information out there to make decisions, to figure out what their government is doing and what it is not doing and what it ought to be doing.

With that, I am pleased to be joined by my colleagues, and first to come talk to you about some things as its relates to the economy and the budget is the gentlewoman from North Carolina (Ms. FOXX). She is a member of the freshman class. I have come to know and respect her so highly. She has a background in education and is just as principled as they come and as frankly positive as one could be about the outlook for our Nation. So the gentlewoman is going to spend a few moments and talk with you about the economy and the budget.

Ms. FOXX. Mr. Speaker, I thank the gentleman from Georgia (Mr. PRICE) very much for inaugurating the Truth Squad here tonight. I think it is high time that many of us came here to the well and shared the truth against many of the negative things that have been said night after night after night on this floor.

I am very positive about our country. It is the greatest country in the world, and it is the only place I know of where people are dying to get into. We need to make sure that the positive things about this country are talked about.

I want to talk a little bit tonight about the important role this Congress is going to continue to play in balancing our budget by spending our constituents' money wisely and by putting our national priorities in order. I also am looking forward to exposing this hypocrisy that has been exhibited here night after night by people who are quick to lament our Nation's problems but unwilling to take positive action towards solutions.

The Congress must become a better steward of the taxpayers' dollars, and we must do it now. Our constituents deserve to send less of their hard-earned dollars to Washington and spend more on their families, businesses, and dreams. By cutting spending and cutting taxes, we will allow citizens to have more time with their families because they will not be having to work so much. Our constituents meticulously budget their dollars at their kitchen tables, and we owe it to them to do the same thing here in Washington. It is their dollars we spend, not ours.

Cutting Federal spending is not an easy thing to do. We have seen this even as freshmen. However, it is the right thing to do, and my colleagues who join me here tonight recognize this important distinction and important responsibility to do what is right over what is easy.

We had the chance recently to slow the growth of Federal spending, and I am proud that this House did the right thing by passing the Deficit Reduction Act. However, those very same Democrats who come here night after night and complain about the deficit were unwilling to roll up their sleeves and get to work to actually solve the problem. They had their chance to contribute to a solution with the Deficit Reduction Act, but they took the easy way out by voting against the bill. The Deficit Reduction Act is one of the long-term solutions for the future that we are supporting.

It is easy to hand out money willy-nilly. However, it is not easy to find areas to reduce chronic spending; but reduce Federal spending we must, and we must demand more accountability for that spending.

My constituents work hard, and more of them are working than ever before. More people are working all over this country than ever before. They have adapted to our changing economy; and as a result of sound economic policy, more of them are in good jobs than ever before. We have reduced the tax burden on American workers and small businesses, and our economy is strong.

The money coming into the Federal Government has increased dramatically; but, unfortunately, the money we spend has increased dramatically, also. It is the taxpayers' money we spend; and we must be responsible, meticulous, frugal and effective in the ways the Federal Government spends this money.

As this Congress takes up the fiscal year 2007 budget, I hope my colleagues will maintain that mentality. We have made great progress with the Deficit Reduction Act, but we must do much more to transition from deficit reduction to deficit elimination.

I also call on the Democrats to contribute to the solution and to do the right thing by finding commonsense ways to reduce Federal spending. While we are here tonight to expose some blatant hypocrisy by the quick-to-complain Democrats, I would also like to invite them to start doing the right thing. I would love to see some Democrats join us in calling for reduced spending. I would love to see them back it up with a vote for reduced spending. It is not the easy thing to do, but it is the right thing to do.

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It is unfair to leave our children and grandchildren with massive debts resulting from overspending. The President's budget is a further attempt to help spare younger generations from debts that they do not deserve, but we must keep making progress with what the President outlined.

Mr. Speaker, I would like to thank my colleagues for joining me tonight in highlighting this important issue. I am really proud to be a part of the Truth Squad, made up only of House Republicans; and I would like to reiterate my hope that Democrats will join us in doing the right thing, however difficult, by slowing Federal spending. I look forward to working with them to restore fiscal accountability and restraint so we can continue to trim and soon eliminate the Federal deficit.

Mr. Speaker, I thank Mr. PRICE for hosting this hour, and I am looking forward to many more evenings of our presenting to the American people the facts about our economy.

Mr. PRICE of Georgia. Mr. Speaker, I appreciate the gentlewoman's participation and involvement. It brings light to the appropriate problem and the appropriate solution. The problem is too much spending. The problem that we have here in Washington is too much spending, which means the appropriate solution is to decrease that spending. The Deficit Reduction Act was a move in the right direction, to decrease spending by $40 billion.

Mr. Speaker, I know it is hard to believe, but we did not get a single vote from anybody on the other side of the aisle for something that is a move in the right direction. Was it as much as we would like? Certainly not. But without any help from the other side, things get much more difficult. We appreciate the gentlewoman bringing us the truth as it surrounds the budget.

I am pleased now to yield to the gentlewoman from Tennessee (Mrs. BLACKBURN) who, although not a member of the freshman class, we have adopted because she brings such clarity of thought to the issues. She has presented the optimistic and positive view of our Nation and the hard work we are doing to move our Nation forward. I am pleased she is able to join us tonight and talk a little bit about the budget.

Mrs. BLACKBURN. Mr. Speaker, I thank the gentleman from Georgia, and kudos to Mr. PRICE and the other freshmen class members for starting the Truth Squad. I know that each and every one of you are going to do a great job as you take issue by issue that comes before this body, issues that are so important to the American people because we want to be certain that we do a few things while we are here, that we are good stewards of the taxpayers' money, that we are diligent in preserving freedom because we know that our children and our grandchildren deserve the opportunity to have the ability to dream big dreams and, as we said last night, to grow up in a safe, free and secure world. We want that for them, and we want that for every American citizen.

Certainly being certain that we focus on our economic security is important. As I said, last night we talked about national security and that importance, that we have that free, safe world. Tonight we will be looking at economic security. Congresswoman FOXX always speaks so well, and I loved what she was saying about the spending habits of Washington.

Mr. Speaker, some of my constituents remind me regularly that Washington does not have a revenue problem, Washington has a spending problem. This great big bureaucracy that is built up around Washington has a tendency to eat up those tax dollars that come from the local communities in Washington and somehow never get back out there to the programs.

I think one thing we all would agree on is that Washington is never going to get enough of your money. It is never going to get enough of your money. It has an endless appetite for your money. Certainly Ronald Reagan's statement that there is nothing so close to eternal life on earth as a Federal Government program, we see that borne out every single day. We as conservatives keep focusing on that spending problem. We keep focusing on ways to reduce Federal spending.

Certainly we have made some inroads. The gentleman mentioned the Deficit Reduction Act which was and is a plan that is going to yield a savings for the American people. In this, we saw the 1 percent reduction. How we pushed to get those bills in there. Last year, we had bills, and the gentleman from Georgia joined me in sponsoring those bills for 1, 2 and 5 percent across-the-board reductions so that we would begin to prioritize.

That is what the American people want us to do, to prioritize, to make decisions about where is the best way, the very best way for this government to function so that it is continuing to provide the services and the infrastructure that we need to be the greatest Nation in the world. That is what they want to see from us. We were so pleased to see those reductions included in that Deficit Reduction Act. Yes, indeed, we are going to be working to be certain that we do that again this year.

One of the good things about the Truth Squad and what you all are going to do over the next many months is to bring forward ideas, to bring forward ideas. How do we make this government more efficient, how do we make it more effective, how are we certain that we are prioritizing and meeting the needs and desires of the American people, and how do we hold the Federal Government accountable for the dollars that they are going to spend. Because it is not government's money, it is the taxpayers' money.

I know that Representative CONAWAY is going to speak in a few more moments. I hope he is going to talk about the Federal Programs Offset Reduction Act that he introduced today. I am cosponsoring that bill. That is the type of innovative idea that we need to see brought forward. If you are going to propose a new program, then, by golly, get in this budget and find something that is duplicative, that has outlived its usefulness, that is wasteful and eliminate it. If you are going to do something new, take away something that is not working.

As I have co-chaired the Task Force on Waste, Fraud and Abuse, that has been one of the creative suggestions and one of the recommendations, programs like that that we are looking for. We are looking forward to supporting Mr. CONAWAY in that work because we know it is our responsibility to be a good steward. We know that it is our responsibility to keep in mind that Washington is never going to get enough of the taxpayers' money, and we know that it is our responsibility to remember that Washington does not have a revenue problem. It gets plenty of money. Washington has a spending problem.

Mr. PRICE of Georgia. Mr. Speaker, I thank the gentlewoman from Tennessee for coming and providing great light for some of the principles that we ought to be holding dear here.

One, we ought to be good stewards of the taxpayers' money. We oftentimes see Washington just spending too doggone much money. People know that. They understand and appreciate that.

They also understand that Republicans are the team that has the ideas, as Mrs. BLACKBURN said, to decrease spending. She has provided great leadership in providing a bill that would reduce spending across the board at the Federal level by 1, 2 and 5 percent each. So take your pick. Where do you feel comfortable? I, frankly, would support as much as we can do. I know she would as well.

Mr. Speaker, I am pleased to yield to the gentleman from Texas (Mr. CONAWAY), another member of the freshman class of the 109th Congress, a Member I have come to respect very highly for so many things but especially for his financial acumen. He is a CPA in his real job, his real life, and he has brought great interest and enthusiasm to the challenges we have in the economy and in the budget. He sits on the Budget Committee. I am pleased to have him join us to talk about the budget and where we are headed in the future.

Mr. CONAWAY. Mr. Speaker, I thank the gentleman from Georgia for not only those kind words but also for creating the Truth Squad and being the motivating factor behind that. I think it is going to do us good to come here from time to time to talk about these things.

I also want to thank my colleague from Tennessee for those very kind words. The bill the gentlewoman is talking about would actually be a change in the House rules for next session, the 110th Congress, and that is if you can find something that the Federal Government is not already currently doing, in order to convince us that new program should come into existence, you have to do away with an existing program of equal or greater spending.

In other words, if your new program is not more important than some other program in the vast array of public programs, basically you are telling us this new proposed program is the least important thing that our Federal Government can do. If that is the case, obviously why would we do it?

Now the great thing about being freshmen, except for Mrs. BLACKBURN, is that we do not know what we are not supposed to suggest and we do not know what, quote/unquote, cannot be done. I know this is going to cross jurisdictional lines within committees, and some would say that it puts a damper on the creative spirit that brings these new programs to life. In the short run, maybe that is not a bad idea. Nancy Reagan had it right when she said just say no to drugs. Maybe we should say just say no to new programs for a little cooling off period and get an evaluation.

The President in his budget came up with 141 programs that through the evaluation process, an objective evaluation process, that could be targets for this program.

What I would like to talk about tonight is the reason why the discussions we are having tonight are so important and try to add a little sense of urgency to the overall issue of the budget for 2007. That is the long-term look, the 50-year look at the growth in the Federal Government, growth in Federal spending.

I would argue with just about anybody that the single biggest threat to

our way of life is the growth in Federal spending over the next 50 years. Now I say that with a recognition that we are at war, the global war on terror is important and it is a crisis that we ought to have to deal with, but I think spending of the Federal Government will ruin the American way of life.

If you look at studies done by the Congressional Budget Office, they have recently posted one to their Website, CBO.gov. If you look at that long-term study in the growth in Federal spending, it will frighten you or it should frighten you and add a sense of urgency to the need for what we are doing here and what we are discussing here tonight, and that is to try to trim back the rate of growth in this government.

Today, we spend an equivalent amount of 20 percent of our gross domestic product. It is consumed by the Federal Government. That $2.7 trillion, in round numbers, that we will approve for the 2007 budget is about 20 percent of GDP. Our current tax revenues, all revenues for the Federal Government, are about 18 percent. So we are creating a deficit that we all have to deal with and decry. Nobody defends the deficit and nobody thinks it is the best way to go, but being an accountant and a CPA, those are the facts. As the photographer said, if you want a prettier picture, you need to bring me a prettier face.

But let us look at that spending out over 45 years. In the year 2050, if you look at the CBO report, the Federal Government will consume about 50 percent of gross domestic product. My colleague from Atlanta knows the world has never seen a free market enterprise country where the central government can consume half the GDP and the rest of the country prosper on the other half. It just does not work that way.

So we have two choices as I see it. One, reduce the rate of growth and reduce the programs that are not sustainable and bring the projected growth in Federal Government in line with what tax revenues can be. Or out of whole cloth, come up with a brand new economic system, a brand new way of doing business that will allow the central government to consume half, and the rest of us prosper and grow and have a better standard of living on the other half.

Today, we had hearings in the Budget Committee. We had General David Walker, the head of the Government Accountability Office; we had Douglas Holtz-Eakin, who was the immediate past chair or the director of the Congressional Budget Office; and we had Elizabeth Sawhill from the Brookings Institute, three individuals with impeccable credentials in this area. They bring a great deal of credibility to the table.

Today in the hearings they were unanimous in the problem we are talking about, in their agreement with the problem we are talking.

Now GAO's estimate is about 40 percent of GDP by 2050, and the Congressional Budget Office is about 50 percent. There is a margin of error there that is irrelevant when you look at revenues. The question was asked, can we grow our way out of this problem? And the short answer was eloquent in its brevity. All three simply said, no, we cannot grow our way out of it.

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We cannot grow our way out of it, an elegance to that answer that was deafening in the room. So we cannot grow our way out of it.

It requires us to begin to make choices today that are easier than the choices available to us next year, and are clearly easier today than any choice we will have 3 years from now regarding how we will begin to reduce the rate of growth in this Federal Government.

As I have said, in this Chamber we give speeches, and with hyperbole we typically overreach and puff and brag in order to convince our colleagues that our particular argument is correct.

But a threat to our way of life, the threat to my grandchildren, your grandchildren, is there. It is imminent when you look at the long term. The bad news about it is it is not imminent in the sense that it is going to happen tomorrow afternoon.

We as Americans just tend to deal with today's issue, tomorrow's issue, maybe next week's issue; but we rarely want to take a look at 45 years down the road and make some hard choices that we have today. Let me finish up with one quick anecdote about the importance of doing this.

I have six wonderful grandchildren that I am incredibly proud of. When I talk in the district to town hall meetings and groups like this, I typically ask all the grandparents to raise their hands. You get a good smattering of those folks.

I say, which grandparent in the room today would take their grandchildren to their local bank and say, Mr. Local Banker, I want to borrow every dollar in this bank, but I want my grandchildren to sign the note. I want them to be responsible for paying it off. I am going to take the money, and I am going to spend it on a few good things, but I want to spend it the way I see fit. But I want you to look at my grandchildren and make them pay off that debt.

There is not a grandparent in the room that says yes. There is not a grandparent anywhere that I know of who would take that. Then I look at them and say that is exactly what we are doing as a group. Our collective conduct is doing just that. By 2050, we will have an economic model that cannot be sustained, and the size of the Federal Government cannot be supported by any level of taxation that would make sense.

In an attempt to add some sense of urgency to the importance of what our colleagues, you and our other colleagues, are talking about tonight with respect to this year's budget and next year's budget and next year's spending, the long look is important. As I said to start with, I believe that this is the single biggest threat to our way of life that we face, that is, acknowledging the fact that we are at war with some pretty terrible people.

Dr. Price, I appreciate you allowing me to speak with the group tonight. I appreciate you allowing me this time, and thank you for your leadership in this Truth Squad effort as we go forward in the second session of the 109th Congress.

Mr. PRICE of Georgia. Thank you so much, Congressman CONAWAY, for your clarity. Clarity of thought is not often seen here in Washington. You have just laid out for us, really, a pretty foreboding picture that in a relatively short period of time, less than one lifetime, the government, if not changed, will spend 45, 50 percent of the GDP on government, on government programs. That just cannot be done, as you say.

The positive thing that you mention is we can solve it. We can solve it if we all knuckle down and get to work together, which I think is the uplifting message that we need to give to the American people, because it can be solved. We just have to do it together and do it positively.

Thank you so much for coming and joining us this evening.

We are joined now by THELMA DRAKE, Congresswoman DRAKE, who is another member of the freshman class and another member of the Official Truth Squad who oftentimes comes to the floor and just provides great insight into so many different areas. She is a Representative from Virginia, has owned a small business, understands what it means to sign the front side of a paycheck, and has great insight into the economy and the budget itself. I want to thank you so much for joining us tonight.

She is going to talk a little bit more about the budget.

Mrs. DRAKE. Thank you, Congressman PRICE. I want to thank you for this effort, because this is a big effort to bring people together to come and talk about America. I really chuckled when I heard Congresswoman BLACKBURN talk about Ronald Reagan's quote, that no program has eternal life like a Federal program.

You will remember, in the President's budget last year, in our very first year as freshmen here, that he did propose cuts in programs, and he has proposed cuts in programs this year.

The theory behind that is there is no way to end programs without making very, very hard choices. But I do admire that the President and this Congress are willing to look at does a program work, what are the results, and how could that money be used if it were used somewhere else. There are two things that I hear back home, and one is, when are you going to balance the budget, and when are you going to control spending?

But then, of course, if a program is cut, the next thing I hear is, why was that program cut? Of course, you and I understand, when we say cut, now, with these programs, we are talking about cutting. But usually when someone says something was cut, they usually mean it is a reduction in the growth of spending. I think that is clear that we need to talk about that so the public does not believe that there has actually been a reduction.

With my staff, I look at them and say, don't tell me percentages; give me the dollar amount for last year, the dollar amount for this year, and then we can stop talking about cuts. Medicaid. We have heard from constituents at home who say I want to talk to you about cuts in Medicaid. I say, do you mean the 7 percent growth as opposed to the 7.4 percent growth that was projected before?

But last year as a freshman, when people would come to me, and they would say the President has cut my program, I would explain the President's philosophy, which was, let's look for programs that work, let's look for programs that don't.

So I would say, maybe the President has made a mistake, and maybe his information is wrong. If you would like to come back to me with the good information, we will take it to the President.

Not one person ever came back.

I learned as a child in school that taxes are what we pay for civilization. We as Americans all believe in that. We know that we have a responsibility to Americans who are less fortunate. We have the grave responsibility of defending this Nation, of educating our children, that we have huge responsibilities on us. But one of the greatest responsibilities, I think, is to ensure that every dollar we spend of taxpayer money is spent wisely.

But what I was really thinking about, when I came over here tonight, because I came over here tonight to talk about how great our Nation is, as I came to the floor, one of the things I thought was how quickly we as Americans have recovered since the very devastating attacks of 9/11.

We gathered our strength and our resolve and, through the courage of our fighting men and women, have taken the battle to the terrorists who despise our love of freedom and our open society. We have risen as a beacon of hope to those who live in the Middle East and yearn for the freedoms that we have.

Perhaps the most important thing about Americans and what we have been attacked for, and please believe me, the targets that they took were not chosen at random, when the terrorists attacked the Twin Towers on 9/11, they did that because they are important symbols to our commitment to capitalism and to free and open markets. They struck us at our core. What they intended to injure was our spirit.

It was here that they failed, because they underestimated the strength of the American people. The American people know that while bricks and mortar can be torn down, that our resolve and commitment to the principles that define us cannot be harnessed.

We have weathered a very difficult recession. We have weathered the attacks of 9/11. We have experienced the burst of the telecom bubble; and now we find ourselves, once again, in an economy that is exploding with growth and opportunity.

Today our economy is experiencing significant growth. Since the second quarter of 2003, we have experienced an average of 3.8 percent quarterly gross domestic product growth. Nearly 4.7 million new jobs have been created since that time, and today's unemployment rate is at 4.7 percent. That is lower on average than the seventies, eighties and nineties. 2.1 million jobs have been created in the past year, and 193,000 were created in the past month alone.

Congressman PRICE, I would say that tells a very important story about our Nation. Real after-tax income has grown by 7 percent since 2001. The average hourly wage is up 3.3 percent over the past 12 months, the largest 12-month increase in just under 3 years. Inflation remains low. Consumer confidence is at a 3-year high, and homeownership is at an all-time high. Tax revenues for fiscal year 2005 grew by 14.6 percent over fiscal year 2004. That has resulted in a $120 billion reduction in the deficit.

This is a perfect example that there is such a thing as taxpayer behavior, that when you allow people to keep their own money, they create jobs, they save it, they invest it, they spend it, they grow our economy. I believe, and I know that you believe, that our tax policy must support our economy, and it must grow our revenues.

Congress is currently in the process of renewing aspects of the legislation, the tax cuts, that have brought a lot of this economic growth about.

But today is not a day to rest on our laurels. Leadership is about creating a vision of where we want to go and how we want to get there. It is not enough to create a favorable climate for economic growth. This majority has a clear vision of how we can help Americans succeed in this climate.

You and I both serve on the House Education and Workforce Committee. We both know how hard our committee has worked to provide greater educational opportunities for Americans from all backgrounds, as well as to provide assistance for prospective employees to receive the skills and training they need to be competitive in today's workforce. You and I know the committee will continue to work hard this year.

I also think it is important, as I close, to just talk about who in America pays taxes. One of the things that we have heard over and over again is that the tax cuts are for the top 1 percent of America. Americans do not realize that 50 percent of our people pay over 96 percent of the taxes. The top 50 percent pay 96.5 percent of our taxes.

That means the bottom 50 percent wage earners pay 3.5 percent of our taxes. Forty-four million Americans are estimated to owe zero Federal taxes this year and will receive a dollar-for-dollar rebate for their withholding tax, thanks to the 10 percent bracket that was created.

I think it is the least-told story of the year, how great our economy has done, the success of the tax policies. I think it is a story America needs to hear, and I thank you for giving us the opportunity to stand and talk about America, how great our Nation is, how wonderfully our economy is growing, and that we are committed to the policies that will continue that growth, continue to improve the lifestyles of all Americans.

Mr. PRICE of Georgia. What a wonderful vision you have created and the great story that you have told about the recovery after 9/11 and the incredible economy that we have going in America right now.

Often at home, people do not understand that. They aren't getting told that, certainly not on the nightly news and not in the newspaper. Thank you so very, very much for joining us.

I also want to just highlight what Representative DRAKE said about the words that are used here in Washington. So often you hear about cutting this and cutting that. In fact, things are not being cut. We will talk a little bit more about that in just a minute.

Oftentimes, things are just decreasing the rate of increase, which is a little different way to say it, but it has been said that Washington is the only place where a decrease in the amount of growth that was projected is considered a cut. We just have to suffer with that.

That is why we are joining you tonight as the Official Truth Squad, to bring some real facts, some truth to the issue of the economy. I wanted to expand a little bit on what I hear at home when people talk about the kind of news that they see on television or the kind of things that they most often read in the paper.

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They want to know why are they not hearing these good things about America.

To highlight once again some of the statistics about our economy, 17 straight quarters of growth, 17 straight quarters of growth. The home ownership rate in our Nation now is at an all-time high. Nearly 70 percent of Americans own their own home, 70 percent. What an incredible story that is, and it cuts across all demographic lines and all sectors of our society. And that is positive. That is a positive thing, that is a good thing, and it is the result of the economic policies that have been put in place here in this Congress.

Unemployment rate: 4.7 percent. Four point seven percent. And most economists will tell you that 5 percent unemployment is full employment because we have got people looking for jobs or looking to change their job or moving, those kinds of things. Five percent is full employment. Right now, our unemployment rate is 4.7 percent. Four point seven million new jobs in the last 5 years. Good news. Great news. It really is.

And because you occasionally get that, this is today's Wall Street Journal. The other side likes to talk about their third-party validators. Here is a third-party validator, a Wall Street Journal, front page story today: ''Retail Sales surge 2.3 percent, Underlining Economy's Health. A 2.3 percent increase in sales. That just shows the kind of wonderful and good economy that we have got going. So we have got a plan. We have got a plan to continue to increase the wonderful performance of this economy.

I wanted to talk a little bit more about some truthful aspects that ought to be discussed, and Representative DRAKE talked about this, this chart here, again trying to bring some truth to the issue of who pays taxes. Oftentimes, we hear that the wealthy do not pay any taxes in this Nation at all and they have all sorts of ways to get around paying taxes. And this graph is so telling because oftentimes we hear, Mr. Speaker, that a picture is worth a thousand words, and this picture is.

We have got six bars here. The first bar here is the top 1 percent of wage earners in this Nation, and then, on this ordinate here, we have got the percent of taxes that they pay. Out of 100 percent of taxes here in America, what percent did the top 1 percent of wage earners pay? Thirty-four point two seven percent. Over a third of the taxes in this Nation paid by the top 1 percent wage earners. And if you go on down, the top 5 percent pay over 50 percent of the taxes in this Nation.

These numbers are not my numbers. These are official numbers, and it just is really telling.

When we look down at that fifth bar, the largest bar there, that is the top percent, 50 percent of wage earners. That is half of the wage earners in this Nation. And the top 50 percent, as Congresswoman DRAKE said, pay 96.54 percent of the taxes. The bottom 50 percent of wage earners pay less than 4 percent.

So when you hear that the wealthy in this Nation are not paying their fair share, I do not know about you, but I would say that this distribution is not unfair to those at the lower end of our scale, and it ought not be. But this is the truth. This is the truth. When you hear those other lines and you hear those other statements, you just know that it is not the truth.

This chart here talks about the revenue growth that we have had. This is the amount of money coming into the Federal Government. And you have heard it said oftentimes that in Washington we do not have a revenue problem, we have got a spending problem. And, indeed, we do. Washington spends too much of the hard-working taxpayers' money. But I think this chart is telling. Because what this shows from the year 2000, and it is projected out to the year 2011, there is a dip here at about 2002, 2003 in revenue coming into the Federal Government. And currently in 2006, the amount of money that came into the Federal Government is $2.3 trillion. A lot of money. A lot of money.

But being an individual who likes to know why things happen, I want to know why that increase occurred; and I think it is important to know that at this point at almost the lowest point of revenue over the past 5 years, 6 years in this Nation, what happened is that we decreased taxes. We decreased taxes through the President's recommendations and through the hard work of this Republican Congress, decreased taxes to all taxpayers in this Nation.

And what happens when you put more money in people's pockets? Incredibly, what happens is that there is more revenue that comes into the Federal Government because they become more productive. They spend more, but they save more, and they have greater incentive, greater incentive, frankly, to work. So the truth of the matter about revenues in this Nation is that they are up because of decreases in taxes.

Numbers do not lie. Senator Moynihan said everybody is entitled to their own opinion, but they are not entitled to their own facts. And the facts will show that, in fact, after the tax decreases what happened is an increase in revenue.

Now, oftentimes our friends on the other side of the aisle like to say, and, in fact, we have heard it here tonight and I wrote it down because I hear it so often but it is put in different ways, but we heard tonight that government assistance to education has been flat under this leadership. ''Government assistance has been flat.'' Well, again, you are welcome to your own opinions, but you are not welcome to your own facts.

Here are the education totals: The annual growth over the last 5 years, the annual growth over the last 5 years, 2000, nearly $40 billion in growth in education expenditures from the Federal Government. Forty billion dollars. In 2001, over $40 billion of growth. In 2002, nearly $50 billion in growth. And you see the other columns there: 2003, 2004, 2005, continual increases. This is not the increase from 1 year to the next. This is the absolute amount of money, new money, Federal Government money being spent on education.

So when you hear people say that the amount of money going into the education of our children and our young people has not increased or it has decreased or it has been cut or it is not growing at all or it is flat, that is simply not true. Simply not true. Again, you are welcome to your own opinions. You are not welcome to your own facts.

What about Pell grants, Pell grant funding? Pell grants are those grants that the Federal Government appropriately provides to those individuals who want to seek a higher education degree and they simply do not have the resources to be able to assist them. What has happened to Pell grants since the year 2000? Remember the sounds that you hear from the other side that these cuts have been disastrous, that you are cutting and you are slashing? In fact, the annual growth in Pell grants over the last 5 years average, average, a 10.3 percent increase per year. That does not sound like a cut to me. That does not sound like a cut to me.

So what this chart shows is significant growth year after year after year, billions of dollars over the last 6 years annually. Not a cut. Not a cut. And that is appropriate. It is appropriate that we do that, but what we are here tonight to bring to the American people, Mr. Speaker, are some facts, some truth that we would like to share with the American people.

What I would like to do this evening in my brief time remaining is to just bring a little truth and fact to where Federal Government spending occurs. Because I think it is important for the American people to know and appreciate just what their Federal Government is spending their hard-earned taxpayer money on.

This is a pie chart. It is relatively simple, and there are about six major categories of spending that the Federal Government has. And you have heard a lot about automatic spending that occurs, and those automatic areas are the area of Social Security, the area of Medicare, and 20.5 percent for things like Medicaid and pensions and the like, and then there is net interest. Then there is the discretionary side, which really is the only side that we have been able to affect to any great degree. One is defense, which is about 20 percent of the Federal budget, and the other is 19.2 percent, which covers everything else that the Federal Government does. So I think it is important to get an appreciation for where Federal Government money is going. Social Security, 21 percent right now. Medicare, 11.9 percent. Other entitlements or other automatic spending, 20.5 percent.

We were talking about the amount of spending, where the Federal Government spends its money; and the previous pie chart showed what we have right now, in 2005. Currently, the Federal Government spends 54 percent on what are called mandatory programs, and it really ought not be called mandatory. We could call it automatic. It is oftentimes called entitlements.

But in that portion of this pie chart are Medicare, Medicaid, Social Security, some Federal pensions and the

like. But those are programs that have formula within them that allow them just to continue to perpetuate year after year after year. And this area of the pie chart is what Representative CONAWAY talked about. That is the area that will consume 50 percent, 50 percent of the entire gross domestic product.

Currently, this is 20 percent of the budget. This, over the next 10 years, will grow to 62 percent. As you can see, this trend, in 1995, it was 49 percent; 2005, 54 percent; 2015, 62 percent. That trend is one that we cannot sustain as a Nation. It just cannot happen, unless you do what the other side talks about repeatedly, which is to raise taxes; and, as Congressman CONAWAY talked about, in fact, you cannot even grow your way out of it. You cannot even raise taxes enough to cover that and sustain our way of life as a Nation. So I think it is incredibly important that when we are talking here on the floor of the House that we talk about real facts, real facts, honest information for the American people.

Mr. Speaker, with that, I would just like to say what a pleasure it has been to come before the American people tonight and to gather a group of what we are calling the official truth squad of primarily the freshmen class. And, Mr. Speaker, as president of the freshman class, Representative JINDAL from Louisiana has been wonderfully supportive of these efforts to bring truth to the floor of the House. What a wonderful thing.

We live in an incredible and a great and a wonderful Nation. It is a Nation that has, through liberty and through freedom, benefited more citizens than ever known in the history of the world. We believe, on this Republican side of the aisle, that it is important that government does do some things, but we do not want government running every part of our life.

There are a couple of things the government should do well. It should defend us well. It should have a balanced budget and be able to keep the commitments that it makes. We have a clear and a positive plan to build a safer world and a more hopeful America. We believe that Washington spends too much money, too much of the taxpayers' hard-earned money, and we have a commitment to balance the budget through controlling the growth in spending.

The other side, as I mentioned, tends to be interested in doing one thing, and that is raising your taxes. There is a plan afoot right now that they have to increase and raise your taxes. It seems to be oftentimes the only solution that they have.

But, Mr. Speaker, we were sent to Washington to solve problems. Difficult problems, yes. But my colleagues and I and the official truth squad will be here many, many times over the coming months to bring reality to the discussions that we are having, to bring some truth to the discussions that we are having, and to remember what Senator Moynihan said, and that is that you are welcome to your own opinions but you are not welcome to your own facts.

With that, Mr. Speaker, I thank the leadership once again so very much for the opportunity to present this hour.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 32. An act to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks.

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

S. 1777. An act to provide relief for the victims of Hurricane Katrina.

□ 2030

DEMOCRATIC CAUCUS INNOVATIVE AGENDA

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

Mr. GEORGE MILLER of California. Mr. Speaker, I am claiming this time on behalf of myself and other colleagues who will be joining me shortly to talk about what really has made America such an economic power in the world and such a leader in both economics and in innovation, and that is in the 1960s when President Kennedy made the case to send a person to the Moon and to bring that person back safely, it was more than a moon shot. It was an expression of optimism about the talent in this country and about the resources in this country.

In the process of sending that individual to the Moon and back, we also built a great infrastructure. We built a great infrastructure that consisted of one of the great public-private partnerships in the history of the world, a partnership between our academic institutions, our research institutions, the private sector, and the U.S. Government. In putting that partnership together, we created both the physical resources to create the rocket ships and the infrastructure at NASA, and also the intellectual basis and foundation to make the discoveries necessary.

That is where America has been for the last 50 years. It has ridden out on the point of scientific discovery, of the discovery of knowledge, the acquisition of knowledge, and in the resulting innovation, in the resulting economic growth and the world leadership in those areas. It has served this country well. It has made it the richest country in the world. It has made it the strongest country in the world because of that innovation, because of that scientific discovery.

Some of that was done through the National Science Foundations. Some of that was done through the National Institutes of Health, the National Institutes of Medicine, in conjunction with other research facilities and with the private sector.

It was very interesting as the Democrats started to consider the need for reinvestment in America's innovation infrastructure; and we thought about what would it mean at this time to push ahead for the next generation of innovation, the next generation of innovators, the next generation of manufacturing jobs in this country, the next generation of other jobs in this country and the economic growth that could continue to drive the American standard of living for America's families.

As we talked to those who had been so very successful in the world of technology and biotechnology and venture capitalists who have gone forth to try and fund these bright young people and their ideas, those people who today are the CEOs and the presidents and the founders of some of the most successful companies in the history of the world, American companies in the technology field and the biotech field, it is interesting that all of them fully understood that they were the inheritors, they were the inheritors of that public-private partnership, of that investment that was made in the scientific discovery, that investment that was made in new young mathematicians and scientists and engineers; the fact that this country decided that it was important enough for our national security, for our economic security, that we would fully pay people's way with fellowships so they could spend their full time in the quest of that new knowledge, those skills, those talents, and achieved their Ph.D.s and other advanced degrees in math, science, and engineering.

All of these people today recognize that when they were starting their companies in the garages of California, in the small business parks of New Jersey, in the small business parks and the university research labs across this country, they were the inheritors of that investment made by this Nation.

They also told us in these meetings that they felt in that public-private partnership the public side had been lagging, the public side had not been keeping up with the kind of investments that were going to be necessary if we in fact were going to have long-term, high-risk, high-reward research taking place in this country, the kind of research that does lead you to the next generation of innovation, to the next generation of jobs and economic growth and world leadership, that we need to reinvest in that.

They talked about how we doubled and this Congress made a decision on a

bipartisan basis to double the budget of NIH. But they also made it clear that the doubling of the budget wasn't simply a one-time target; it was the beginning of the process at the National Institutes of Health, at the National Institutes of Medicine.

They also noted when we decided to double the budgets at the National Institutes of Health, we did it at a cost to the physical sciences, that the physical sciences also had been lagging. It is interesting we see after now having achieved the bipartisan goal of doubling the budget of the National Institutes of Health, we see in the President's most recent submission a diminishment, a cutting of that budget of the National Institutes of Health while the President is talking about increasing the physical sciences, the budgets of the National Science Foundation and the other governmental research.

This cannot be a rob-Peter-to-pay-Paul effort. It cannot be that. This cannot be done by robbing the physical sciences to help the life sciences or robbing the life sciences to help the physical sciences. A great country must make advances in scientific discovery in all of these fields; and clearly, clearly, that needs to be done if we are going to attract private capital to partner up with the Federal dollars in the basic researches across the agencies of this country.

We also talked with them about what would be the driver of much of the new innovation, what would give them a task which would generate new scientific discovery and innovation; and many of them said we have got to deal with the energy problem in this country. The technology is a big part of America becoming more energy independent and trying to achieve a sense of energy independence over the next 10 years in alternative fuels, in alternative technologies, in alternative energy sources, rather than simply relying on the fossil fuel policy of the current administration and the current budget of this country. Those kinds of investments in energy.

They also thought we should try to recreate a long-term, high-risk, high-reward research facility within the Department of Energy so people could go out on the edge again of the kind of knowledge that had to be acquired if we are going to achieve the goal of energy independence. But, once again, you don't do it on a nickel-and-dime policy. You have to make a sustained major commitment.

When you double the budget of the National Institutes of Health and you are looking for the kind of research that is so critical to preventative medicine, to dealing with the new communicable diseases that are traveling around the world and the health care of this country, you have to make a sustained investment. If you are going to do it in the physical sciences, you have to make a sustained investment.

So that is what my colleagues and I would like to talk about, how America turns to the next generation and provides them the promise and investment in their talents, their skills, and their future. We think we can do that by looking at what has led to this American model of success.

We will also talk about the fact that this model is under challenge from countries in Asia, from India, from China, from Korea, from Japan, from Taiwan; that the idea that America is number one, the position we hold in the world today, in innovation, in Nobel prizes, in patents issued and copyrights, that that is not a position that is ours by birthright. It came because of the investment and the hard work.

That is now being challenged from all across the world. People are now able to take the American model and leapfrog it because of the technologies, because of the scientific discovery that we have made.

I see one of my colleagues from New Jersey, Mr. RUSH HOLT, who participated in the drafting of the innovation agenda for the Democratic Caucus, an agenda that has received wide acclaim from the private sector in terms of our ability to go forward again on a new and higher level of sustained effort at scientific discovery and innovation and economic growth.

I am delighted to the yield to the gentleman.

Mr. HOLT. Mr. Speaker, I thank the gentleman for yielding.

When we held our meetings around the country with entrepreneurs, with business leaders, with scientists, with researchers, we found much to be optimistic about. We are in many ways still the powerhouse for new ideas, for innovation; but the indications are all pointing in the wrong direction.

You do not have to look very far in my district, and I am sure in yours and just about every district in the country, to find people who are worried about outsourcing. Jobs, indeed, are going overseas, the kinds of jobs we would like to keep here.

You can go to almost any university, and you will find that what used to be the destination of choice for bright students around the world, they wanted to study in the United States, it is not so true any more. Yes, we have good universities, but the signs are pointing in the wrong direction.

What was known over the centuries as good old American know-how, where really every American, every shopkeeper, every farmer, every manufacturer was something of a scientist, they took their education seriously, well, the signs are pointing in the wrong direction now.

Our kids are not competing as well in international comparisons. The President stood in this Chamber a couple of weeks ago and said it is time to make a commitment to research and development, to science education. Then a few days later he presented the budget. In real terms, the Federal R&D portfolio, research and development spending, will decline under the President's budget.

Mr. GEORGE MILLER of California. If the gentleman will yield on that point, the gentleman was part of this and we traveled to North Carolina and to New Jersey and to Boston and to California and Seattle talking to people about this innovation agenda; and when we put the innovation agenda together, so many CEOs and venture capitalists and others said this is it, you are exactly on the right track, this is what America needs.

It was interesting to see the President come forward in the State of the Union as you mentioned and embrace the innovation agenda, many components of this effort. Then it was so disappointing to see the budget that was published afterwards, and even more disappointing when the Republican leadership slammed this innovation agenda as just simply more spending, when in fact the President mirrored what was in our agenda right down to switch fuels.

Mr. HOLT. That is right. The President embraced much of this. This need not be, should not be, a partisan matter. We are presenting tonight something we call the Democratic Innovative Agenda. It doesn't have to be the Democratic Innovative Agenda. We are presenting it because for 5 years it hasn't been presented. It is because these things need to be done. These entrepreneurs, these venture capitalists, these researchers that we have been meeting with said, please do it; it is not getting done.

So we are presenting it, and I guess I would even challenge the majority to take this issue away from us if they only would. But in fact we have the budget in front of us. The President's budget, as I say, not only reduces research and development spending in total, the NIH budget in real terms will decline for the third year in a row, and math-science partnerships at the National Science Foundation zeroed, zeroed out.

How in the world are we going to grow the kind of innovative economy that we want, that we need, that we used to have, if we are cutting the National Science Foundation?

Mr. DELAHUNT. If the gentleman will yield for a moment, I want to welcome Congressman MILLER and Congressman HOLT to the 30-Something Group. The two of you have created, of course, a new definition of the 30-Something Group, but we will let that pass for the moment.

□ 2045

I think it is important to frame the issue that we have, you or Congressman MILLER, detail for those of us here and those who are watching the international comparisons that you have expressed a concern about. Because I think we all hear terms like the global village and the global economy, and I think we recognize that that is the reality. But I know I hear figures, for example, where China is going to graduate a multiple of four or five times

what this country will do in terms of students that have majored in the sciences and math.

Mr. RYAN of Ohio. I just want to show you the graph that we have here. I would like to welcome all the gray hairs to the 30-Something group. And you, obviously, Mr. DELAHUNT, the gentleman from Massachusetts, has been here for a while, so your gray hair is—

Mr. DELAHUNT. Really dark.

Mr. HOLT. The rest of us have been here for a while.

Mr. RYAN of Ohio. You brought up the issue of global standards, and this is a chart that illustrates what you were talking about.

This is the students who will graduate with engineering degrees this year. In China, 600,000; India, 350,000; and the U.S., 70,000; and a good portion of the U.S. graduates will be foreign born who will probably return to one of these countries but fits under the U.S. statistics.

How are we going to possibly try to jump start our economy if we are not going to address this issue? Under our innovation proposal we are saying we want to create 100,000 new engineers and scientists in the next 4 years. We are limited to what we can do because this President and the Republican House and the Republican Senate have run up such tremendous budget deficit that we have to pay down. When we get in charge we will have to pay down the debt for a while and reduce the deficit, but we are focused and we have a way to pay for this 100,000 new engineers and scientists in the next 4 years.

Mr. DELAHUNT. I think these are the points we have to stress is that the trends, as you allude to, are running in the wrong direction; and I guess if we do not jump start with this initiative and work with our colleagues on the other side of the aisle, we are going to suffer. The future of the 30-something generation is at risk here.

Mr. MEEK of Florida. Congressman HOLT, I just want to tell you real quick, you said that you hope the majority highjacks this issue which the President tried to do during his State of the Union, but his budget does not speak to that, Mr. MILLER. His budget does not speak to innovation. He is saying one thing, and he is going in another direction. Because for him to cut student aid to students to even start the whole innovation moment, education is the way Americans have bettered themselves. Individuals have gone to college for the first time. Communities are better because of it.

Now this President wants to come and he says the word ''innovation'' that means that we are heading in that direction. It does not necessarily mean that.

So I believe, unlike what they have done in other areas, we have talk about homeland security and international strategy. They highjacked it and said it was theirs. The President was against it for many weeks and months. He finally saw it our way because our way was the American people's way.

The same thing happened with the whole issue when it came down to the 9/11 Commission. We said there should be a comprehensive review on what happened during 9/11. They tried to put together these little partisan committees. The American people said they wanted it. Thank God for the survivors of 9/11 and the families that lost loved ones in 9/11. The President was against it. The majority side was against it. The Republicans, finally, they said, oh, we should have a 9/11 Commission. What a great idea.

But this issue as it relates to innovation and investing in America, I do not think they are going to come with us.

Mr. HOLT. If the gentleman would yield, I am sure he understands that when I invite the other side to seize this issue, I do not mean with just rhetoric. We as a country need an investment in education, an investment in research, an investment in innovation. And the irony is our colleagues were on the floor a few minutes ago talking about how the economy is going to grow.

I will tell you if the economy grows it will be because of productivity growth resulting from investment in a smart, well-trained workforce and in new ideas; and that means really putting something up more than rhetoric.

In math and science education, which are critical to this, the President with all of the rhetoric and the other side here with all of the rhetoric are now funding teacher professional development for math and science teaching at less in actual dollars, I do not mean in inflation adjusted dollars, less than it was be funded when the President took office 5 years ago. We have lost ground in actual dollars, not even counting the purchase power.

Mr. RYAN of Ohio. I want to make a distinction here. This President finds the time and the energy and the commitment to put $16 billion in corporate welfare into the energy bill, finds the time and the energy and the commitment to put billions upon billions of dollars in the Medicare prescription drug bill that is going to some of the most profitable industries in the country, including the pharmaceutical industry. So the fact of the matter is we have got a President who is committed as he could possibly be to corporate welfare for the most profitable industries in the country, but yet we just want to train math and science teachers. We just want to create 100,000 new engineers and scientists, Mr. President. That is all we want to do, Mr. Speaker.

Mr. DELAHUNT. And we want to fully fund, if the gentleman would yield, we want to fully fund the landmark legislation that was passed in a bipartisan way under the leadership of Mr. MILLER and others and Republicans that was described as the No Child Left Behind Act.

What has happened to that, Mr. MILLER?

Mr. GEORGE MILLER of California. What has happened to that is we made a promise to the country. We put it out in the bill. We negotiated with the President of the United States. And now what we find is in this budget the President is about $55 billion behind where he promised the country he would be on the funding of No Child Left Behind.

What is interesting is, while the President is creating those deficits in education funding, the private sector is telling us one of the key items in terms of economic growth in this country is to fully fund No Child Left Behind. They are not telling us, the Federal Government, to create 100,000 new scientists. They are saying we want to partner with you. We will employ these people in internships in summer jobs, in graduate jobs, full-time jobs. We want to work with you because it is so critical to the future growth of our companies.

These are some of the most successful companies in the history of the world. They are worried about whether or not America will be able to generate the workforce necessary so they can continue to do business in this country and we can have jobs in this country.

And what happens? The President says he wants to do it in the State of the Union. It is not in this budget, and the new majority leader slams the program as simply more spending. This was not our agenda. This was not partisan. We specifically laid this out as a challenge to this Congress, to 435 Members of Congress to take up what the private sector now has been telling them for years to do with the permanent extension of modernization of the R&D tax credits, the full funding of No Child Left Behind, the doubling of the National Science Foundation, maintaining the doubling of the National Institute of Health, to get broadband across this country so that economic growth can take place all over the country in the rural areas, people can start jobs, and education can be brought there.

And what do we find out? You just get a big partisan slam from the Republican side of the aisle. Most of the CEOs who helped us draft this program and consulted with us in Boston and in California and in Austin and in North Carolina are Republicans. But they can see the challenge of what China and India that Mr. RYAN just talked about. The trend line for American scientists and engineers is going down; in our most fierce competitors it is soaring up.

Mr. DELAHUNT. Can I suggest that what we will see with that trend line in terms of the increase of the number of scientists and mathematicians and computer personnel is those jobs, those well-paying jobs will also trend towards China and India and OPEC and all those countries that we are borrowing from today. And we discussed this last night, that we have borrowed from that, are funding those tax cuts that translate into 1 percent of Americans, the most affluent, receiving 40

percent of the benefits. We are putting ourselves on a trajectory that will put America permanently behind.

Mr. GEORGE MILLER of California. And that is what this is about. We have lost a huge number of manufacturing jobs overseas. We have lost other jobs overseas. This is a fight and a struggle to make sure that there will be new jobs created in America. I think it is called the Advanced Manufacturing Association, many people out of the Midwest, in Mr. RYAN's area who are worried about the next generation of manufacturing in this country. That is going to come through scientific discovery and innovation, and that is what we are trying to promote here, and what you get from the Republicans is ''we are not going there.''

Mr. MEEK of Florida. Mr. MILLER, the real issue here is that Mr. HOLT talks about the good old American spirit and being able to say that we want to conquer, we want to move forward with innovation.

You talk about the support, your support of No Child Left Behind; and, as you know, many States, Republican governors and Democratic governors have sued the U.S. government on the underfunding of No Child Left Behind.

I just want to make sure and our good friend, Mr. JAY INSLEE is here, and I am willing to give up the podium because he has been working on this issue. But for a very long time, Mr. HOLT, Mr. MILLER and others, you have been a part of putting together this innovation agenda that we have, printed well before the President's State of the Union as he comes up to say words of quote/unquote wisdom and encouragement, but at the same time put action behind it.

We have put action behind it. We as House Democrats have asked the majority to be a part of this experience of innovation. You are challenging the majority. But I am telling you, Mr. HOLT, I kind of know these folks right now. I kind of know they say one thing and they do another. And the issues that Mr. RYAN pointed out is the fact that it is not attractive to them for them to go out of their way to do what they need to do on behalf of their constituents and also on behalf of the American people.

And I urge the majority, I challenge the majority to go on the HouseDemocrats.gov, get a copy of our innovation agenda that talks about how we can put this country on the right track, not in a matter of 20 or 40 or something years but right now. We can start right now with that investment.

So I want to thank Mr. MILLER and yourself and others who spent a lot of time to put this together, not to just keep the printer in business but to make sure that we can do the things that we need to do on behalf of the American people.

Mr. HOLT. If the gentleman would yield, he is absolutely right to use the word ''investment.'' That is where the growth comes from, and it is probably worth taking a moment to talk about the difference between authorization and appropriation.

Authorization is what the Congress says we need to do for the coming years. Appropriations is whether you are going to put some meat behind it.

Rhetoric is cheap.

The National Science Foundation was supposed to be, according to the majority, on a doubling path. It is not. As I just told you, it is actually decreasing.

No Child Left Behind, as Mr. MILLER pointed out, is $55 billion behind what was authorized, in other words, what was determined to be necessary to carry it out.

Now, let me put this in terms of a typical classroom has been shortchanged about $25,000. Now, ask a teacher what she or he could do over the last few years with an extra $25,000 for teacher training, for special programs, for technology, for what it takes to have what we have demanded through No Child Left Behind.

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

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. JINDAL). Under the Speaker's announced policy of January 4, 2005, the gentleman from Ohio (Mr. RYAN) is recognized for the remainder of the hour as the designee of the minority leader.

Mr. RYAN of Ohio. I accept the time, Mr. Speaker.

I wanted to, first of all, thank Mr. MILLER for his leadership. I am able to sit on the committee with him, on the Education Committee, and we go through these struggles all the time. But before we get to our friend, Mr. INSLEE from out west, who is very familiar with technology because of the mass amounts in his district, I want to put forth before I do that the 30-Something Group is pretty consistent. We do not want this to be about BILL DELAHUNT or RUSH HOLT or KENDRICK MEEK or GEORGE MILLER saying something.

□ 2100

We want to have a third-party validator, and so before we kick it over to the gentleman from Washington (Mr. INSLEE), I just want to say what some high-tech CEOs are talking about when they refer to our innovation agenda, the Democratic Innovation Agenda.

John Chambers, president and CEO of Cisco Systems, Incorporated: ''The innovation agenda focuses on the right issues for building on our Nation's competitiveness, from investing in basic R&D, expanding science and math education and broadband infrastructure, to creating a globally competitive business environment . . . I look forward to working with both sides of the aisle to implement these laudable goals.'' That is the CEO of Cisco Systems.

How about the Federal Government affairs managing director of Microsoft: ''The policy agenda announced today by Democratic Leader PELOSI and her colleagues in the House Democratic Caucus to promote investment in education, research and development and innovation marks a positive step forward in the struggle to maintain our Nation's competitive edge in the global marketplace . . . At Microsoft, we are committed to changing the world through innovative technology and, in order to fulfill that commitment, we need a pool of well-educated, skilled workers. We ask Congress to give these issues serious consideration and support.''

This is the CEO of Cisco Systems. This is the Federal Government affairs director at Microsoft. This is not TIM RYAN from Ohio who is toeing the line for the Democratic Party. This is the CEOs, many of them Republicans, saying this is the kind of investment we need to make. Go to our Web site and you can see the whole packetful of quotes that will be up there from CEOs from around the world.

Mr. MEEK of Florida. They are begging.

Mr. RYAN of Ohio. They are begging for the leadership that we should be providing in this Chamber.

Mr. MEEK of Florida. They deserve it.

Mr. RYAN of Ohio. Mr. Speaker, I yield to the gentleman from Washington (Mr. INSLEE), my good friend.

Mr. INSLEE. Mr. Speaker, I appreciate you mentioning this little small business that has had a little success, it is called Microsoft, in my district that has been one area that has recognized the power of innovation. There are many others in my district.

I will just tell you, I want to mention a couple of my favorite constituents, about why they believe this Democratic Innovation Agenda makes sense, that we should seize the creative powers of Americans and put it in harness.

One of my favorite constituents, my mother, I talked to her today, and she was brimming with laughter. We had a great talk, and it was great to hear her laughing because she went through a tough patch with some health problems about 6 months ago, and it was a tough time for her.

Since then, she has got on a medical technology that was developed in Seattle by some brilliant doctors doing research in basic and applied research; and because of their work now done over a decade ago, my mother was laughing today and probably is alive today. The reason that she was laughing today is that someone had the wherewithal and the foresight to make an investment in basic research medical technology involving the blood system over 10 years ago.

We have rolled out this idea to increase and accelerate research in medical technology because we belief there

are a lot of people that can use this; but unfortunately, the budget the President has submitted to Congress today, we had Mr. Leavitt, Secretary of Health and Human Services today, he let us know that they are proposing to cut blood research by $20 million. At this time of the most rapid time of potential scientific growth, when we have mapped the human genome, when we could be looking at the dawn of medical technology, that we could make penicillin look like a small investment, they want to cut medical research.

Mr. HOLT. Mr. Speaker, if the gentleman would yield, just on that subject very quickly, the budget that the administration that President Bush presented to us a week or so ago cuts the funding in 18 out of 19 institutes at the National Institutes of Health, including the National Cancer Institute by $40 million and the National Heart, Lung and Blood Institute by $21 million.

Mr. INSLEE. Mr. Speaker, I will just mention my other constituent who is a friend of mine. I will just call him Bill. He is a 55-year-old guy, great guy, plays basketball. He had prostate cancer. He is being treated now with new technology developed, again, in Seattle, bragging about the hometown team a little bit here, about three or 4 years ago. We hope things are going to go well.

We have rolled out saying we should accelerate our budget for research into cancer because we are on the cusp of some major breakthroughs, principally because of our genetic development to map predisposition and risk factors to this regard. But what does the President's budget want to do? They want to cut $40 million out of the cancer budget for research this year, $40 million. They want to cancel 634 grant programs now existing for research in some of these emerging fields.

Mr. RYAN of Ohio. Mr. Speaker, would the gentleman yield for just 10 seconds. This is at the same time that this President and this Republican House and the Republican Senate have the political gumption to give $16 billion in corporate subsidies to the energy companies and billions upon billions of dollars in corporate welfare to the health care industry and the pharmaceutical companies, at the same time they are cutting these programs.

I just want the American people, Mr. Speaker, to be aware of what is happening here. They are not just cutting this stuff because we are in tight fiscal times. They are cutting it, and at the same time giving corporate welfare to the tune of billions upon billions upon billions of dollars to the wealthiest industries in the country, to the most profitable industries in the country.

Mr. MEEK of Florida. Mr. Speaker, I just want 10 seconds, too.

The Republican side says, trust me. I guarantee you that the President cannot do it by himself. He needs this Republican Congress to do it, and they have given him everything that he has asked for. This President, who is so-called conservative, oh, we want to watch spending, has not vetoed one spending bill. This is the biggest borrow-and-spend administration almost in the history of this country. Here is the chart to prove it. It is. The President, not by himself, his picture is here. We should have the Republican Conference here because they helped him make this history. Unfortunately, it is bad for Americans.

There was $1.05 trillion borrowed from foreign countries, $1.05 trillion that he has done and accomplished in 4 years. Forty-two Presidents, including his father, were not able to accomplish that goal.

Mr. DELAHUNT. Combined.

Mr. MEEK of Florida. They borrowed $1.01 trillion, World War I, World War II, Korean War, Great Depression, and every other issue that we had facing the country, economic slowdowns, what have you, gas prices, what have you, were unable to borrow from China, Saudi Arabia and other countries.

So when we talk about the will of this administration and what they are doing and what the President says and they do another thing, he cannot do it by himself. He needs this Republican majority, and that is the reason why the American people, Mr. Speaker, have to make a change in providing the kind of leadership that they need in this Congress to make sure that they are represented.

So I am so glad that the gentleman from Washington (Mr. INSLEE) is here because you represent the very people, they are in your district, that are talking about innovation. Mr. RYAN read it off. These are statements that these CEOs have made. They are literally begging. They are saying we hope y'all work together. We had the creator of ''Star Wars'' here the other day. He said I hope y'all get together; you are talking about the same thing.

The difference between what the Republicans are saying and what we are saying, we actually mean it. We will do it if given the opportunity. They are in control. They have the majority. They agenda the bills before committee.

I am sorry, but we both asked for 10 seconds and we took 20.

Mr. RYAN of Ohio. I only took 15 or 20 seconds. You took a minute and a half.

Mr. MEEK of Florida. I will admit to that.

Mr. RYAN of Ohio. For the record.

Mr. INSLEE. Mr. Speaker, just on that note about the difference between rhetoric and reality, it can be pretty stunning here in Washington, D.C.

The President said something that was a profound shift from his policies of the last 5 years when he said that the Nation had to break our addiction to oil during his State of the Union speech, which was amazing for him to say because every policy that he has championed up to now has continued that addiction to oil. Nonetheless, we welcomed it. We always welcome him to take lines from our speeches, and we hope that it could be mean a real shift in policy.

Unfortunately, the very week that the President said we needed to break our addiction to oil and said we needed to do more research into new energy technology, the same week he said that, his administration gave the pink slip to 100 researchers at the Renewable Energy Lab in Colorado, the very sort of warriors that we expect to help us develop these new clean energy sources. In his budget, he laid off I think it is something like 20 percent of the researchers at the very lab that we want, as Democrats, in our proposal to beef up. The reason we want to beef it up is we have seen the incredible productivity gains that have been obtained already.

Eighty percent decreases in the cost of solar cell technology in the last 12 years, 80 percent. While gas and oil have gone through the roof, solar cell technology has gone down 80 percent.

Mr. HOLT. Mr. Speaker, would the gentleman care to answer a question for me: How does the President propose to broke our, as he calls it, addiction to oil, and indeed, we do need to be weaned from our dependence on oil, if his budget, presented a few days after the State of the Union here in the House, provides funding for renewable energy and energy efficiency below the level at which it existed when he took office 6 years ago?

Mr. INSLEE. Well, that is what we call in the business a rhetorical question, and we were just optimistic. We all walked down the steps 6 inches in the air when the President said this the other day; but the next morning reading the budget, it was just a slap in the face. It was a slap in the face to anyone in America who believes that we truly do need to have new technological advances.

What we are proposing is that we should grab a hold, as we did in the new Apollo energy project or the original Apollo energy project, we need a new Apollo energy project that will have the same type of creativity and challenge to the American people that Kennedy had in his State of the Union speech on May 9, 1961. He said we are going to the Moon in 10 years. We did it. We now need a budget that will say we have the same degree of aggression and optimism that we had in that to wean ourselves off of foreign oil. Nothing else will do.

We Democrats are proposing to take a major step forward in that regard with flex fuel vehicles, which are on the street today. We just need to get more of them by using cellulosic ethanol which increases the return per acre of biofuels by a factor of three to four above existing ethanol levels. That is what we need to do.

Mr. DELAHUNT. If I may, you sum it up so well and yet you have to make an investment; and the reality, as we have discussed, is that investment is not forthcoming. It just is not because, as

Mr. RYAN indicated, it is going elsewhere, and it is going to feed that corporate welfare that is eating the budget, along with tax cuts for the most affluent of America.

Mr. MEEK of Florida. Mr. Speaker, could you say that again just in case a Member might have walked into his office and walked away?

Mr. DELAHUNT. Well, there is only so much money. The pie is not infinite, and the pie gets bigger around here because this administration and this Congress authorize the borrowing of money that we will have to pay back in the future with interest to China, to India, to the OPEC nations, and to other investors.

So there is nothing left, other than the rhetoric that we hear, to invest in the priorities that we believe the American people would embrace such as innovation. Let me just cite one example, if I can.

This is a report by The Washington Post less than a month ago, and remember, Democrats have had nothing to do with this because we are barred by Republicans from participating in the behind-closed-door negotiations to establish those priorities. Think of what a democratic process that is. Let me read to you:

''House and Senate GOP negotiators, meeting behind closed doors last month to complete a major budget-cutting bill,'' this was their effort to save money, ''agreed on a change . . . that would save the health insurance industry $22 billion over the next decade, according to the nonpartisan Congressional Budget Office.''

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One version would have targeted private HMOs participating in Medicare by changing the formula that governs reimbursement, lowering the payments to those insurance companies by $26 billion over the next decade. But after lobbying by the health insurance industry, the final version made a critical change that had the effect of eliminating all but $4 billion, according to CBO.

In other words, they turned around and said we apologize to those HMOs, those insurance companies, and we will give you back $22 billion of the $26 billion, and we will not let it happen again. Think of what we could do with that $26 billion in terms of innovation.

Mr. HOLT. My colleague from Florida mentioned George Lucas, the writer, director, producer of Star Wars, who was here yesterday to talk about this Democratic innovation agenda. The point I wanted to emphasize is we are not just talking about government spending, we are talking about investing so that innovators like George Lucas, and you might say that is just entertainment. Well, that is innovation. It makes money for the United States. In fact, he probably has done more for our balance of trade than any other single individual you can name.

But he was asking us to train the bright kids, the scientists and engineers that he needs. He was asking us, as we lay out in our innovation proposal, to reward risk takers and entrepreneurs, to protect intellectual property, to do those things that make it possible for innovators to succeed in the United States.

So it is not just about spending. The innovation creates the agenda, it creates the atmosphere as well as the pipeline for that innovative economy that we are talking about. That is what George Lucas was saying when he was here yesterday.

Mr. MEEK of Florida. He was not asking, he was literally begging for the Congress to work together in a bipartisan way to make it happen. Just the day before he was with us, the President gave him the National Technology Award. We are talking about walking the walk, not just talking. The bottom line is he came and he understood. We were committed prior to the technology award being awarded.

We have a chart before Mr. DELAHUNT, and it is one thing for us to let the Republican majority know what they can do if they really want to do it. It is another thing for us to break it down. I want to make sure that the American people understand that we are about making something happen. Regardless of who gets the credit, we are working on behalf of the American people and the American spirit, taking from Mr. HOLT and what he says all the time. That is what took us to the moon. That is what brought us up front as it relates to innovation and inventions, being the first.

Mr. Speaker, I yield to Mr. DELAHUNT.

Mr. DELAHUNT. Let me refer to this chart. I think it is very telling. How can we afford those tax cuts that are trillions of dollars at this point in time, particularly if they ever became permanent.

Mr. RYAN of Ohio. Tax cuts for the wealthiest 1 percent of the people in the whole, entire country.

Mr. MEEK of Florida. Do not leave out the oil industry.

Mr. DELAHUNT. I will not leave out the oil industry or the pharmaceutical industry. We just heard what happened behind closed doors. But how are we affording to do that and at the same time ignoring the kind of initiatives that are embraced in this project for innovation that we have been discussing and that the President speaks about but does not fund.

Let me tell you how we take care of the corporate welfare program and how we take care of those tax cuts. We borrow or they borrow. The Republican majority borrows the money. I think it is particularly dangerous to do that not just because it will create deficits that could very well implode our economy and reduce the United States in terms of its economic capacity and future, but in addition it is dangerous because from whom do we borrow this money?

As of November, 2005, this is what the chart reveals: $682 billion from Japan; $249.8 billion from China; and yesterday we had a hearing in the International Relations Committee that discussed, and the Republican chairman and others that were clearly from the right of the political spectrum were describing China as a potential enemy and adversary, and yet we are borrowing money from the Chinese to support tax cuts for wealthy Americans.

Mr. HOLT. Could the gentleman tell us, if the Republican budget is carried out this year, how much more we will have to borrow in the next year? I can tell you it is going to be about $400 billion, added to various columns on your chart there. Some of it will be borrowed here in the United States, but a large number of dollars will be borrowed from Japan, China, U.K., Caribbean countries, Taiwan, OPEC, and Korea, as you show here.

Mr. DELAHUNT. I find it particularly interesting that we are borrowing money from OPEC. Not only are we purchasing oil from OPEC, but we are borrowing money from OPEC. And yet to hear the rhetoric in this Chamber and our committee rooms about OPEC, one would consider them, well, to use George Lucas, the Darth Vader of the international order in terms of its impact on America. Mr. Speaker, we have borrowed, we owe them almost $70 billion. What are we doing?

Mr. RYAN of Ohio. If the gentleman would yield, I want to make a point that we have kind of left out when talking about technology. We talk about the $682 billion from Japan and the $249 billion from China that we are borrowing.

Earlier in the evening, we talked about the 600,000 engineers that are going to graduate in China. They are taking, they are basically lending us money, we are paying them back with interest, and they are investing that money right here to train engineers to the tune of 600,000 a year.

Do you think these engineers are working just in private industry in a communist country? No, they are working for the Chinese military. They are working on the next-best technology that the Chinese military, their communist government, could maybe put up possibly in the international community. We are funding our own enemy's military because we are fiscally reckless here at home.

Mr. MEEK of Florida. Mr. Speaker, I want to thank the gentleman for pointing that out.

I have a picture here of Secretary Snow, appointed by the President and confirmed by the Republican Senate. I think it is important to understand, when you start talking about what is going on, how we are borrowing and how they are out of control on the Republican side. Here is a blown-up letter dated December 29, 2005, literally the Secretary of the Treasury begging that we need to raise the debt limit because we will be able to continue to finance government operations. This is not

government operations of Iraq or Afghanistan. This is government operations of these United States.

Secretary Snow, I go back, and repetition is good because I want to make sure that folks understand. Gentlemen, I want to say this, and you cannot say this enough. They have broken records, borrowing $1.057 trillion from foreign nations. Like I said before, the President cannot just do this by himself, so I am going to put a picture of the Republican leadership there to say they are a part of this incompetence as it relates to borrowing from foreign nations that we have concern about like China.

So, Mr. DELAHUNT, you have hit the nail right on the head. Mr. HOLT, you are 210 percent right. We cannot talk about innovation, but in the meantime we have other priorities with the special interest. I think it is important. I want to make sure that staff gets a picture of the Republican conference because I think it is important. I think we need to put the pressure on not only on individual decisions but on decisions that the majority has made that has put this country in the back seat as it relates to innovation and as it relates to many other areas that we should be leading in.

Mr. HOLT. A little earlier this evening folks on the other side were saying that revenues have continued to grow because of the tax cuts. No, what has grown because of the tax cuts is this deficit, this borrowing. So much of it from China, Japan, even OPEC, as my friend from Massachusetts has pointed out.

Mr. DELAHUNT. I think it was interesting to hear our friends and colleagues on the other side say we have to hold them accountable in Washington. We have to hold those bureaucrats, we have to hold them accountable. Let us get on with the job. I find that confusing.

I thought, now maybe you can give me some guidance here. I thought the Republicans were the majority party in this House and in the Senate for a substantial period of time, and I am confident that President Bush was elected in 2000 and it is 2006 and it has been 6 years. Who is in charge? Who is in charge, Mr. Speaker?

They are the ones that should be held accountable. This is not about bureaucrats. I understand it is an election year and all of a sudden they are going to position and posture themselves as outsiders. Outsiders, that is a bad joke. They run this place. They run this town. They know how to exercise power.

Mr. RYAN of Ohio. In fact, I thought that was a joke. In fact, I wrote it down in a journal, and I laughed about it later in the day because I thought it was a joke. Then I find out that they are serious.

Mr. Speaker, I yield to Mr. INSLEE.

Mr. INSLEE. Under the current control of the Federal Government, if China invades Taiwan, we will have to borrow money from China to fight the war. That is a very sad irony, if not a joke.

I wanted to point out one thing before we finish, an aspect of the Democratic Innovation Agenda that we have not talked about, and that is our efforts to help small businesses innovate because Democrats recognize that small businesses are tremendous engines of innovation. That is where a lot of our creative genius comes out. I want to point out a few things that we have proposed to make sure that small businesses are successful in innovating, and one is we have a constellation of proposals that will help small businesses across what is called the valley of death which is where they cannot get financing when they have a good idea but cannot quite get to commercialization. We would make sure that the Small Business Innovation Research Program is held up and supported. This administration is actually cutting the availability of small businesses to use the innovation grant program to get their innovations to market. They purport to believe in the power of business but will not help them with that.

Second, we propose that we will help reward risk taking and entrepreneurship by promoting broad-based stock options, and not just for top dogs in corporations but for the rank and file.

Third, we want to protect intellectual property by making sure that patent fees go to help the patent process so these businesses can get their patents.

Fourth, we want to help specially tailored guidelines for small businesses to help with the Sarbanes-Oxley requirement in accounting.

I point these out because I think it is fair to say that the Democrats have put forth four very concrete proposals to make sure small businesses can thrive in a challenging environment. That is important because we know that government is not the source of all great ideas in our society. We want small businesses to achieve, and we have good proposals for that to happen.

Mr. RYAN of Ohio. Mr. Speaker, I yield to Mr. HOLT and thank him for his good leadership.

Mr. HOLT. I thank the Thirty-Something group for allowing us to join you. Yesterday with Mr. Lucas, he and I were the only ones there with gray hair. I thank you for having us here tonight.

Mr. RYAN of Ohio. Mr. Speaker, to get ahold of us, any of the Members who are in their offices or anyone else, the Website is www.housedemocrats.gov/30Something. All of the charts you saw here tonight are available on our Web site, and we will be back in an hour.

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ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. CONAWAY). Without objection, the 5-minute Special Order speech of the gentleman from California (Mr. GEORGE MILLER) is vacated.

There was no objection.

THE END OF DOLLAR HEGEMONY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. PAUL) is recognized for 60 minutes.

Mr. PAUL. Mr. Speaker, my Special Order tonight deals with the subject, the end of dollar hegemony. Mr. Speaker, 100 years ago it was called dollar diplomacy; after World War II and especially after the fall of the Soviet Union in 1989 the policy had all been to dollar hegemony.

After all of this great success, our dollar dominance is coming to an end. It has been said, rightly, that he who holds the gold makes the rules. In earlier times it was readily accepted that fair and honest trade be required in an exchange of something of real value. First, it was simply barter of goods, and then it was discovered that gold held a universal attraction and was a convenient substitute for more cumbersome barter transactions.

Not only did gold facilitate exchange of goods and services, it served as a store of value for those who wanted to save for a rainy day. Though money developed naturally in the marketplace as governments grew in power, they assumed monopoly control over money. Sometimes governments succeeded in guaranteeing the quality and purity of gold; but in time, governments learned to outspend their revenues.

New or higher taxes always incurred the disapproval of the people, so it was not long before the kings and caesars learned how to inflate their currencies by reducing the amount of gold in each coin, always hoping their subjects would not discover the fraud. But the people always did, and they strenuously objected.

This helped pressure leaders to seek more gold by conquering other nations. The people became accustomed to living beyond their means and enjoyed the circuses and bread. Financing extravagances by conquering foreign lands seemed a logical alternative to working harder and producing more. Besides, conquering nations not only brought home gold; they brought home slaves as well. Taxing the people in conquered territories also provided an incentive to build empires.

This system of government worked well for a while, but the moral decline of the people led to an unwillingness to produce for themselves. There was a limit to the number of countries that could be sacked for their wealth, and this always brought empires to an end. When gold no longer could be obtained, their military might crumbled. In those days, those who held the gold truly wrote the rules and lived well.

That general rule has held fast throughout the ages. When gold was used and the rules protected honest

commerce, productive nations thrived. Whenever wealthy nations, those with powerful armies and gold, strived only for empire and easy fortunes to support welfare at home, those nations failed.

Today, the principles are the same, but the process is quite different. Gold is no longer a currency of the realm; paper is. The truth now is he who prints the money makes the rules, at least for the time being. Although gold is not used, the goals are the same: compel foreign countries to produce and subsidize the country with military superiority and control over the monetary printing presses.

Since printing paper money is nothing short of counterfeiting, the issuer of the international currency must always be the country with the military might to guarantee control over the system. This magnificent scheme seems the perfect system for obtaining perpetual wealth for the country that issues the de facto world currency.

The one problem, however, is that such a system destroys the character of the counterfeiting nation's people just as was the case when gold was the currency, and it was obtained by conquering other nations. This destroys the incentive to save and produce while encouraging debt and runaway welfare.

The pressure at home to inflate the currency comes from the corporate welfare recipients, as well as those who demand handouts as compensation for their needs and perceived injuries by others. In both cases, personal responsibility for one's actions is rejected.

When paper money is rejected, or when gold runs out, wealth and political stability are lost. The country then must go from living beyond its means to living beneath its means until the economic and political systems adjust to the new rules; rules no longer written by those who ran the now defunct printing press.

Dollar diplomacy, a policy instituted by William Howard Taft and his Secretary of State, Philander C. Knox, was designed to enhance U.S. commercial investments in Latin America and the Far East. McKinley concocted a war against Spain in 1898 and Teddy Roosevelt's corollary to the Monroe Doctrine preceded Taft's aggressive approach to using the U.S. dollar and diplomat influence to secure U.S. investments abroad.

This earned the popular title of ''dollar diplomacy.''

The significance of Roosevelt's change was that our intervention now could be justified by the mere appearance that a country of interest to us was politically or fiscally vulnerable to European control. Not only did we claim a right, but even an official government obligation to protect our commercial interest from Europeans.

This new policy came on the heels of the gunboat diplomacy of the late 19th century, and it meant we could buy influence before resorting to the threat of force. By the time dollar diplomacy of William Howard Taft was clearly articulated, the seeds of the American empire were planted, and they were destined to grow in the fertile political soil of a country that lost its love and respect for the Republic bequeathed to us by the authors of the Constitution. Indeed they did. It was not too long before dollar diplomacy became dollar hegemony in the second half of the 20th century.

This transition only could have occurred with a dramatic change in monetary policy and the nature of the dollar itself. Congress created the Federal Reserve system in 1913. Between then and 1971, the principle of sound money was systematically undermined. Between 1913 and 1971, the Federal Reserve found it much easier to expand the money supply at will for financing war or manipulating an economy with little resistance from Congress while benefiting the special interests that influence Congress.

Dollar dominance got a huge boost after World War II. We were spared the destruction that so many other nations suffered, and our coffers were filled with the world's gold. But the world chose not to return to the discipline of the gold standard, and the politicians applauded. Printing money to pay the bills was a lot more popular than taxing or restraining or unnecessary spending. In spite of the short-term benefits, imbalances were institutionalized for decades to come.

The 1944 Bretton Woods agreement solidified the dollar as the preeminent world reserve currency, replacing the British pound. Due to our political and military muscle, and because we had a huge amount of physical gold, the world readily accepted our dollar, defined as 1/35 of an ounce of gold as the world's reserve currency.

The dollar was said to be as good as gold and convertible to all foreign banks at that rate. For American citizens, however, it remained illegal to own. This was a gold exchange standard that from inception was doomed to fail.

The U.S. did exactly what many predicted she would do: she printed more dollars for which there was no gold backing. But the world was content to accept these dollars for more than 25 years with little question, until the French and others in the late 1960s demanded we fulfill our promise to pay 1 ounce of gold for each $35 they delivered to the U.S. Treasury. This resulted in a huge gold drain that brought an end to a very poorly devised pseudo-gold standard.

It all ended on August 15, 1971, when Nixon closed the gold window and refused to pay out any of our remaining 280 million ounces of gold. In essence, we declared our insolvency, and everyone recognized that some other monetary system had to be devised in order to bring stability to the markets. Amazingly, a new system was devised which allowed the U.S. to operate the printing presses for the world reserve currency, with no restraints placed on it, not even a presence of gold convertibility, none whatsoever.

Though the new policy was even more deeply flawed, it nevertheless opened the door for dollar hegemony to spread. Realizing the world was embarking on something new and mind-boggling, elite money managers with especially strong support from U.S. authorities struck an agreement with OPEC to price oil in U.S. dollars exclusively for all worldwide transactions.

This gave the dollar a special place among world currencies, in essence backed the dollar with oil. In return, the U.S. promised to protect the various oil-rich kingdoms in the Persian Gulf against threat or invasion or domestic coup. This arrangement helped ignite the radical Islamic movement among those who resented our influence in the region.

The arrangement gave the dollar artificial strength with tremendous financial benefits for the United States. It allowed us to export our monetary inflation by buying oil and other goods at a great discount as dollar influence flourished.

This post-Bretton Woods system was much more fragile than the system that existed between 1945 and 1971. Though the dollar-oil arrangement was helpful, it was not nearly as stable as the pseudo-gold standard under Bretton Woods. It certainly was less stable than the gold standard of the late 19th century.

During the 1970s, the dollar nearly collapsed as oil prices surged and gold skyrocketed to $800 an ounce. By 1979, interest rates of 21 percent were required to rescue the system. The pressure on the dollar in the 1970s, in spite of the benefits accrued to it, reflected reckless budget deficits and monetary inflation during the 1960s. The markets were not fooled by LBJ's claim that we could afford both guns and butter.

Once again, the dollar was rescued, and this ushered in the age of true dollar hegemony, lasting from the early 1980s to the present. With tremendous cooperation coming from the central banks and international commercial banks, the dollar was accepted as if it were gold.

Federal Chairman Alan Greenspan, on several occasions before the House Banking Committee, answered my challenges to him about his previously held favorable views on gold by claiming that he and other central bankers had gotten paper money, that is the dollar system, to respond as if it were gold. Each time I strongly disagreed and pointed out that if they had achieved such a feat they would have defied centuries of economic history regarding the need for money to be something of real value. He smugly and confidently concurred with this.

In recent years, central banks and various financial institutions, all with vested interest in maintaining a workable fiat dollar standard, were not secretive about selling and maintaining large amounts of gold to the market,

even while decreasing gold prices raised serious questions about the wisdom of such a policy. They never admitted to gold price fixing, but the evidence is abundant that they believed that if the gold price fell, it would convey a sense of confidence to the market, confidence that they, indeed, had achieved amazing success in turning paper into gold.

Increasing gold prices historically are viewed as an indicator of distrust in paper currency. This recent effort was not a whole lot different than the U.S. Treasury selling gold at $35 an ounce in the 1960s in an attempt to convince the world the dollar was as sound and as good as gold.

Even during the Depression, one of Roosevelt's first acts was to remove free-market pricing as an indication of a flawed monetary system by making it illegal for American citizens to own gold. Economic law eventually limited that effort, as it did in the early 1970s, when our Treasury and the IMF tried to fix the price of gold by dumping tons into the market to dampen the enthusiasm of those seeking a safe haven for a falling dollar after gold ownership was relegalized.

Once again, the effort between 1980 and 2000 to fool the market as to the true value of the dollar proved unsuccessful. In the past 5 years, the dollar has been devalued in terms of gold by more than 50 percent. You just cannot fool all the people all the time, even with the power of the mighty printing press and the money-creating system of the Federal Reserve.

□ 2145

Even with all the shortcomings of the fiat monetary system, dollar influence thrived. The results seemed beneficial, but gross distortions built into the system remained. And true to form, Washington politicians are only too anxious to solve the problems cropping up with window dressing while failing to understand and deal with the underlying flawed policy. Protectionism, fixing exchange rates, punitive tariffs, politically motivated sanctions, corporate subsidies, international trade management, price controls, interest rate and wage controls, supernationalist sentiments, threat of force, and even war are resorted to, all to solve the problems artificially created by a deeply flawed monetary and economic system.

In the short run, the issuer of a fiat reserve currency can accrue great economic benefits. In the long run, it poses a threat to the country issuing the world currency. In this case, that is the United States. As long as foreign countries take our dollars in return for real goods, we come out ahead. This is a benefit many in Congress fail to recognize as they bash China for maintaining a positive trade balance with us. But this leads to a loss of manufacturing jobs to overseas markets as we become more dependent on others and less self-sufficient. Foreign countries accumulate our dollars due to their high savings rates and graciously lend them back to us at low interest rates to finance our excessive consumption and our wars.

It sounds like a great deal for everyone, except the time will come when our dollars, due to their depreciation, will be received less enthusiastically or even be rejected by foreign countries. That could create a whole new ball game and force us to pay a price for living beyond our means and our production. The shift in sentiment regarding the dollar has already started, but the worst is yet to come.

The agreement with OPEC in the 1970s to price oil in dollars has provided tremendous artificial strength to the dollar as the preeminent reserve currency. This has created a universal demand for the dollar and soaks up the huge number of new dollars generated each year. Last year alone, M3 increased by over $700 billion. The artificial demand for our dollar, along with our military might, places us in the unique position to ''rule'' the world without productive work or savings and without limits on consumer spending or deficits. The problem is it cannot last.

Price inflation is raising its ugly head, and the NASDAQ bubble, generated by easy money, has burst. The housing bubble likewise created is deflating. Gold prices have doubled, and Federal spending is out of sight, with zero political will to rein it in. The trade deficit last year was over $728 billion. A $2 trillion war is raging, and plans are being laid to expand the war into Iran and possibly Syria. The only restraining force will be the world's rejection of the dollar. It is bound to come and create conditions worse than 1979–1980, which required 21 percent interest rates to correct. But everything possible will be done to protect the dollar in the meantime. We have a shared interest with those who hold our dollars to keep the whole charade going.

Greenspan, in his first speech after leaving the Fed, said that gold prices were up because of concern about terrorism and not because of monetary concerns or because he created too many dollars during his tenure. Gold has to be discredited and the dollar propped up. Even when the dollar comes under serious attack by market forces, the central banks and the IMF will surely do everything conceivable to soak up the dollars in hope of restoring stability. Eventually, they will fail.

Most importantly, the dollar/oil relationship has to be maintained to keep the dollar as the preeminent currency. Any attack on this relationship will be forcefully challenged, as it already has been.

In November, 2000, Saddam Hussein demanded euros for his oil. His arrogance was a threat to the dollar; his lack of any military might was never a threat. At the first Cabinet meeting with the new administration in 2001, as reported by Treasury Secretary Paul O'Neill, the major topic was how we could get rid of Saddam Hussein though there was no evidence whatsoever he posed a threat to us. This deep concern for Saddam Hussein surprised and shocked O'Neill.

It is now common knowledge that the immediate reaction of the administration after 9/11 revolved around how they could connect Saddam Hussein to the attacks to justify an invasion and overthrow of his government. Even with no evidence of any connection to 9/11 or evidence of weapons of mass destruction, public and congressional support was generated through distortions and flat-out misrepresentations of the facts to justify overthrowing Saddam Hussein.

There was no public talk of removing Saddam Hussein because of his attack on the integrity of the dollar as a reserve currency by selling his oil in euros, yet many believe this was the reason for our obsession with Iraq. I doubt it was the only reason, but it may well have played a significant role in our motivation to wage war. Within a very short period after the military victory in Iraq, all Iraqi oil sales were carried out in dollars. The euro was immediately abandoned.

In 2001, Venezuela's ambassador to Russia spoke of Venezuela's switching to the euro for all their oil sales. Within a year, there was a coup attempt against Chavez, reportedly with assistance from our CIA.

After these attempts to nudge the euro toward replacing the dollar as the world's reserve currency were met with resistance, the sharp fall of the dollar against the euro was reversed. These events may well have played a significant role in maintaining dollar dominance.

It has become clear the U.S. administration was sympathetic to those who plotted the overthrow of Chavez and was embarrassed by its failure. The fact that Chavez was democratically elected had little influence on which side we supported. Now a new attempt is being made against the petrodollar system. Iran, another member of the ''Axis of Evil,'' has announced her plans to initiate an oil bourse in March of this year. Guess what? The oil sales will be priced in euros, not dollars.

Most Americans forgot how our policies have systematically and needlessly antagonized the Iranians over the years. In 1953, the CIA helped overthrow a democratically elected Mohammed Mossadegh and installed the authoritarian Shah, who was friendly to the U.S. The Iranians were still fuming over this when the hostages were seized in 1979. Our alliance with Saddam Hussein in his invasion of Iran in the early 1980s did not help matters and obviously did not do much for our relationship with Saddam Hussein. The administration's announcement in 2001 that Iran was part of the Axis of Evil did not improve the diplomatic relationship between our two countries.

Recent threats over nuclear power, while ignoring the fact that they are

surrounded by countries with nuclear weapons, does not seem to register with those who continue to provoke Iran. With what most Muslims perceive as our war against Islam and this recent history, there is little wonder why Iran might choose to harm America by undermining the dollar. Iran, like Iraq, has zero capability to attack us, but that did not stop us from turning Saddam Hussein into a modern-day Hitler ready to take over the world. Now Iran, especially since she has made plans for pricing oil in euros, has been on the receiving end of a propaganda war not unlike that waged against Iraq before our invasion.

It is not likely that maintaining dollar supremacy was the only motivating factor for the war against Iraq nor for agitating against Iran. Though the real reasons for going to war are complex, we now know the reasons given before the war started, like the presence of weapons of mass destruction and Saddam's connection to 9/11, were false.

The dollar's importance is obvious, but this does not diminish the influence of the distinct plans laid out years ago by the neoconservatives to remake the Middle East. Israel's influence as well as that of the Christian Zionists likewise played a role in prosecuting this war. Protecting our oil supplies has influenced our Middle East policy for decades.

But the truth is that paying the bills for this aggressive intervention is impossible the old-fashioned way, with more taxes, more savings, and more production by the American people. Much of the expense of the Persian Gulf War in 1991 was shouldered by many of our willing allies. That is not so today. Now more than ever, the dollar hegemony, its dominance as the world's reserve currency, is required to finance our huge war expenditures. This $2 trillion never-ending war must be paid for one way or another. Dollar hegemony provides the vehicle to do just that.

For the most part, the true victims are not aware of how they pay the bills. The license to create money out of thin air allows the bills to be paid through price inflation. American citizens as well as average citizens of Japan and China and other countries suffer from price inflation, which represents the tax that pays the bills for our military adventures. That is, until the fraud is discovered and the foreign producers decide not to take dollars nor hold them very long in payment for those goods. Everything possible is done to prevent the fraud of the monetary system from being exposed to the masses who suffer from it. If oil markets replace dollars with euros, it would in time curtail our ability to continue to print, without restraint, the world's reserve currency.

It is an unbelievable benefit to us to import valuable goods and export depreciating dollars. The exporting countries have become addicted to our purchases for their economic growth. This dependency makes them allies in continuing the fraud, and their participation keeps the dollar's value artificially high. If this system were workable long term, American citizens would never have to work again. We, too, could enjoy ''bread and circuses'' just as the Romans did, but their gold finally ran out and the inability of Rome to continue to plunder conquered nations brought an end to her empire.

The same thing will happen to us if we do not change our ways. Though we do not occupy foreign countries to directly plunder, we nevertheless have spread our troops across 130 nations of the world. Our intense effort to spread our power in the oil-rich Middle East is not a coincidence. But, unlike the old days, we do not declare direct ownership of the natural resources. We just insist that we can buy what we want and pay for it with our paper money. Any country that challenges our authority does so at great risk.

Once again, Congress has bought into the war propaganda against Iran just as it did against Iraq. Arguments are now made for attacking Iran economically and militarily if necessary. These arguments are based on the same false reasons given for the ill-fated and costly occupation of Iraq.

Our whole economic system depends on continuing the current monetary arrangement, which means recycling the dollar is crucial. Currently, we borrow over $700 billion every year from our gracious benefactors, who work hard and take our paper for their goods. Then we borrow all the money we need to secure the empire, which includes the entire DOD budget of $450 billion, plus more. The military might we enjoy becomes the backing of our currency. There are no other countries that can challenge our military superiority, and therefore they have little choice but to accept the dollars we declare are today's ''gold.'' This is why countries that challenge the system, like Iraq, Iran, and Venezuela, become targets of our plans for regime change.

Ironically, dollar superiority depends on our strong military, and our strong military depends on the dollar. As long as foreign recipients take our dollars for real goods and are willing to finance our extravagant consumption and militarism, the status quo will continue, regardless of how huge our foreign debt and current account deficit become.

But real threats come from our political adversaries who are capable of confronting us militarily yet are not bashful about confronting us economically. That is why we see the new challenge from Iran being taken so seriously. The urgent arguments about Iran's posing a military threat to the security of the United States are no more plausible than the false charges levied against Iraq. Yet there is no effort to resist this march to confrontation by those who grandstand for political reasons against the Iraq War.

It seems that the people and Congress are easily persuaded by the jingoism of the preemptive war promoters. It is only after the cost of human life and dollars are tallied up that the people object to unwise militarism.

The strange thing is that the failure in Iraq is now apparent to a large number of Americans, yet they and Congress are acquiescing to the call for a needless and dangerous confrontation with Iran.

But then again our failure to find Osama bin Laden and destroy his network did not dissuade us from taking on Iraqis in a war totally unrelated to 9/11. Concern for pricing oil only in dollars helps explain our willingness to drop everything and teach Saddam Hussein a lesson for his defiance in demanding euros for oil.

□ 2200

Once again, there is the urgent call for sanctions and threats of force against Iran at the precise time Iran is opening a new oil exchange with all transactions in Euros.

Using force to compel people to accept money without real value can only work for a short time. It ultimately leads to economic dislocation, both domestic and international, and always ends with a price to be paid. The economic law that honest exchange demands only things of real value as currency cannot be repealed. The chaos that one day will ensue from our 35-year experiment with worldwide fiat money will require a return to money of real value. We will know that day is approaching when oil-producing countries demand gold or its equivalent for their oil rather than dollars or Euros. The sooner the better.

NEED FOR REFORM IN LIGHT OF LOBBYING SCANDAL

Mr. Speaker, I would like to now switch topics and address another subject, and this is regarding the need for reform in light of the recent lobbying scandal.

Mr. Speaker, the Abramoff scandal has been described as the biggest Washington scandal ever, bigger than Watergate, bigger than ABSCAM, bigger than Koreagate, bigger than the House banking scandal, bigger than Teapot Dome. Possibly so. It is certainly serious and significant.

It has prompted urgent proposals of suggested reforms to deal with the mess. If only we had more rules and regulations, more reporting requirements and stricter enforcement of laws, the American people will be assured we mean business. Ethics and character will return to the Halls of Congress. It is argued that new champions of reform should be elected to leadership positions to show how serious we are about dealing with the crisis of confidence generated by the Abramoff affair. Then all will be well.

But it is not so simple. Maybe what we have seen so far is just the tip of the iceberg and the insidious crisis staring us in the face that we refuse to properly identify and deal with.

It has been suggested we need to change course and correct the way Congress is run. A good idea, but if we merely tinker with current attitudes about what role the Federal Government ought to play in our lives, it won't do much to solve the ethics crisis.

True reform is impossible without addressing the immorality of wealth redistribution. Merely electing new leaders and writing more rules to regulate those who petition Congress will achieve nothing.

Could it be that we are all looking in the wrong places for our solution to a recurring, constant, and pervasive corruption in government? Perhaps some of us in Congress are mistaken about the true problem. Perhaps others deliberately distract us from exposing the truth about how miserably corrupt the budget process in Congress is.

Others simply are in a State of denial. But the denial will come to an end as the Abramoff scandal reveals more and more. It eventually will expose the scandal of the ages, how and to what degree the American people have become indebted by the totally irresponsible spending habits of the U.S. Congress as encouraged by successive administrations, condoned by our courts, and enjoyed by the recipients of the largesse.

This system of government is coming to an end, a fact that significantly contributes to the growing anxiety of most Americans, especially those who pay the bills and receive little in return from the corrupt system that has evolved over the decades.

Believe me, if everybody benefited equally, there would be scant outcry over a little bribery and influence peddling. As our country grows poorer and more indebted, fewer people benefit. The beneficiaries are not the hard-working, honest people who pay the taxes. The groups that master the system of lobbying and special interest legislation are the ones who truly benefit.

The steady erosion of real wealth in this country and the dependency on government generated by welfare-ism and warfare-ism presents itself as the crisis of the ages. Lobbying scandals and the need for new leadership are mere symptoms of a much, much deeper problem.

There are quite a few reasons a relatively free country allows itself to fall into such an ethical and financial mess. One major contributing factor for the past 100 years is our serious misunderstanding of the dangers of pure democracy.

The Founders detested democracy and avoided the use of the word in all the early documents. Today, most Americans accept without question a policy of sacrificing life, property and dollars to force democracy on a country 6,000 miles away. This tells us how little opposition there is to democracy. No one questions the principle that a majority electorate should be allowed to rule the country, dictate rights, and redistribute wealth. Our system of democracy has come to mean worshiping the notion that a majority vote for the distribution of government largesse, loot confiscated from the American people through an immoral tax system, is morally and constitutionally acceptable.

Under these circumstances, it is no wonder a system of runaway lobbying and special interests has developed. Add this to the military industrial complex that developed over the decades due to a foreign policy of perpetual war and foreign military intervention, and we shouldn't wonder why there is such a powerful motivation to learn the tricks of the lobbying trade and why former Members of Congress and their aides become such high-priced commodities.

Buying influence is much more lucrative than working and producing for a living. The trouble is in the process; the process invites moral corruption. The dollars involved grow larger and larger because of the deficit financing and inflation that pure democracy always generates.

Dealing with lobbying scandals while ignoring the scandal of unconstitutional runaway government will solve nothing. If people truly believe that reform is the solution through regulating lobbyists and increasing congressional reporting requirements, the real problem will be ignored and never identified. This reform only makes things worse.

Greater regulation of lobbyists is a dangerous and unnecessary proposition. If one expects to solve a problem without correctly identifying its source, the problem persists. The first amendment clearly states ''Congress shall make no laws respecting the right of the people to petition the government for a redress of grievances.'' That means no law.

The problem of special interest government that breeds corruption comes from our lack of respect for the Constitution in the first place. So what do we do? We further violate the Constitution, rather than examine it for guidance as to the proper role of the Federal Government.

Laws addressing bribery, theft, and fraud already on the books are adequate to deal with the criminal activities associated with lobbying. New laws and regulations are unnecessary.

The theft that the Federal Government commits against its citizens and the power that Congress has assumed illegally are the real crimes that need to be dealt with. In this regard, we truly need a new direction: get rid of the evil tax system, the fraudulent monetary system and the power of the government to run our lives, the economy and the world, and the Abramoff types would be exposed for the mere gnats they are. There would be a lot less of them since the incentive to buy politicians would be removed.

Even under today's flawed system of democratic government, which is dedicated to redistributing property by force, a lot could be accomplished if government attracted men and women of good will and character. Members could just refuse to yield to the temptations of office and reject the path to a lobbying career.

But it seems once government adopts the rules of immorality, some of the participants in the process yield to the temptation as well, succumbing to the belief that the new moral standards are acceptable.

Today, though, any new rules designed to restrain special interest favoritism will only push the money further under the table.

Too much is at stake. Corporations, bureaucrats, lobbyists and politicians have grown accustomed to the system and have learned to work within it to survive. Only when the trough is empty will the country wake up. Eliminating earmarks in the budget will not solve the problem.

Comparing the current scandal to the big one, the Abramoff types are petty thieves. The government deals in trillions of dollars, the Abramoffs in mere millions. Take a look at the undeclared war we are bogged down in 6,000 miles from our shore. We have spent $300 billion already, but Nobel Prize winner Joseph Stiglitz argues that the war will actually cost between $1 trillion and $2 trillion when it is all over. That is trillions, not billions. Even that figure is unpredictable, because we may be in Iraq for another year or 10. Who knows.

Considering the war had nothing to do with our national security, we are talking big bucks being wasted in lining the pockets of well-connected American corporations. Waste, fraud, stupidity, and no-bid contracts characterize the process; and it is all done in the name of patriotism and national security. Dissenters are accused of supporting the enemy. Now, this is a ripoff that a little tinkering with House rules and restraints on lobbyists won't do much to solve.

Think of how this undeclared war has contributed to our national deficit, undermined military preparedness, antagonized our allies, and exposed us to an even greater threat from those who resent our destructive occupation. Claiming we have no interest in the oil of the entire Middle East hardly helps our credibility throughout the world.

The system of special interest government that has evolved over the last several decades has given us a national debt of over $8 trillion, a debt that now expands by over $600 billion every year. Our total obligations are estimated to be between $15 trillion and $20 trillion. Most people realize that the Social Security system, the Medicare system and the new prescription drug program are unfunded. Thousands of private pension funds are now being dumped on the U.S. Government and American taxpayers. We are borrowing over $700 billion each year from foreigners to finance this extravagance, and we now

qualify as the greatest international debtor Nation in history.

Excessive consumption using borrowed money is hardly the way to secure a sound economy. Instead of reining in government spending, Congress remains oblivious to the financial dangers and panders to special interests by offering no resistance whatsoever to every request for new spending. Congress spends $2.7 trillion annually in an attempt to satisfy everyone's demands. The system has generated over $200 trillion in derivatives.

These problems can't be addressed with token leadership changes and tinkering with the budget. A new and dramatic direction is required.

As current policy further erodes the budget, special interests and Members of Congress become even more aggressive in their efforts to capture a piece of the dwindling economic pie. That success is the measure of effectiveness that guarantees a Member's reelection.

The biggest ripoff of all, the paper money system that is morally and economically equivalent to counterfeiting, is never questioned. It is the deceptive tool for transferring billions from the unsuspecting poor and middle class to the special-interest rich, and in the process the deficit-propelled budget process supports the spending demands of all the special interests, left and right, welfare and warfare, while delaying payment to another day and sometimes even to another generation.

The enormous sums spent each year to support the influential special interests expand exponentially and no one really asks how it is accomplished. Raising taxes to balance the budget is out of the question, and rightfully so. Foreigners have been generous in their willingness to loan us most of what we need, but even that generosity is limited and may well diminish in the future.

But if the Federal Reserve did not pick up the slack and create huge amounts of new credit and money out of thin air, interest rates would rise and call a halt to the charade. The people who suffer from a depreciated dollar don't understand why they suffer, while the people who benefit promote the corrupt system. The wealthy clean up on Wall Street and the unsophisticated buy in at the market tops. Wealth is transferred from one group to another, and it is all related to the system that allows politicians and the central banks to create money out of thin air. It is literally legalized counterfeiting.

Is it any wonder jobs go overseas? True capital only comes from savings, and Americans save nothing. We only borrow and consume. A counterfeiter has no incentive to take his newly created money and build factories. The incentive for Americans is to buy consumers goods from other countries whose people are willing to save and invest in their factories and jobs. The only way we can continue this charade is to borrow excess dollars back from the foreign governments who sell us goods and perpetuate the pretense of wealth that we enjoy.

The system of money contributes significantly to the problems of illegal immigration. On the surface, immigrants escaping poverty in Mexico and Central America come here for the economic opportunity that our economy offers. However, the social services they receive, including education and medical benefits, as well as the jobs they get, are dependent on our perpetual indebtedness to foreign countries. When the burden of debt becomes excessive, this incentive to seek prosperity here in the United States will change.

The prime beneficiaries of a paper money system are those who use the money early, governments, politicians, bankers, international corporations and the military industrial complex. Those who suffer most are the ones at the end of the money chain, the people forced to use depreciated dollars to buy urgently needed goods and services to survive. And guess what? By then, their money is worth less, prices soar, and their standard of living goes down.

□ 2215

The consequences of this system, fully in place for the past 34 years, are astronomical and impossible to accurately measure. Industries go offshore, and the jobs follow. Price inflation eats away at the middle class and deficits soar, while spending escalates rapidly as Congress hopes to keep up with the problems it created.

The remaining wealth that we struggle to hold on to is based on debt, future tax revenues, and our ability to manufacture new tax dollars without restraint.

There is only one problem. It all depends on trust in the dollar, especially by foreign holders and purchasers. This trust will end, and signs of the beginning of the end are already appearing.

During this administration, the dollar has suffered severely as a consequence of the policy of inflating the currency to pay our bills. The dollar price of gold has more than doubled. This means the dollar has depreciated in terms of gold, the time-honored and reliable measurement of a nation's currency, by an astounding 55 percent. The long-term economic health of a nation is measured by the soundness of its currency. Once Rome converted from a republic to an empire, she depreciated her currency to pay the bills. This eventually led to Rome's downfall. That is exactly what America is facing unless we change our ways.

Now, this is a real scandal worth worrying about. Since it is not yet on Washington's radar screen, no attempt at addressing the problem is being made. Instead, we will be sure to make those the Constitution terms petitioners to redress their grievances fill out more forms. We will make government officials attend more ethics courses so they can learn how to be more ethical.

A free nation as it moves towards authoritarianism tolerates and hides a lot of the abuse in the system. The human impulse for wealth creation is hard to destroy, but in the end it will happen here if true reform of our economic, monetary, and political system is not accomplished.

Whether government programs are promoted for good causes, helping the poor, or bad causes, permitting a military industrial complex to capitalize on war profits, the principles of the market are undermined. Eventually, nearly everyone becomes dependent on the system of deficits, borrowing, printing press money, and the special interest budget process that distributes the loot by majority vote.

Today, most business interests and the poor are dependent on government handouts. Education and medical care is almost completely controlled and regulated by an overpowering central government. We have come to accept our role as world policeman and nation builder with little question despite the bad results and inability to pay the bills.

The question is, what will it take to bring about the changes in policy needed to reverse this dangerous trend? The answer is, quite a lot; and, unfortunately, it is not on the horizon. It probably will not come until there is a rejection of the dollar as the safest and strongest world currency and a return to commodity money like gold and silver to return confidence.

The Abramoff-type scandals come and go in Washington, patched over with grandiose schemes and reform that amount to nothing more than government and congressional mischief. But our efforts should be directed toward eliminating the greatest of all frauds, printing press money that creates the political conditions breeding the vultures and leaches who feed off the corrupt system.

Counterfeiting money never creates wealth. It only steals wealth from the unsuspecting. The Federal Reserve creation of money is exactly the same. Increasing the dollars in circulation can only diminish the value of each existing dollar. Only production and jobs can make a country wealthy in the long run. Today, it is obvious our country is becoming poorer and more uneasy as our jobs and capital go overseas.

The Abramoff scandal can serve a useful purpose if we put it in the context of the entire system that encourages corruption. If it is seen as an isolated case of individual corruption and not an expected consequence of big government run amok, little good will come of it. If we understand how our system of government intervenes in our personal lives, the entire economy and the internal affairs of other nations around the world, we can understand how it generates the conditions where lobbyists thrive.

Only then will some good come of it. Only then will we understand that undermining the first amendment right of

people to petition the government is hardly a solution to this much more serious and pervasive problem.

If we are inclined to improve conditions we should give serious consideration to the following policy reforms, reforms the American people who cherish liberty would enthusiastically support. Let us have no more No Child Left Behind legislation. Let us have no more prescription drugs programs. No more undeclared wars. No more nation building. No more acting as the world policeman. No more deficits. No more excessive spending everywhere. No more political and partisan resolutions designed to embarrass those who may well have legitimate and honest disagreements with current policy. No inferences that disagreeing with policy is unpatriotic or disloyal to the country. No more pretense of budget reforms while ignoring off-budget spending in the ever-growing 14 appropriations bills.

Cut funding for corporate welfare, foreign aid, international NGOs, defense contractors, the military industrial complex, and rich corporate farmers before cutting welfare for the poor at home. No more unconstitutional intrusions into the privacy of law-abiding American citizens. Reconsider the hysterical demands for security over liberty by curtailing the ever-expanding oppressive wars on drugs, tax violators and gun ownership.

Finally, why not try something novel like having Congress act as an independent and equal branch of government? Restore the principle of the separation of powers so that we can perform our duty to provide checks and balances on an executive branch and an accommodating judiciary that spies on Americans, glorifies the welfare state, fights undeclared wars, and enormously increases the national debt.

Congress was not meant to be a rubber stamp. It is time for a new direction.

30-SOMETHING WORKING GROUP

The SPEAKER pro tempore (Mr. CONAWAY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Florida (Mr. MEEK) is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to come and address the U.S. House of Representatives. I want to thank Democratic Leader NANCY PELOSI and our Democratic Whip, Mr. STENY HOYER, and also our chairman, Mr. JAMES CLYBURN, and I think it is also Mr. LARSON who is our vice chair, and the rest of the ranking members and other members of the Democratic Caucus.

Mr. Speaker, an hour ago we were talking about the issues of fiscal responsibility. We were talking about trying to make sure that the American taxpayer gets what they deserve out of this government, this government that they have elected to come to Washington, D.C., to represent them, to make sure that they get the biggest bang for their tax dollar.

I think it is important to point out, Mr. Speaker, that we are having some real financial issues right now. Some may say on the majority side, and I do respect the members on the majority side, and I know that there are a few members on the majority side that feel the way we feel here on the minority side, on the Democratic side of the aisle, that we have to get our fiscal house in order. And we are not there yet. I can say here boldly and honestly that we are not there.

There are a number of third-party validators that are talking about the fiscal irresponsibility on the majority side and by this President that has put this country in financial jeopardy. You have individuals saying we want to cut the deficit in half, but, meanwhile, back at the ranch, they want to borrow from countries like China. They want to borrow from countries like Saudi Arabia and give those countries a piece of the American pie, Mr. Speaker.

I think it is important that in the last hour, when we talked about innovation, we talked about putting America first. We talked about not cutting student loans to everyday Americans. We talked about assisting that next generation and the generations that we expect to be able to stand up and make this and continue to make this country free and put us ahead as it relates to inventions, as it relates to innovation.

We are talking about on this side of the aisle, Mr. Speaker, that we embrace and we appreciate our troops and our veterans. But, meanwhile, in the President's budget, it talks about cuts in veterans affairs. It talks about higher co-payments for veterans.

I must say, Mr. Speaker, I am a Democrat, but guess what? I represent Republicans, Independents, green party, and Democrats back in my district; and they feel the way that I do.

I have not had one constituent say, Congressman, I want you to go to Washington, D.C., and make sure that you borrow as much money as possible so that I can pay it back with interest. Congressman, I want you to go to Washington, D.C., and be irresponsible with my tax dollars and make sure that we do not have accountability as it relates to unbid contracts. Congressman, I want you to look the other way when it comes down to making sure that you have the proper oversight so that we do not have this culture of corruption, cronyism and incompetence that we are seeing on the majority side and in the White House right now.

I think it is very, very important, Mr. Speaker, the perception that the American people and the reality that they are seeing right now. This is not the Kendrick Meek or the 30-Something or the Tim Ryan report. This is what is being printed every day in the papers.

It is not that the Congress is taking a bold step to make sure that the children of America have what they need; making sure that we have the kinds of innovation that the President spoke about, Mr. Speaker; making sure that the veterans do not have to pay a higher co-payment for health insurance that we promised them as a country.

We salute one flag right now, Mr. Speaker, not because of coincidence. Because individuals have died for that opportunity. We have individuals that have served and served in many theaters to make sure that we can salute one flag, and the bottom line is we should not turn our backs on those individuals.

What Mr. RYAN and I are going to talk about in this 30-Something hour is the tax on corruption, the corruption tax that the American people have to pay and the American children have to pay, and men and women that have worn a uniform have to pay.

Guess what? It is not just Democrats. It is not just Republicans. It is not just independents. It is the American people. It is not just the folks that vote. It is not just the folks that do not vote. It is not the folks who are seeking status that have green cards in this country that are legally here. It is happening right now.

Mr. Speaker and Mr. RYAN, I just want to say before I yield, I feel good about the fact that we were talking about the K Street Project 2 years ago. Night after night, week after week, we talked about it. We were honest and upfront with the American people that something was fundamentally wrong when you have a K Street Project, talk about it, put a press release out about it, about how we have this relationship with the special interests.

What about a relationship with the American people, Mr. Speaker? So now we have a lobbyist here in this town that has admitted to guilt, Mr. RYAN, that has said, I have broken the law. We do not have to have a trial because the evidence is so strong. We do not have to have a jury pool. We do not have to have people come in and waste 6 months of their lives on a jury pool and a jury selection. I will admit to guilt.

Days after this particular lobbyist said, I am guilty, I am willing to help the government in seeking out those Members that were part of this.

Mr. RYAN of Ohio. Would the gentleman yield?

Mr. MEEK of Florida. I am closing in a minute, Mr. RYAN, because we have been talking about this. I admit to guilt, and I am willing to help the government. All of a sudden, all of a sudden, Mr. Speaker, the Republican majority says, you know, we are done. The K Street Project is no longer in existence. As a matter of fact, this little thing that we call K Street, what are you talking about? I do not know what you are talking about. We are just going to rip it up. It is not anything that we really care about. We are going to do away with that.

It is almost like, as I would say, Mr. RYAN, and as I will yield to you, the

game warden cannot be the lead poacher. I will say that to you right now. I think it is important that we be upfront with the American people because they are paying a hard, strong corruption tax, Mr. RYAN.

□ 2230

Mr. RYAN of Ohio. You are exactly right, and it is that. It is the cost of the American people of the kind of corruption that is inherent in this system today as the Republicans run the House and the Senate and the White House.

Let me just say this so we are clear. After record profits had been earned by the oil industry, they received in the energy bill $12 billion in corporate welfare, but nothing is done by this Congress to address lowering gas prices or home heating oil.

Now, Halliburton, the former company of Vice President CHENEY, got billions of dollars in no-bid contracts, and they have since been fined $2 million for over charging the government and are suspected of costing the government $1.4 billion. Halliburton has been fined for basically stealing the taxpayers' money.

The oil industry is getting $12 billion in subsidies, and nothing is being done to lower Mom and Dad or Grandma or Grandpa's gas cost, and the top Medicare administrator, Tom Scully, negotiated to get a lobbying job at the same time he was negotiating the Medicare prescription drug bill, which helped companies more than it helped senior citizens. You say corruption tax, and that is what I mean. Tit-for-tat, taxpayer pays for it. Corporate welfare to the oil industries, nothing to lower gas prices, citizens pay that corruption tax.

Mr. MEEK of Florida. This is reality. It is not something that you are making up. This is reality for individuals that may be hard core supporters of the majority; that is fine. I am a supporter of the American people. We are not here on behalf of party. We are here on behalf of the American people.

Mr. RYAN of Ohio. There have been a few Members who I consider very good friends on the other side of the aisle who have over the past few weeks and few months have really come out and said we have got to get rid of the corporate welfare, we do have to make these changes, we do have to get rid of the things that are going on with the oil industry.

The problem is, is they are just a handful of those people, and the rest are putting the kibosh on the minority of the minority of the minority of the Republican party, just like they are doing to the Democrats.

Mr. MEEK of Florida. These will be the very Members that if the American people allow us to lead, that what you are talking about, would be a bad chapter in American history. Well, we can put this country on the right track that will partner with us in a bipartisan spirit, and all it takes, and you know and I know, is a majority vote to make anything happen in this House.

Mr. RYAN of Ohio. Absolutely. Let us just look at one thing we have been talking about here.

One of the major costs of the kind of institutional corruption that is going on right now is what is going on with the interest on the debt. The Nation's debt is now over $8 trillion with a T, and the interest in the 2007 President's budget, the interest alone is almost two-hundred-and-twenty-some billion dollars out of this budget. Now, when you look and you compare what we have to pay in interest on the debt compared to what we are paying for education or homeland security or veterans, it is totally and utterly disproportionate to the kind of investments we need to be making, because this money, and on the chart here, we are borrowing this money from the Japanese government. We are borrowing the money from the Chinese Government. We are borrowing the money from OPEC countries.

We are ceding our country away to these other foreign interests, and at the same time, we are asking Japan and China to borrow money because we do not have enough because we are giving out corporate subsidies to the oil companies and corporate welfare to the pharmaceutical companies. While we are doing that, we have to go and borrow the money from the Chinese government, and then we have to borrow it from the OPEC countries, and as we showed before earlier, an hour or so ago, the Chinese Government is taking this money, they are lending it to us, collecting the interest and investing that money in the training of engineers to the tune of 600,000 engineers that they are going to train next year while we are training 70.

That really is the bottom line, that these kind of decisions are leading and costing. They are leading to enormous problems for our country, and they are costing us a lot of money. They are really beginning, I think, to push the burden down on to the next generation. We cannot continue to sustain the kind of deficits that we are running. The next year or 2007 year's budget deficit is projected at over $400 billion, $400 billion, and that is unacceptable while we are giving the oil industry $12 billion and $16 billion to the energy industry, and we are giving to the tune of $50, $60, $70 billion to the health care industry in subsidies.

It is a coincidence, or maybe it is not, that the oil industry's profits are going through the roof. So it begs the question, why are we subsidizing them? The energy companies, profits going up, subsidizing them, too. Pharmaceutical companies, profits through the roof, subsidize them, too. This is pay-to-play in Washington, D.C., and all the while, it is happening at the expense of average people. All this is happening at the cost of the American people.

There is a corruption tax. There is a K Street tax to average people who are trying to do business, trying to make ends meet in middle America and all across the country, and they are having a very difficult time of it. They are paying the cost of K Street and the cost of the corruption that is going on.

Mr. MEEK of Florida. With interest I must add, and I will tell you that it is very, very unfortunate when we tell children who want free and reduced lunch that we cannot do what they need us to do.

I think also what is wrong is when we tell veterans that they have to pay higher copayments because we do not have the money to be able to assist them in their health care.

I think another thing that is wrong, when we tell individuals that pay taxes every day, that we cannot assist them as it relates to innovation and finding other opportunities to be able to find alternative fuel to fuel their vehicles or home.

I think it is also a travesty when we have no-bid contracts. Time after time again, reports are released here in Washington, D.C., on how we failed the American people domestically and how we failed the American people as it relates to their U.S. tax dollars overseas as its relates to the war. There are billions of dollars that are unaccounted for and that cannot be attached to what its purpose was supposed to be in Iraq.

This is not fiction. This is fact, and tomorrow night and I want to say this to the staff and make sure that the rest of the 30 Somethings hear, we want to talk a little bit about what happened to the other $9 billion U.S. tax dollars in Iraq. We both serve on the Committee on Armed Services and I think it is important that the American people know. It is unacceptable, unacceptable for us to do or for the Republican majority to do what they have done as it relates to a lack of oversight.

I think it is important that we talk a little bit more about innovation and our plans to move America forward, but I want to make sure that the American people and the Republican side know, the Members on the other side of the aisle know, here is our plan right here. This is a summary of our plan. It is on the Web site, housedemocrats.gov, very simple. It is not a secret. It has been there for a long time. The only reason why it is there in the Web site, and the only reason why we have it in legislative bills, Mr. Speaker, is the fact that we cannot move innovation.

Let us talk about innovation for a minute because I want to make sure we do not fake anyone out and have folks confused. Innovation means we are committed to making sure this generation and future generations are ready to lead in the way that the past generation has done and this present generation are trying to do right now.

Mr. RYAN of Ohio. Can I say something? There has been this whole discussion over the last 10 or 15 years, and

it started with President Reagan's government, you know, government is the problem. I think it is fair to just on balance say that we understand government cannot solve all the problems nor should it, and we understand the private sector can solve a lot of these problems, but there are areas where the two need to work together. That is what we are talking about with The Innovation Agenda.

A lot of the recommendations that we have here are coming from CEOs, Republicans, who are saying this is what we do, and if you look at the history of the country, railroads, the space program, the interstate highway, National Institutes of Health research and development that has been going on for years and years, National Science Foundation, they are critical. Universities are government. They are publicly funded, publicly subsidized, and they are doing all kinds of research for all kinds of really good causes.

So we have a responsibility here, and our responsibility is to take the public's tax dollars here that they give us and spend it wisely and spend it in a way that there is accountability.

Now, $9 billion lost in Iraq is not accountability. Borrowing from the Chinese and the OPEC countries and the Japanese governments to fund our deficits, that is not accountability. That is reckless fiscal policy, and it prevents us from investing in the kind of innovation that we want to invest into. That is the cost to the country of this nonsense that is going on down here, $400 billion deficits, and we are spending $16 billion in corporate welfare to subsidize the oil industry? $400 billion projected deficit for 2007, and we give it in a giveaway to the pharmaceutical companies? That is irresponsible fiscal policy because we do not have the money to give them in the first place.

I will stand up here if we had the money and make the argument that we still should not give it to them, but we are borrowing money that we do not have to give to people that do not need it. That would be like giving Bill Gates a tax cut. We have given Bill Gates a tax cut, too. We are giving people money that we do not have and they do not need it, and it is coming at the expense of things and investment in technology, and innovation is a part of this.

I just want to read a couple of quotes because the 30 Somethings are all about the third party validator. There may be some people who say, well, there goes the Democrats, there goes the 30 Somethings, they are the on the floor, they do not have any solution. What are they talking about? This is a third party validator about our Innovation Agenda that Leader PELOSI came up with.

Mr. MEEK of Florida. This is good, third party validator outside of the political process. They do not carry a voting card here in the U.S. House. They are not a stakeholder. The only stake that they hold is having Americans to be able to fill jobs that they want to provide.

Mr. RYAN of Ohio. That is exactly right. John Chambers, president and CEO of Cisco Systems, Incorporated: ''The Innovation Agenda focuses on the right issues for building on our Nation's competitiveness, from investing in basic R&D, expanding science and math education and broadband infrastructure, to creating a globally competitive business environment. This agenda thoughtfully addresses how government can best play a role in improving our economic competitiveness by focusing on innovation. I look forward to working with both sides of the aisle to implement these laudable goals.''

□ 2245

That is the CEO of Cisco Systems.

And then we have the managing director of Federal Government Affairs for Microsoft saying, ''At Microsoft Technology we are committed to changing the world through innovative technology; and in order to fulfill that commitment we need a pool of well-educated, skilled workers. We ask Congress to give these issues serious consideration and support.''

We need a pool of skilled workers, American skilled workers, and we need to increase it. Our innovation agenda calls for 100,000 new scientists and engineers over the course of the next 4 years and putting broadband in every household in the country in the next 5 years. And we probably could do it quicker, but we have this tremendous trade deficit and budget deficit here in the United States that will not allow us to do it because of the reckless fiscal policies of the Republican Party that run the House, the Senate and the White House.

Mr. Speaker, this is what we are competing with. China is going to produce 600,000 engineers next year; India, 350,000 engineers next year; the United States of America, Mr. Speaker, 70,000 engineers next year. That is unacceptable.

And I recognize that they have larger populations than we do, but when we have many of our school districts that have 70 or 80 percent of the kids living in poverty, we are never going to be able to catch this number because we do not have enough players on the field. This is a broad approach that the Democratic Party has.

Our friends on the other side of the aisle, and many of them are very dear friends, they have been in charge of this House since 1994, and we have the highest budget deficits that we have ever had in the history of the country. They have had to pass a debt limit increase five times since President Bush has been in office.

Mr. MEEK of Florida. And they want to do it again.

Mr. RYAN of Ohio. And they are going for number six.

We need to get the fiscal house in order and start making targeted investments in education and making sure that we have enough people to compete on a global economy. This is brutal competition that we are facing. I have an opportunity to spend 2 weeks in China in August, but the brutal competition that we must face in order to continue to lead the world because we cannot have a tier one military with a tier two economy. And you want to maintain your superiority in the world, you better have a tier one military, and if you want a tier one military, you better have a tier one economy. If you want to have a tier one economy, you better make the kind of investments that the Democratic Party wants to make in order to start evening out some of these numbers so we have job growth in the United States, so we are filling the need and filling that pool of well-educated, skilled workers that companies need.

Mr. MEEK of Florida. Mr. Speaker, Mr. RYAN knows he had me at hello on all of that.

When he says Mr. MEEK, he is really talking to the Republican majority. I will say to my colleagues, because I want to be sure that they have good and accurate information from third-party validators, they can go to www.HouseDemocrats.gov/30something and you can get the charts, get what Mr. RYAN is talking about.

Most of these people that are third-party innovators as relates to innovation, they can care less who says that we brought innovation into the United States again, that we are investing in innovation. They just want it to happen. These individuals are Republicans, Independents and Democrats that are begging us to give them the workforce that they need. They want to hire the American worker. They want to make sure that local communities and States have the kind of economy that they need. I think it is important.

Mr. Speaker, it goes a little deeper. This is not just about one or two people and the decisions they are making. I have a real problem, and I do not want to change the channel here, but I have a real problem with the fact that it is so easy for the Republican majority to abuse not only the spirit of the rules in the House of Representatives but also when we start dealing with the Constitution of the United States.

We had a budget reconciliation vote that came up here, I do not know, maybe three or four times, not because the Members did not show up to vote, it is because the Members did not want to vote on budget reconciliation that cut student aid and that will bring about the kind of innovation that Mr. RYAN is talking about, that cut free and reduced lunch, that directed the Veterans Affairs Committee to make millions of dollars in cuts in veterans affairs over a period of years, that did a lot of other things, that gave giveaways to the oil industry. They did not want to vote on it.

I remember we were on this floor on the eve of I believe it was veterans'

weekend. They did not want to vote on it, leave here and march in a parade and someone may holler out, congressman, congresswoman, how can you march with the veterans here, waving a flag, talking about I am with you all the way; meanwhile, you voted with your colleagues on the Republican side that closed our clinic. They just could not do it.

So now we are in a situation when we talk about respect for the way we do business, the President signed the budget reconciliation bill that was not identical. Let me go back to Government 101 here. They have to be identical pieces of legislation between the House and Senate for the President of the United States to sign.

Mr. RYAN, you remember the old cartoon, I am just a bill, I am on Capitol Hill. It talked about going from committee to committee, and you pass the House and go to the Senate or you start in the Senate and go to the House, and then you go to the President of the United States. One bill, same language, identical, side by side.

You cannot have language in one bill that says one thing and have a budget that says something else. Not one line, not one word can be different. The President and the administration that we know, and we are going to get into this tomorrow night, and like I said, I challenge the majority side to try to go in the bathroom and look in the mirror and say, ''I can go out there and say this is right.'' We are 110 percent right on this, just like we were right on the K Street Project. We are talking fact here.

The President signed a bill that many have said is unconstitutional. It is not an identical bill. All of us know it. The issue about secrecy and misleading the public is becoming an everyday occurrence here in Washington, DC.

I think it is fundamentally wrong for us to salute one flag, believe in the bedrock of a Constitution and to allow individuals that are in control now to say a couple of words are different and there is more money here than there, what is the big deal. I signed it, it is done, we are in control, and who is going to question us, Mr. Speaker. They say, who is going to call us before the committee and say, excuse me, who is going to send subpoenas to the White House and say, did you know these bills were not identical? Who is going to call in the leadership of the House and Senate and say, how could you do something when you knew they were not identical bills? Well, it is not a big deal because they are in charge.

Mr. Speaker, if the American people were to bring about the kind of paradigm shift that this country deserves in the next election, my goodness, it will take up a lot of time here in Congress to be able to fix what is broken.

Maybe the Republican majority may say we need to start working on a bipartisan basis and start working with the Democrats on some of these issues. Maybe we can really look at Social Security and make sure that it is sound and solid for generations even beyond the 40 years it will be solvent, and maybe we need to look at health care and not this health savings plan because we already know that does not work. Let us look at some of the Democratic alternatives and let us have a conference report, let us have a bipartisan conference report that we actually invite Democrats to participate in.

Mr. Speaker, we have legislation right now that the first time that the ranking members, and I want to break this down so we all understand, the ranking members who are the lead Democrats on the committee, see for the first time a bound bill, this wide, this thick, coming to the floor and it is their first time seeing it. That is not because they decided to sit in their office and eat pecans, but because they were not told where negotiations were taking place.

There are a lot of rooms in this Capitol, and I think it is important that we spend a lot of time, not some time, but a lot of time letting the American people know that here on the Democratic side of the aisle we have history on our side in balancing the budget. We have history on our side in making sure that we have a very strong U.S. economy where everyone shares in it, everyone makes money. Small businesses are able to do what they have to do, and making sure that we have integrity in a government that people know when they pay their taxes that those dollars are going in the right place. We balanced the budget.

I challenge the Republican majority to say the same thing. Not that we cut it in half or took a quarter of it. That is not what we did. We balanced the budget with surpluses as far as the eye could see.

I challenge the Republican side to come with one proposal and say any time in the history of the Republic that they have done that, period dot. That is just the bottom line. History speaks to it, the CONGRESSIONAL RECORD speaks to it, and the Congressional Budget Office speaks to it.

It is not the Kendrick Meek Report or the Tim Ryan Report. We are not here to entertain the Congress. We are here to make sure that these individuals that are in control on the majority side understand that we mean serious business about saving this country not on behalf of Republicans or Democrats or Independents but on behalf of the American people.

Are we passionate? You are doggone right we are passionate. We are passionate for all of the right reasons. We are not here arguing on behalf of someone who said let us just talk about things are bad because we need to make up some kind of story because we want to be in control of the U.S. Congress. This is fact. This is fact.

I do not care if you have a club of hard-core individuals saying that I want to support corruption, cronyism and incompetence. Only the recipients of corruption, cronyism and incompetence are the cheerleaders for that kind of activity.

Mr. RYAN, they would not even come up to the 1 percent of Americans that have benefited from the bad policies that the majority side has put forward. I can tell you right, and the record reflects and it reflects in the President's budget of who is on the side and who they are standing up for in that budget.

In that budget, they are cutting veterans affairs. In that budget, they are cutting student aid. In that budget, they are giving tax giveaways to the individuals that are on K Street, obviously that have access to this administration and to the majority.

So I would say this. The record speaks to what we are sharing with the Members. The record speaks to the fact that we on this side, without one Republican vote, Mr. Speaker, not one. One would think maybe two might have said I am going to vote to balance the budget. A big fat zero. My 8-year-old and my 11-year-old can understand what a zero is. Not one. For anyone to come to the floor and say the Democrats want such and such, let me tell you, we cannot do anything but raise the question and put pressure on the majority side to do the right thing.

We said there could be a 9/11 Commission. The Republicans did not want it. The American people joined in us.

We said there should be a national strategy on homeland security and we should have a department addressing the issues of homeland security. Republicans did not want it. The American people joined with us, and we have a Department of Homeland Security.

We said we need to come to Washington, DC, and deal with body armor on behalf of the troops in Iraq. The Republicans said they have their armor. Donald Rumsfeld came down from the Department of Defense and said we have a strategy, we have a plan. Oil is going to pay for the war. All of these things that we now know are incorrect. We said it, and then the Republican majority started responding to it.

I can tell you in this case, as it relates to fiscal responsibility, the record does not reflect a past history of this Republican majority doing the right thing and balancing the budget.

□ 2300

We didn't say that we were going to cut the budget in half. We said, we'll balance the budget. And we did. We have an innovation agenda, if given the opportunity, and we invite our Republican friends that are over there, that a few of them think the way we think, move with us in moving this agenda together. We are talking about all of the good stuff that the American people are asking for, Mr. RYAN. They are asking for creating an educated, skilled workforce in the areas of science, math, engineering and information technology. They are asking for an investment as it relates to Federal research and development initiatives in

promoting public-private partnerships. We are saying that we want every American to have access to affordable broadband. That is making sure that they have access to the Internet, making sure their children have access, seniors and every household can afford it. What is the deal about saying, some people can afford it, some people can't? We are a country. We are not a bunch of individuals. And we are saying that we will achieve energy independence in developing emerging technology and clean substantive alternatives to strengthen national security and protect our environment, not within 20 years, not within 50 years, not within 100 years. We are talking about 10 years, Mr. Speaker. It can happen.

We know together, Mr. RYAN, in America, we can do better. We are willing to partner with the American people like we have done before. But I can tell you right now, Mr. RYAN, this Republican majority, they didn't get it 10 years ago, they are not getting it now, and they won't get it tomorrow.

Mr. RYAN of Ohio. As you were talking about, the Democrats have a history of balancing budgets in this Chamber. In 1993, without one Republican vote, the Democrats balanced the budget and it was signed into law by President Clinton, led to great surpluses, the greatest expansion in the history of the country and created over 20 million jobs.

Now, the Democrats have tried, while we have been down here, to try to get our friends on the Republican aisle to show some fiscal discipline, to show a little bit of fiscal restraint. And we have tried. There is a provision here called PAYGO, pay-as-you-go. If you spend money, you have got to pay for it. If you cut revenues, you have got to pay for it. If you increase spending in a certain program, you have got to pay for it. Pay-as-you-go.

Now, over the last few years, Democrats have tried to reinstate PAYGO which led to all these surpluses in the nineties, and then our friends on the Republican side got rid of this a few years back. But over the last few years, we have tried to put these PAYGO rules in. Let me give you three third-party validators, not TIM RYAN, not KENDRICK MEEK, this is in the CONGRESSIONAL RECORD. March 30, 2004. Republicans voted by a vote of 209–209, ties lose, to reject a motion offered by Representative MIKE THOMPSON, Democrat from California, to instruct the budget conferees to put the pay-as-you-go requirements in the 2006 budget resolution. That is 2004, vote number 97, if you would like to check it out, Mr. Speaker. Also, May 5, 2004, Republicans voted by a vote of 208–215 to reject a similar motion by Representative DENNIS MOORE, Democrat from Kansas. That is 2004, vote number 145. And then again, November 18, 2004, Republicans voted to block consideration of the Charlie Stenholm amendment to the debt limit increase bill which would have restored pay-as-you-go requirements. That is 2004, vote number 534, basically saying, we need to put a system in place to make sure that this Congress doesn't just spend money recklessly like they are doing now.

$9 billion lost in Iraq.

$16 billion to the energy companies, the oil industry in particular, the most profitable industry in the world right now.

Billions upon billions upon billions of dollars to the pharmaceutical industry in corporate welfare. And we are not balancing the budget. We are taking the money again and we are borrowing it. We are borrowing money we don't have and we are giving it to people who have a lot of money.

This is the interest payments that we are making in the red. This is the investments that we are making in education, homeland security and veterans.

Mr. MEEK, I know we are beginning to wrap up and work our way out here, but I just want to share this with the Speaker and the Members of Congress. What else could the government do if we weren't so far in debt and had to pay all this interest?

Mr. MEEK of Florida. I think that is important, Mr. RYAN.

Mr. RYAN of Ohio. It is an important answer. What else could the government do with the interest the country pays every day on the publicly held debt? We could invest $1 million a day, Mr. MEEK, in every single congressional district. Every district. So at the end of the year, you would have $365 million to invest into your congressional district in South Florida. I know that you have a lot of needs down there, as do I in Ohio.

Mr. MEEK of Florida. $1 million a day. Mr. Speaker, we need to let that sink in. $1 million a day can be able to assist a small business in providing health care for their employees. $1 million on the back end of that can prevent individuals from paying high copays, because that is what is taking the American people under, this whole health care issue.

$1 million a day will be able to resolve some of the issues of overcrowding and the underfunding of No Child Left Behind in my district.

$1 million a day, goodness gracious, maybe we will be able to prevent many young Americans from making youthful indiscretions so that they don't have to be on the taxpayers' dole and being incarcerated.

Mr. RYAN of Ohio. And we talk about getting our children prepared to become engineers and scientists in part of our innovation agenda. Just what we pay every day on the debt could enroll almost 61,000 children in Head Start for an entire year. We are getting young kids who are at risk into the Head Start program which has shown that there is constant improvement and they fare much better than kids who don't get in.

Mr. MEEK of Florida. Mr. RYAN, I know you want to move on and you have several other examples on that chart.

Mr. RYAN of Ohio. I want to talk about how the veterans could be helped.

Mr. MEEK of Florida. We don't want to hold the veterans off. But what I want to just say real quick, Mr. RYAN, $1 million a day would be able to solve many issues in the gulf coast right now of individuals who are homeless. We are evicting individuals out of temporary housing at this point and making them homeless. Not people overseas, not folks in Iraq, people that pay taxes every day here in the United States. They are in Mississippi. They are in Alabama. They are definitely in Louisiana. They are in Texas. They are in places that are a part of this country. We are telling them that we can't do it.

We have individuals that come to the floor, Mr. RYAN, saying we have got to wean the American people off the Federal tax dollar. We need to wean the special interests and irresponsibility and the corruption tax that we are putting on the backs of Americans. We are putting a heavy corruption tax on the backs of Americans. I just want to say this out loud because I want to make sure, Mr. Speaker, that the Members know. I want them to see this ball coming and it is not a softball. It is a baseball. We are going to talk about this corruption tax and we are going to talk about it and we are going to talk about it and we are going to point out to the Members what it is costing the American people. We are going to point out to the Members what it is costing their constituents. And if we want to continue the kind of corruption tax and if we want to continue to have this air and environment of corruption, cronyism and incompetence here in Washington, D.C. and it is costing the very people that woke up one given Tuesday morning very early to vote for representation, then you go home and explain to them how you stood idly by and allowed this kind of activity to continue.

So, Mr. RYAN, I just wanted to say that very quickly, because we are talking about spending the taxpayers' dollars in a responsible way. I think it is important for us to talk about the present. So I just want to put the Members on notice right now. I want to make sure the Republican majority can get in a huddle and start talking about how we are going to deflect this issue on the corruption tax, because I am going to tell you right now, this culture of corruption that is ongoing right now in Washington, D.C., and I am not talking about individuals, I am talking about the corruption tax based on the policies that have passed out of this institution. When it is okay, Mr. RYAN, for the President to sign a bill that is not identical, that deals with the budget of these United States and then someone says, excuse me, Mr. President, you know you just signed a bill that is unconstitutional? And the message comes back, well, it's okay, it's

gone now, there's nothing we can do about it, there is something wrong. I think that is a crack in the face to democracy, Mr. RYAN.

Mr. RYAN of Ohio. I agree 100 percent with you, my friend.

Mr. MEEK of Florida. Please go to the veterans.

Mr. RYAN of Ohio. I wanted to finish up. I want to just say thank you to you for coming down here every night and making these points in such a passionate way.

The debt and the deficit I think really as you are talking about are part of this corruption tax. And I know I wanted to get into this, but these are the numbers here. This is what we owe. This is what the national debt is. $8.2 trillion. You want to let a number sink in? Try to wrap your brain around that sucker. $8.2 trillion. Every Member of Congress, every child, every adult, every senior citizen, your share of that debt is $27,500. So take your credit card debt, take your house, take your car, add it all up and throw another $27,500 on it. Take your college loans and throw another $27,500 on it because of the fiscal irresponsibility of this Congress and this administration.

This number has gone up dramatically over the past 5 years. The Republican majority has raised the debt limit, allowing the Treasury Department to borrow more money, five times. And they are not done. Five times, Mr. MEEK. And they are not done. Many high-powered Members of Congress got this letter from Secretary of Treasury John Snow saying that the United States needs the Republican Congress to raise the debt ceiling one more time.

Mr. MEEK of Florida. As soon as possible. That is what the letter says.

Mr. RYAN of Ohio. As soon as possible. This particular letter was sent December 29 to Senator MCCONNELL.

Dear Senator MCCONNELL:

The administration now projects that the statutory debt limit, currently $8.184 trillion, will be reached in mid February of 2006.

Mr. MEEK of Florida. That is right now.

Mr. RYAN of Ohio. And at that time unless the debt limit is raised or the Treasury Department takes authorized extraordinary actions, we will be unable to continue to finance government operations.

Now, that is where we are. Because of that number, my friends, because of that number and that number, the government will shut down unless we go out and borrow more money. That is irresponsible. I have got a friend back home. I won't give his last name. His first name is Dave. He is a banker. He consistently addresses this issue as we talk, how the country cannot keep going on and on and on borrowing this kind of money without putting the burden on the next generation.

For those people who don't think this matters, your share of your tax revenues are going to pay off the interest on this debt. And those payments are going to the Chinese government and the OPEC countries, Mr. MEEK. That is a shame. That is a dirty shame.

Mr. MEEK of Florida. Mr. RYAN, we could do better. We could do better if we were in the majority. But we are not. I can tell you that I miss our friend, DEBBIE WASSERMAN SCHULTZ, who is usually here who puts it best. We are trying, but she knows how to hit the nail right on the head.

Mr. RYAN of Ohio. A lot of air comes out of the balloon.

Mr. MEEK of Florida. When she speaks because I think it is important for people to understand that this thing is bigger than the two of us and that it is bigger than the 30-somethings. And that you are addressing not only Americans in Ohio but Americans throughout the country. $27,500 that is owed by every Americans, not just Democrats, not just Republicans, not just Independents, not just Green Party, Mr. Speaker, that is every American. So we look forward to Ms. WASSERMAN SCHULTZ coming back and sharing with the American people what they need to know.

Mr. RYAN, I know that we are going to come in for a landing here in about 3 to 4 minutes, and you know that we have a meeting to talk about some of the information that we just received today that is going on in this House of Representatives, Mr. Speaker. There are not enough hours in the day.

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Literally, there are not enough hours in the day; and, thanks to the majority, we are having to spend these hours in a late night, Mr. Speaker, trying to turn the ship and save this country on a fiscal standpoint.

Do not get me wrong. We are not talking about individual decisions. We know that people make bad decisions. Individuals make bad decisions, and we can survive an individual bad decision. But when we have an entire culture of corruption and the corruption tax that is going on here in the United States as I speak now, Mr. Speaker, we have got to burn the midnight oil. We have got to drink an extra cup of coffee in the morning. We have got to go to the gym and take a hot shower so we can make this thing happen. And we are going to continue to meet and caucus, do the things that we need to do.

I want to commend our staff to do the same thing. I want to commend you, Mr. RYAN, Ms. WASSERMAN SCHULTZ, and the rest of the 30-somethings for doing what we do. Because I am going to tell you something. It is extra-extraordinary. We have got to be here in the morning just like everyone else to get out and do what we need to do on behalf of our constituents. We have got to go to more meetings possibly, Mr. Speaker, than the majority has to go to because we are in the business of making sure that we represent not only our constituents but the American people in this time.

There will be books written about this time right now, about the irresponsibility that took place in this country's history, the highest deficit in the history of the Republic, more corruption and investigations and people of interest right now in the history of this country. This is not, oh, well, in 10 years or more people of interest or investigations in 20 years. In the history of this country. So this calls for special attention.

So I call upon the Members of this Congress to look in the mirror real quick. Do you want to talk about lobbying reform? Well, I can tell you this right now, and this just comes from the book of common sense: I am pretty sure the lobbyists did not call up Capitol Hill and say, hey, listen, we want you to start a K Street project because we want to be forced to hire ex-staffers from the Republican Party. That is just what we want. Or we want to make sure that we have to give X amount of campaign contributions to a particular party. They did not call that up.

So what I am going to say right now, Mr. Speaker, is I think that we need to make sure that we do the right thing.

Mr. RYAN, I just want to say, sir, that I appreciate your candor. I appreciate your courage. It would be something very, very wrong for us to do if we came to the floor and talked about fiction. This is fact. So I look forward to any Member that wants to talk about balancing the budget, Mr. Speaker. I am ready, set, go. My chin strap is buckled, and my mouthpiece is in. I want to talk about it. I am saying let's get down, low man wins. I am ready to do what we have to do. If you want to talk about it, I can tell you right now on this side of the aisle, we have done it. And until the Republican majority can say that we have done it, then there is really no discussion.

Mr. RYAN held up the letter from Secretary Snow. I held it up an hour ago. The man is saying for the sixth time, Mr. Speaker, that we have to raise the debt limit. It does not sound like things are in order. It does not sound like there is fiscal responsibility. It does not sound like there are individuals that are being responsible with taxpayer dollars.

And the bottom line, Mr. RYAN, is the Republican majority is in charge. Not Democrats. Republicans are in charge, for the sixth time in a row, raising the debt limit. For the sixth time in a row, irresponsibility.

So I look forward, Mr. RYAN, to our meeting after we leave the floor. I look forward to hitting the alarm clock in the morning, taking my kids to school, and coming to the Capitol. I look forward to our cup of coffee in the morning in the cafeteria downstairs talking about what is the game plan for today.

So thank you, sir, for your service to the country; and I want to thank Ms. WASSERMAN SCHULTZ in her absence, too.

Mr. RYAN of Ohio. Thank you.

Mr. MEEK of Florida. If you would give the Web site out.

Mr. RYAN of Ohio. The Web site is www.housedemocrats.gov/30something. We ask the Members to send us something if they have any comments about what we have been talking about.

Mr. MEEK of Florida. With that, Mr. Speaker, we thank the Democratic leader for allowing us to be here.

OMISSION FROM THE CONGRESSIONAL RECORD OF TUESDAY, FEBRUARY 14, 2006 AT PAGE H270

SENATE BILLS REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2166. An act to direct the Election Assistance Commission to make grants to States to restore and replace election administration supplies, materials, records, equipment, and technology which were damaged, destroyed, or dislocated as a result of Hurricane Katrina or Hurricane Rita; to the Committee on House Administration.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HINCHEY (at the request of Ms. PELOSI) for today and the balance of the week on account of illness.

Mr. OSBORNE (at the request of Mr. BOEHNER) for today and the balance of the week on account of official business in the district.

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. GENE GREEN of Texas) to revise and extend their remarks and include extraneous material:)

Mr. DEFAZIO, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. GENE GREEN of Texas, for 5 minutes, today.

Ms. DELAURO, for 5 minutes, today.

Mr. GEORGE MILLER of California, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Ms. SOLIS, for 5 minutes, today.

Ms. HERSETH, for 5 minutes, today.

Mr. RUSH, for 5 minutes, today.

Mr. STUPAK, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mr. BURGESS, for 5 minutes, today and February 16.

Mr. GINGREY, for 5 minutes, today.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1777. An act to provide relief for the victims of Hurricane Katrina; to the Committee on Transportation and Infrastructure, in addition to the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ADJOURNMENT

Mr. MEEK of Florida. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 20 minutes p.m.), the House adjourned until tomorrow, Thursday, February 16, 2006, 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:

6189. A letter from the Secretary, Department of Commerce, transmitting a report of a violation of the Antideficiency Act by the National Oceanic and Atmospheric Administration, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

6190. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral David L. Brewer III, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

6191. A letter from the Acting President and Chairman, Export-Import Bank of the United States, transmitting a report on transactions involving U.S. exports to the Kingdom of the Netherlands pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

6192. A letter from the Director, Child Nutrition Division, FNS, Department of Agriculture, transmitting the Department's final rule — Child and Adult Care Food Program: Age Limits for Children Receiving Meals in Emergency Shelters (RIN: 0584-AD56) received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6193. A letter from the Acting Director, OSRV, MSHA, Department of Labor, transmitting the Department's final rule — Training Standards for Shaft and Slope Construction Workers at Underground Mines and Surface Areas of Underground Mines (RIN: 1219-AB35) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6194. A letter from the Acting Director, OSRV, MSHA, Department of Labor, transmitting the Department's final rule — Low- and Medium-Voltage Diesel-Powered Electrical Generators (RIN: 1219-AA98) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6195. A letter from the Acting Director, OSHA Directorate of Standards and Guidance, Department of Labor, transmitting the Department's final rule — Roll-Over Protective Structures [Docket No. S-270-A] (RIN: 1218-AC15) received January 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6196. A letter from the Assistant Secretary, Employee Benefits Security Administration, Department of Labor, transmitting the Department's final rule — Annual Funding Notice for Multiemployer Defined Benefit Pension Plans (RIN: 1210-AB00) received January 11, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6197. A letter from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Valuation of Benefits; Mortality Assumptions (RIN: 1212-AA55) received January 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6198. A letter from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Disclosure to Participants; Benefits Payable in Terminated Single-Employer Plans — received January 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6199. A letter from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single Employer Plans; Interest Assumptions for Valuing and Paying Benefits — received January 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6200. A letter from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits — February 8, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6201. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting the annual report on Military Assistance, Military Exports, and Military Imports for Fiscal Year 2005, as required by Section 655 of the Foreign Assistance Act of 1961 (FAA), as enacted 10 February 1996, by Section 1324 of Pub. L. 104–106, and 21 July 1996, by Section 148 of Pub. L. 104–164; to the Committee on International Relations.

6202. A letter from the Associate Director, PP&I, OFAC, Department of the Treasury, transmitting the Department's final rule — Economic Sanctions Enforcement Procedures for Banking Institutions — January 11, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6203. A letter from the Associate Director, PP&I, OFAC, Department of the Treasury, transmitting the Department's final rule — Partial Withdrawal of Proposed Rule — January 11, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6204. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's final rule — Hague Convention on Intercountry Adoption; Inventory Adoption Act of 2000; Accreditation of Agencies; Approval of Persons (RIN: 1400-AA-88) received January 30, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

6205. A letter from the Acting Secretary to the Council, Council of the District of Columbia, transmitting a copy of Council Resolution 16-443 the, ''Transfer of Jurisdiction Over a Portion of U.S. Reservation 475, Fort Mahan Park Approval Resolution of 2006,'' pursuant to D.C. Code section 1–233(c)(1); to the Committee on Government Reform.

6206. A letter from the General Counsel, General Accounting Office, transmitting the FY 2005 report of the instances in which a federal agency did not fully implement a recommendation made by the GAO in connection with a bid protest decided the prior fiscal year, pursuant to 31 U.S.C. 3554(e)(2); to the Committee on Government Reform.

6207. A letter from the Chairman, Christopher Columbus Fellowship Foundation, transmitting pursuant to the Accountability of Tax Dollars Act, the Foundation's Form and Content Reports for the fourth quarter of FY 2005 and the first quarter of FY 2006 as preparedby the U.S. General Services Administration; to the Committee on Government Reform.

6208. A letter from the Deputy CHCO/Director, HCM, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6209. A letter from the General Counsel, Department of Health and Human Services, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6210. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6211. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6212. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6213. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6214. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6215. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6216. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6217. A letter from the Presidential Appointments Officer, Department of State, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6218. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6219. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6220. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6221. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6222. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6223. A letter from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting a report on the proposed fiscal year 2007 budget; to the Committee on Government Reform.

6224. A letter from the Director, Office of Personnel Management, transmitting the Office's Congressional Budget Justification and Performance Budget for FY 2007; to the Committee on Government Reform.

6225. A letter from the Secretary, Smithsonian Institution, transmitting in accordance with Section 647(b) of Division F of the Consolidated Appropriations Act, FY 2004, Pub. L. 108-199, the Institution's report on competitive sourcing efforts for FY 2005; to the Committee on Government Reform.

6226. 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.

6227. A letter from the Acting Assistant Secretary for Fish and Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Migratory Bird Hunting; Approval of Tungsten-Iron-Copper-Nickel, Iron-Tungsten-Nickel Alloy, Tungsten-Bronze (Additional Formulation), and Tungsten-Tin-Iron Shot Types as Nontoxic for Hunting Waterfowl and Coots; Availability of Environmental Assessments (RIN: 1018-AU04; RIN: 1018-AU09; RIN: 1018-AU13; RIN: 1018-AU28) received January 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6228. A letter from the Acting Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Iowa Regulatory Program [Docket No. IA-015-FOR] received January 26, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6229. A letter from the Acting Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Groundfish Fisheries of the Exclusive Economic Zone Off the Coast of Alaska; Recordkeeping and Reporting [Docket No. 050628170-5328-02; I.D. 062105B] (RIN: 0648-AR67) received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6230. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Cape Sarlchef Research Restriction Area Opening for the Groundfish Fisheries of the Bering Sea and Aleutian Islands Management Area [Docket No. 051017269-6002-02; I.D. 100705C] (RIN: 0648-AT54) received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6231. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Department's final rule — Fisheries of the Northeastern United States; Atlantic Herring Fishery; Total Allowable Catch Harvested for Management Area 1B [Docket No. 050112008-5102-02; I.D. 121205D] received January 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6232. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels 60 feet (18.3 Meters) Length Overall and Longer Using Hook-and-line Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 041126332-5039-02; I.D. 120705A] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6233. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Tilefish Fishery; Adjustment to the Fishing Year 2006 Tilefish Full-time Tier 1 Permit Category Commercial Quota [Docket No. 010319075-1217-02; I.D. 122905B] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6234. A letter from the Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries [I.D. 010406B] received January 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6235. A letter from the Director, Office of Sustainable Fisheries, 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; Northeast Multispecies Fishery; Quota Adjustment for the Closed Area 1 Hook Gear Haddock Special Access Program [Docket No. 050630174-5234-02; I.D. 121505A] received January 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6236. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Gulf of Mexico Essential Fish Habitat Amendment [Docket No. 050915240-5332-02; I.D. 090905A] (RIN: 0648-AS66) received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6237. A letter from the Deputy Assistant Administrtaor for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Gulf of Mexico Commercial Grouper Fishery Trip Limit [Docket No. 051114298-5338-02; I.D. 110105C] (RIN: 0648-AT12) received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6238. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States and in the Western Pacific; West Coast Salmon Fisheries; Inseason Action #10 — Adjustment of the Recreational Fishery from Leadbetter Point, Washington, to Cape Falcon, Oregon [Docket No. 050426117-5117-01; ID. 110905E] received January 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6239. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Groundfish in the Bering Sea and Aleutian Islands Management Area [Docket No. 041126332-5039-02; I.D. 122305A] received January 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

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. TOM DAVIS of Virginia: Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina. Final Report of the Select Bipartisan Committee to Investigate the Preparation for

and Response to Hurricane Katrina (Rept. 109–377). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. TANCREDO (for himself, Mr. PAYNE, Mr. JEFFERSON, Mr. BISHOP of Georgia, Mr. MCNULTY, Mr. HOLT, Mr. WOLF, and Mr. AL GREEN of Texas):

H.R. 4754. A bill to establish a student loan forgiveness program for members of the Sudanese Diaspora to enable them to return to southern Sudan and contribute to the reconstruction effort of southern Sudan; to the Committee on Education and the Workforce.

By Mrs. KELLY (for herself, Mr. COSTELLO, Mr. KING of New York, Mr. DAVIS of Kentucky, Mr. ENGLISH of Pennsylvania, Mr. WALSH, Mr. NEY, Mr. LOBIONDO, Mr. SWEENEY, Mr. SIMMONS, Mr. RENZI, Mr. MCHUGH, Mr. GERLACH, Mr. BOEHLERT, Mrs. EMERSON, Mr. DEFAZIO, Ms. BERKLEY, Mr. PASCRELL, Mr. SALAZAR, Mr. HOLDEN, Mr. ANDREWS, Mr. SCHIFF, Mr. BISHOP of New York, Mr. CONYERS, Mr. HONDA, Mr. PALLONE, Mr. PASTOR, Mr. MICHAUD, Mr. BOSWELL, Ms. BEAN, Mr. DAVIS of Illinois, and Mr. LARSEN of Washington):

H.R. 4755. A bill to amend title 49, United States Code, to modify the mediation and implementation requirements of section 40122 regarding changes in the Federal Aviation Administration personnel management system, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BUTTERFIELD (for himself, Mr. JONES of North Carolina, Mr. BISHOP of Georgia, and Mr. BERRY):

H.R. 4756. A bill to amend the Internal Revenue Code of 1986 to limit the agri-biodiesel credit to oils produced from plants and animals; to the Committee on Ways and Means.

By Mrs. JO ANN DAVIS of Virginia:

H.R. 4757. A bill to amend title XVIII of the Social Security Act to provide for a permanent hold harmless provision for sole community hospitals under the Medicare prospective payment system for covered outpatient department services; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DEAL of Georgia:

H.R. 4758. A bill to amend the Tennessee Valley Authority Act of 1933 to increase the membership of the Board of Directors and require that each State in the service area of the Tennessee Valley Authority be represented by at least 1 member; to the Committee on Transportation and Infrastructure.

By Mr. DOOLITTLE (for himself, Mr. HERGER, Mr. SAM JOHNSON of Texas, and Mr. MCKEON):

H.R. 4759. A bill to amend the Federal Election Campaign Act of 1971 to reform the financing of campaigns for election for Federal office; to the Committee on House Administration, 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. EMANUEL (for himself, Ms. SCHAKOWSKY, Mr. RUSH, Mr. GUTIERREZ, Mr. DAVIS of Illinois, and Mr. EVANS):

H.R. 4760. A bill to amend title XXI of the Social Security Act to make all uninsured children eligible for the State children's health insurance program, to encourage States to increase the number of children enrolled in the Medicaid and State children's health insurance programs by simplifying the enrollment and renewal procedures for those programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JINDAL (for himself, Mr. BAKER, Mr. BOUSTANY, and Mrs. DRAKE):

H.R. 4761. A bill to provide for exploration, development, and production activities for mineral resources on the outer Continental Shelf, and for other purposes; to the Committee on Resources.

By Ms. MILLENDER-MCDONALD:

H.R. 4762. A bill to secure the Federal voting rights of a person upon the unconditional release of that person from prison and the completion of sentence, including parole; to the Committee on the Judiciary.

By Mr. OBERSTAR:

H.R. 4763. A bill to provide a comprehensive Federal response to problems relating to methamphetamine abuse; to the Committee on the Judiciary, and in addition to the Committees on Energy and Commerce, Science, Education and the Workforce, 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. SIMMONS (for himself, Mr. ABERCROMBIE, Mr. SHAYS, Mr. WELDON of Pennsylvania, Mr. FARR, Mr. DELAHUNT, Mr. GRIJALVA, Mr. OLVER, Mr. PETERSON of Minnesota, and Mrs. JOHNSON of Connecticut):

H.R. 4764. A bill to amend section 1368 of title 18, United States Code, to include rescue dogs in its protection; to the Committee on the Judiciary.

By Mr. WEINER:

H.R. 4765. A bill to require the Secretary of Homeland Security to designate high threat helicopter flight areas and to provide special rules for screening of passengers and property to be transported on passenger helicopters operating to or from such areas and for helicopters flights in such areas, and for other purposes; to the Committee on Homeland Security, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. WILSON of New Mexico (for herself and Mr. RENZI):

H.R. 4766. A bill to amend the Native American Languages Act to provide for the support of Native American language survival schools, and for other purposes; to the Committee on Education and the Workforce.

By Ms. ROS-LEHTINEN (for herself, Mr. HYDE, Mr. LANTOS, Mr. ACKERMAN, Mr. MACK, Mrs. JO ANN DAVIS of Virginia, Ms. HARRIS, Mr. WILSON of South Carolina, Mr. PENCE, Mr. BURTON of Indiana, Mr. MCCAUL of Texas, Mr. ISSA, Mr. POE, Mr. CHABOT, Mr. SHERMAN, Mr. BERMAN, Ms. SCHAKOWSKY, Mr. TANCREDO, Mr. CROWLEY, Mr. FALEOMAVAEGA, Mr. SCHIFF, Mr. ENGEL, Mr. MCCOTTER, Mr. CARDOZA, Mr. KING of New York, Mr. MARIO DIAZ-BALART of Florida, and Mr. LINCOLN DIAZ-BALART of Florida):

H. Con. Res. 341. Concurrent resolution condemning the Government of Iran for violating its international nuclear nonproliferation obligations and expressing support for efforts to report Iran to the United Nations Security Council; to the Committee on International Relations.

By Mr. ANDREWS:

H. Con. Res. 342. Concurrent resolution expressing the sense of Congress relating to a free trade agreement between the United States and Taiwan; to the Committee on Ways and Means.

By Mr. BOEHLERT (for himself, Mr. HINCHEY, Mr. FOSSELLA, Mrs. MCCARTHY, Mr. WALSH, Mr. ENGEL, Mr. SWEENEY, Mr. NADLER, Mr. BISHOP of New York, Mr. MCHUGH, and Mr. MCNULTY):

H. Con. Res. 343. Concurrent resolution recognizing the 50th anniversary of the Commission on Independent Colleges and Universities; to the Committee on Education and the Workforce.

By Mr. PALLONE (for himself and Mr. CROWLEY):

H. Con. Res. 344. Concurrent resolution expressing the sense of Congress that the Government of the Republic of India and the State Government of Jammu and Kashmir should take immediate steps to remedy the situation of the Kashmiri Pandits and should act to ensure the physical, political, and economic security of this embattled community; to the Committee on International Relations.

By Mr. KIND (for himself, Mr. OXLEY, Ms. WOOLSEY, and Mr. LAHOOD):

H. Res. 680. A resolution recognizing Dr. I. King Jordan for his contributions to Gallaudet University and the deaf and hard of hearing community; to the Committee on Education and the Workforce.

By Mr. LIPINSKI (for himself and Mr. INGLIS of South Carolina):

H. Res. 681. A resolution supporting the goals and ideals of National Engineers Week, and for other purposes; to the Committee on Science.

By Mr. BLUMENAUER (for himself, Mr. WALDEN of Oregon, Mr. DEFAZIO, Ms. HOOLEY, Mr. WU, Mr. KENNEDY of Minnesota, Mr. LANTOS, Mr. SHADEGG, Mr. GEORGE MILLER of California, Mrs. MCCARTHY, Mr. HUNTER, and Mr. BAIRD):

H. Res. 682. A resolution congratulating the University of Portland Pilots women's soccer team for winning the 2005 National Collegiate Athletic Association Division I Women's Soccer Championship; to the Committee on Education and the Workforce.

By Mr. FOSSELLA (for himself and Mr. FORD):

H. Res. 683. A resolution honoring Benjamin Franklin on the 300th anniversary of his birth; to the Committee on Government Reform.

By Mr. GILLMOR (for himself and Mr. SHIMKUS):

H. Res. 684. A resolution supporting the goals of National Manufacturing Week, congratulating manufacturers and their employees for their contributions growth and innovation, and recognizing the challenges facing the manufacturing sector; to the Committee on Energy and Commerce.

By Mr. KUCINICH:

H. Res. 685. A resolution requesting the President and directing the Secretary of State and Secretary of Defense provide to

the House of Representatives certain documents in their possession relating to any entity with which the United States has contracted for public relations purposes concerning Iraq; to the Committee on Armed Services.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 69: Mrs. NORTHUP and Ms. FOXX.
H.R. 216: Ms. FOXX.
H.R. 219: Mr. PETRI.
H.R. 282: Mr. ETHERIDGE.
H.R. 303: Mr. DOYLE, Mr. LANTOS, and Mr. TAYLOR of North Carolina.
H.R. 356: Mr. FITZPATRICK of Pennsylvania.
H.R. 398: Ms. BALDWIN.
H.R. 450: Mr. HAYWORTH, Mr. HOLT, and Mr. HINOJOSA.
H.R. 503: Mr. FATTAH and Mr. KLINE.
H.R. 515: Mr. RAHALL and Ms. BALDWIN.
H.R. 550: Mr. WOLF.
H.R. 561: Mr. BROWN of Ohio.
H.R. 697: Mr. LANTOS.
H.R. 783: Mr. ROSS.
H.R. 839: Ms. BEAN and Mr. CLAY.
H.R. 874: Mrs. NORTHUP and Mr. HEFLEY.
H.R. 896: Mr. MCINTYRE, Mr. LEWIS of Kentucky, and Ms. GINNY BROWN-WAITE of Florida.
H.R. 930: Mr. KLINE.
H.R. 986: Mr. WELDON of Pennsylvania.
H.R. 1120: Mr. BOEHLERT.
H.R. 1124: Mrs. NAPOLITANO.
H.R. 1172: Mr. GUTIERREZ, Mr. WU, and Mr. ABERCROMBIE.
H.R. 1227: Mr. JOHNSON of Illinois.
H.R. 1249: Mrs. WILSON of New Mexico, Mr. ROTHMAN, Mr. EMANUEL, and Mr. LANTOS.
H.R. 1259: Mr. JONES of North Carolina and Mrs. BLACKBURN.
H.R. 1269: Mr. FRANK of Massachusetts.
H.R. 1290: Mr. EHLERS.
H.R. 1384: Mr. BISHOP of Georgia.
H.R. 1418: Mr. PRICE of North Carolina.
H.R. 1498: Mr. HIGGINS, Mr. AKIN, Ms. BALDWIN, Mr. COBLE, and Mr. RENZI.
H.R. 1642: Mr. GREEN of Wisconsin, Mr. FILNER, Mr. KELLER, Mr. FRANK of Massachusetts, Mr. GINGREY, Mr. POE, and Ms. BEAN.
H.R. 1749: Mr. SODREL.
H.R. 2052: Ms. NORTON.
H.R. 2076: Mr. FRANK of Massachusetts.
H.R. 2234: Mr. WELDON of Pennsylvania, Mr. LIPINSKI, and Mr. VAN HOLLEN.
H.R. 2331: Mr. NADLER.
H.R. 2348: Mr. WILSON of South Carolina.
H.R. 2533: Mr. MCINTYRE.
H.R. 2561: Mr. BARROW.
H.R. 2617: Mr. MEEHAN.
H.R. 2727: Mr. WYNN.
H.R. 2835: Mr. JEFFERSON.
H.R. 2861: Mr. MOORE of Kansas, Ms. SCHAKOWSKY, and Mr. ANDREWS.
H.R. 2960: Ms. ESHOO.
H.R. 3063: Mr. PLATTS and Mrs. MCCARTHY.
H.R. 3111: Mr. GOODLATTE.
H.R. 3127: Mr. GARRETT of New Jersey, Mr. SAXTON, Mr. SABO, Mr. REYNOLDS, Mr. BOOZMAN, Mr. FATTAH, Mr. BISHOP of New York, and Ms. HOOLEY.
H.R. 3145: Ms. BORDALLO, Mr. ABERCROMBIE, and Mr. BOSWELL.
H.R. 3183: Mr. TIAHRT.
H.R. 3255: Mr. AKIN.
H.R. 3284: Mr. ANDREWS.
H.R. 3334: Mr. ALLEN.
H.R. 3352: Mr. FORD.
H.R. 3442: Mr. OLVER.
H.R. 3476: Mr. MURTHA.
H.R. 3524: Mr. PASTOR and Mr. HASTINGS of Florida.
H.R. 3591: Mr. CHOCOLA.
H.R. 3656: Mr. ORTIZ.
H.R. 3659: Mr. ORTIZ.
H.R. 3854: Mr. SMITH of Washington.
H.R. 3858: Mr. ACKERMAN, Mr. GILCHREST, and Mr. STARK.
H.R. 3888: Mr. FORD.
H.R. 3940: Mr. BUTTERFIELD.
H.R. 3949: Mr. BISHOP of New York and Mrs. LOWEY.
H.R. 3962: Mr. GILLMOR.
H.R. 3997: Mr. NEY.
H.R. 4005: Mr. CLAY, Mr. KENNEDY of Rhode Island, and Mr. SHAW.
H.R. 4050: Mr. NUSSLE.
H.R. 4098: Mr. BONNER, Mr. MCCOTTER, and Mr. CUMMINGS.
H.R. 4106: Mr. CONYERS.
H.R. 4156: Mr. FRANK of Massachusetts.
H.R. 4166: Mr. MCGOVERN and Mr. KILDEE.
H.R. 4197: Mr. DOGGETT, Mr. PRICE of North Carolina, Ms. MCCOLLUM of Minnesota, Mr. LARSON of Connecticut, Mr. OLVER, and Ms. PELOSI.
H.R. 4222: Mr. STARK.
H.R. 4239: Mr. ENGLISH of Pennsylvania.
H.R. 4242: Mr. ENGLISH of Pennsylvania.
H.R. 4300: Ms. MCKINNEY, Mr. FORTENBERRY, and Mr. FITZPATRICK of Pennsylvania.
H.R. 4315: Mr. RYAN of Wisconsin, Mr. OBERSTAR, Mr. GORDON, Mr. BROWN of Ohio, and Mr. KIND.
H.R. 4332: Mrs. EMERSON.
H.R. 4341: Mr. SODREL, Mr. MILLER of Florida, Mr. GOODE, Mrs. CUBIN, Mr. BOOZMAN, Ms. HART, Mr. ENGLISH of Pennsylvania, and Mr. RAHALL.
H.R. 4361: Mrs. MALONEY, Mr. SOUDER, and Mr. CONYERS.
H.R. 4364: Mr. PENCE, Mr. ALEXANDER, Mr. RYUN of Kansas, Mr. NORWOOD, Mr. HENSARLING, MR. BISHOP of Georgia, Mr. LEWIS of Kentucky, and Mr. AKIN.
H.R. 4394: Mr. BROWN of Ohio and Mr. CONYERS.
H.R. 4411: Mr. INGLIS of South Carolina and Mr. PETRI.
H.R. 4450: Mr. KING of Iowa.
H.R. 4452: Mr. HASTINGS of Florida, Mr. KILDEE, Mr. LEWIS of Georgia, Ms. WASSERMAN SCHULTZ, and Mr. MCGOVERN.
H.R. 4491: Mr. CUMMINGS.
H.R. 4526: Mr. FEENEY, Mr. FLAKE, Mr. KING of Iowa, and Mr. INGLIS of South Carolina.
H.R. 4542: Mr. BARROW, Mr. GONZALEZ, Mr. POE, and Ms. SCHWARTZ of Pennsylvania.
H.R. 4547: Mr. ROGERS of Michigan, Mr. GRAVES, and Mr. MCCOTTER.
H.R. 4574: Ms. SOLIS, Ms. WATSON, Mr. GUTIERREZ, and Ms. PELOSI.
H.R. 4582: Mr. MARKEY.
H.R. 4621: Mr. WILSON of South Carolina, Mr. CARDOZA, Mr. PAUL, Mr. PLATTS, Mr. WELDON of Pennsylvania, and Mr. PETERSON of Minnesota.
H.R. 4623: Mr. FOLEY and Mr. MORAN of Virginia.
H.R. 4625: Ms. HARRIS.
H.R. 4669: Mr. MILLER of Florida and Mr. BARTLETT of Maryland.
H.R. 4670: Mr. MILLER of Florida and Mr. WOLF.
H.R. 4671: Mr. BARTLETT of Maryland, Mr. MILLER of Florida, and Mr. SMITH of New Jersey.
H.R. 4681: Mrs. NORTHUP, Mr. FERGUSON, Mr. WELDON of Pennsylvania, Mr. SESSIONS, Mr. MEEKS of New York, Ms. HARMAN, and Mr. WAXMAN.
H.R. 4696: Mr. KUHL of New York.
H.R. 4704: Mr. THOMPSON of Mississippi.
H.R. 4708: Mr. CONYERS, Mr. WEXLER, and Mr. WAXMAN.
H.R. 4710: Mr. CONYERS and Mr. BERMAN.
H.R. 4713: Mr. KUCINICH and Mrs. CUBIN.
H.R. 4714: Mr. PETERSON of Minnesota.
H.R. 4722: Mr. GENE GREEN of Texas.
H.R. 4727: Mr. MCDERMOTT.
H.R. 4729: Mr. GILLMOR.
H.R. 4736: Mr. MCGOVERN and Ms. LEE.
H.R. 4737: Mr. FARR, Mr. BERMAN, and Mrs. CAPPS.
H.R. 4741: Mr. BASS and Mr. ENGLISH of Pennsylvania.
H.J. Res. 39: Mr. HUNTER and Mr. JONES of North Carolina.
H.J. Res. 71: Mr. HAYWORTH, Mr. FOLEY, Mr. GREEN of Wisconsin, Mr. FITZPATRICK of Pennsylvania, and Mr. GOODE.
H.J. Res. 73: Mr. DEFAZIO and Mr. ALLEN.
H. Con. Res. 10: Mr. RAHALL.
H. Con. Res. 42: Mr. SHAYS.
H. Con. Res. 90: Mrs. DAVIS of California and Mr. NADLER.
H. Con. Res. 137: Mr. BROWN of South Carolina.
H. Con. Res. 179: Mr. PETRI.
H. Con. Res. 235: Ms. CARSON.
H. Con. Res. 278: Mr. SABO, Mr. KILDEE, and Mr. WEXLER.
H. Con. Res. 299: Ms. SCHWARTZ of Pennsylvania.
H. Con. Res. 301: Mr. SCHWARZ of Michigan.
H. Res. 116: Mr. GEORGE MILLER of California.
H. Res. 127: Mr. DOYLE and Mr. FARR.
H. Res. 295: Mr. FOSSELLA.
H. Res. 498: Mr. DAVIS of Illinois, Mr. CARDIN, and Mr. BOEHLERT.
H. Res. 556: Mr. GIBBONS.
H. Res. 561: Mr. WEXLER.
H. Res. 566: Mr. JEFFERSON, Mr. COSTELLO, Mr. GORDON, Ms. WOOLSEY, and Mr. ENGLISH of Pennsylvania.
H. RES. 589: MR. LATOURETTE, Mr. TIBERI, and Mr. BARRETT of South Carolina.
H. Res. 608: Mr. MEEKS of New York and Mr. AKIN.
H. Res. 641: Mr. CLAY, Mr. DEFAZIO, Ms. JACKSON-LEE of Texas, Ms. NORTON, Mrs. JONES of Ohio, Ms. WATERS, Mr. LEWIS of Georgia, and Mr. TOWNS.
H. Res. 662: Mr. SIMMONS, Mr. KENNEDY of Minnesota, Mr. FITZPATRICK of Pennsylvania, Mr. BOUSTANY, Mr. PLATTS, Mr. GERLACH, Mr. UPTON, Mrs. DRAKE, Mr. ROGERS of Alabama, and Mr. LEWIS of Kentucky.
H. Res. 672: Mr. WEXLER and Mr. PAYNE.
H. Res. 673: Mr. ROGERS of Michigan, Mr. MCCOTTER, and Mr. ISSA.

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PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN ENSIGN, a Senator from the State of Nevada.

PRAYER

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

Let us pray.

Great King above all Gods, Your anger is but for a moment and Your favor is for a lifetime. You satisfy those who are thirsty and fill the hungry with good things.

We thank You for this great land where we have freedom to worship You without limitations or censor. We praise You for the freedom we find in Your presence and for Your power to liberate us from debilitating habits and addictions. Today, bless our lawmakers in their work. Use them to eradicate the barriers that divide us. Make their diligent labors enable us to live in justice and peace.

Lord, whatever light may shine or shadow fall, help us all to meet life with steady eyes and to walk in wisdom until we reach our journey's end. We pray in Your loving Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN ENSIGN led the Pledge of Allegiance as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. STEVENS).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, February 15, 2006.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN ENSIGN, a Senator from the State of Nevada, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

Mr. ENSIGN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today we will have a 30-minute period of morning business which will be equally divided between the aisles. After that time we will begin debate on the motion to proceed to the USA PATRIOT Act. Last night there was an objection from the Democratic side to my unanimous consent request to begin consideration of that bill and, because of that objection from the other side of the aisle and expected filibuster, I was forced to file cloture on the motion to proceed. That motion is debatable, and I will alert my colleagues on the other side of the aisle that they will need to remain on the floor during this motion.

We only have a few days remaining before the Presidents Day recess, and we need to get to the substance of the underlying bill, the PATRIOT Act. Members have a right to filibuster proceeding to that measure, but I believe we will be able to invoke cloture by a wide margin, again, showing wide support for this important piece of legislation. I will announce the exact timing of the cloture vote when we have that locked in, but it could be as early as 1 o'clock in the morning when we could hold that vote. We will be in discussions with the Democratic leader in terms of the time of that vote and we will be able to announce that later today.

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

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

The legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will be a period for the transaction of morning business for up to 30 minutes, with the first half of the time under the control of the majority leader or his designee and the second half of the time under the control of the Democratic leader or his designee.

The Senator from Nevada is recognized.

ECONOMIC GROWTH

Mr. ENSIGN. Mr. President, my home State of Nevada is a State that is friendly to business. We pride ourselves on the opportunities that businesses have to thrive and grow in our State, while providing an excellent quality of life for employees and their families. As chairman of the Republican High Tech Task Force, I come into contact with many companies, all who hear my pitch for why they should expand into Nevada. But as good as businesses have it in Nevada, or if they move to Nevada, what we do here in Washington, DC will ultimately help make or break their success. And when businesses fail to thrive, so does our economy.

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

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Investors in a business in California may be sitting down today to determine whether their 2-year plan includes expanding to Nevada with, for instance, a manufacturing plant that will employ 200 people. They are excited about the possibilities, but there are too many blank spaces when it comes time to crunch the numbers. Weighing heavily in their calculations, they are concerned that the current dividends and capital gains tax rates will expire in 2008. Because of the uncertainty of those critical factors, they are leery about the prospects.

They will make that decision about expanding and reinvesting in their businesses today. Not next year and not the year after that. Today. But we have tied one hand behind their back. We are standing in the way of their growth and potential if we do not extend the dividends and capital gains tax rates. They need that assurance today so that they can expand, create jobs, and help our economy continue to grow.

The economic growth we have seen since lower tax rates were enacted in the Jobs and Growth Tax Relief Reconciliation Act of 2003 is exactly why we must extend the rates. Dividend distributions are up. Corporate investment in new property, plant, and equipment has surged. The economy has grown for 10 consecutive quarters.

These are impressive results, and they are not just about business succeeding. The impact is being felt by families, seniors, and low-income individuals. With more than 50 percent—50 percent—of American households owning stocks or mutual funds, the reach of dividends and capital gains rates is significant. Today, many senior citizens rely on dividends and capital gains to supplement their Social Security. And lower and middle-income families are benefiting as well.

Without this extension, our economy will take a hit, and so will working families across Nevada. Instead of closing doors on them, we need to create certainty in our Tax Code and opportunity for our economy. Although the tax rates don't expire until 2008, we don't have the luxury of waiting 2 years to extend this. By then, too many investors and businesses will have made their decisions not to grow, not to build, and not to hire. It will be too late.

We are part of a global economy that is constantly moving and changing. If we don't allow investment to fuel our competitiveness and innovation, we will pay the price, and so will future generations.

It is not just one business in California deciding whether to move to Nevada, and it is not just the 200 employees who could have found work there; it is about investors and companies across our Nation and it is about working families throughout this country, and it is about the future of our economy.

There aren't many factors that Congress controls when it comes to capital and business investment. This is one of them, and we must join together to ensure continued economic growth.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

THE ECONOMY

Mr. THOMAS. Mr. President, I come to the floor also to talk about where we are and, more importantly, where we need to go with respect to the economy that impacts all of us in various ways. It seems appropriate to emphasize some of the key points about the health of our economy, about what is doing very well, and about what we need to be working on now to ensure that this continues, and also to have 20/20 vision about where we want to be and what we need to do to get there.

I am disappointed about the slowness in our moving this year and a certain amount of obstructionism that seems to be going on in terms of moving forward. Nevertheless, we ought to keep in mind that over the last year, we have been able to accomplish a great deal and the challenge is there to move forward.

We have been able to keep the taxes relatively low, which, obviously, is a key factor in our economy, and we need to make sure it continues that way. We have certainly been able to do what is necessary to work toward having a strong health care program in this country, and that is a great challenge for us. We did do something last year with pharmaceuticals, making them available, and even though the process was a little difficult, now we are seeing great increases in the number of people who are able to obtain pharmaceutical drugs at a more reasonable rate.

We have assured that there will be more opportunities for job training and training in technologies so that we will have more research and will be able to continue to lead the world in terms of our economy.

I think one of the more important things we did last year was to pass an energy bill that gives us some direction in terms of one of the most important elements of our economy. There were other accomplishments as well last year. We passed legislation to end frivolous lawsuits, which has had a great impact on many aspects of our economy. We put some judges in place with a fair process.

We need to be reminded sometimes of how well our economy is doing in terms of real growth. The GDP growth experienced in 2005 was at a rate of 3.5 percent for the year as a whole, while inflation remained at 2 percent. So that is very good. Those are very good numbers, and it is better than what we have experienced over a number of years, and certainly it is exactly what we want to do.

Real disposable income rose at 4 percent in December. We are up 1.4 percent for the year 2005. The aftertax income per person has risen almost 8 percent. Real household net worth is at an all-time high. This is good, and we need to make sure we understand that.

Retail sales have risen, again, 7 percent in December and 6.4 percent for the whole year. So that is very good.

Employment growth remains high. Employers created 2 million new jobs in 2005, resulting in a less than 5-percent unemployment rate at the end of the year.

Since 2003, when the tax cut went into effect, there have been almost 5 million new jobs created. That is a good sign, and we ought to understand it is the impact of that tax cut. Job growth is often affected and impacted, as is the total economy, by what we do with taxes. We have a great deal of controversy about it, of course. When we have the unusual expenses of the war on terrorism and of Katrina, it makes it difficult as we look at our budget. But the fact is the discretionary part of the budget has been held down. We need to get the job completed in Iraq, complete our work there and reduce that spending and bring our troops home. All of us want to do that.

The point I want to make is we have had a very favorable impact from what has been done over the last couple of years, and the thing we are seeking to do right now is continue those tax reductions that will strengthen the economy and continue to help. As I said, employment remains high. That is good. Job creation is what we want to do. We have to deal with immigration, of course. Even though we do need immigrants and workers here, we need to be legal. But we have this job creation thing that we need to continue to work on.

One of the real challenges we have before us is to deal some more with energy. As I said, last year we passed energy policies that I think were excellent. Now, of course, we have to implement those policies. We dealt last year with the question of alternative fuels in the future, whether we will be able to use wind energy, be able to use bioenergy, be able to use ethanol, all of these kinds of things. Those are future activities, and we will be able to do that. That challenge is to have the technology and the funding for the research to be able to move into those fields. That is something we can do and indeed we must do.

Coupled with that is another challenge. Those changes are going to be over a relatively long time, at least several years, where we are faced immediately with shortages and dependence on world production and with costs. We are working on a budget that will provide funding for doing research in the short term.

There are opportunities, for instance, in Wyoming and many of the energy production States where we have new sources of fairly immediate energy. We can do some things with coal, for example, our largest fossil fuel. We can make some conversions from coal into

gas; we can make conversion into hydrogen and do those things in a fairly short term. Of course, gas is more flexible than coal, so if we can do something there, that would be good. We have an opportunity to go into shale oil which is a different source than we have used in the past. It takes research to get there. We need to be doing that.

Coupled with that, of course, to keep our economy going and make sure we deal with the energy issue is conservation and efficiency. There is a great challenge there, to use less energy in our economy and be more conservative in our use—whether it is automobiles or buildings. Clearly, we can do more in that area than we have done. That is a challenge we have before us. That will have a great impact on the economy.

Home sales are at a record level. More people than ever own their homes, and that is a great thing. We need to ensure that continues to happen and we have the tax incentives and other regulations in order to do that.

When we put in place some of the tax reductions that helped the economy, another impact of it has been an increase in revenues. Tax cuts not only leave more money in the pockets of Americans but have also resulted in fairly dramatic increases in receipts to the Treasury. Tax collections from nonsalaried income were up 32 percent as a result of tax reductions on capital gains and these sorts of things. They cause more investment and more activities, which are then taxed and bring money in. Capital gains collections brought in almost $80 billion, up from almost $50 billion from 2002.

The broad point is we are able to do some things that strengthen the economy, that allow people to create more jobs and invest more in the economy by reducing taxes and, at the same time, because of the economic growth, increase revenue.

All these results point to continuing to pursue that. Actually, in January we ran up one of the highest surpluses in the last 4 years—$21 billion. That is a great thing. Now we have to take a little longer look at spending on the other side so we can balance these things out.

Health care is another concern. We need to take some long looks at that. We need to provide the opportunity for health care for everyone. Accessibility becomes difficult because of the costs. I am from a rural area. Rural health care is one of the issues we have. We have done some things there.

Overall, we have seen some real growth in the economy and some good things happening. We have an opportunity to continue to do that. I hope we will get moving with the things that are here and continue to do the things that help this economy and do good for the American people.

The PRESIDING OFFICER (Mr. COBURN). The Senator from the great State of Oregon.

Mr. WYDEN. I ask unanimous consent to speak for up to 20 minutes as in morning business.

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

THE ALTERNATIVE MINIMUM TAX

Mr. WYDEN. Mr. President, millions of Americans are now going through a paperwork nightmare, trying to complete their taxes. They are trying to find their 1099s and their W–2s and their schedule this and schedule that. They shout across the room: Honey, can you find the copy of the receipt for that copier we bought back in March?

What I am going to do between now and April 15 is highlight some of the ways this Tax Code gratuitously complicates the lives of all our citizens—middle-income folks, low-income folks, and the affluent. I am going to be pointing out specific provisions in the Tax Code and try to describe how it does not have to be this way. We do not have to have a ''deadwood'' tax bureaucracy, where we now have had more than 14,000 changes. That comes to something akin to three for every working day in the last 20 years.

Our citizens are going to spend more this year complying with the Tax Code than this country spends on higher education. We are going to spend $140 billion complying with the needless kind of bureaucracy that I am going to describe this morning. It is my intent between now and April 15 to discuss this. I am going to start today with the alternative minimum tax, which is true water torture for middle-class folks who basically have to figure out two taxes, their taxes and the alternative minimum tax. There is a whole set of complicated procedures here. After I complete this week's presentation on the alternative minimum tax, it is my intention to go next to the earned income tax, which is also mindlessly complicated.

Then I intend to focus on a number of the provisions for those who are very affluent that strike me, again, as defying common sense in how they are written.

Today, I want to begin by focusing on the alternative minimum tax. It is, of course, a crushing tax for millions of middle-income people, folks who definitely do not consider themselves fat cats. Across this country, 3.6 million taxpayers were impacted by the alternative minimum tax this year. The number is expected to rise to over 19 million by 2006 unless the Congress acts this year.

The form that you use for the alternative minimum tax is form 6251. The first line sums up what all of this has come to. The first line says:

> If filing Schedule A (form 1040), line 41 (minus any amount on form 8914, line 2) and go to line 2. Otherwise enter the amount from form 1040, line 38 (minus any amount on form 8914, line 2) and go to line 7. (If less than zero, enter as a negative amount.)

I think it is pretty obvious that what I have read is, for all practical purposes, incomprehensible. You would have to have a Ph.D. in economics. What it means is that in order to fill out form 6251 for your minimum tax you have to fill out not just form 1040 but also form 8914. How much time is that going to add to tax preparation? What about trying to understand form 8914, for those who may have to fill it out?

Are people in this country going to have to become CPAs to fill out this tax requirement that affects millions of middle-class people? I bring this up because it does not have to be this way.

I would like to now post the alternative that I have developed in my Fair Flat Tax Act, S. 1927. On line 1, instead of all the mumbo jumbo I read—it is real simple—all you have to state is whether you are single, married, head of a household, qualifying widower.

I filled out my one-page 1040 form that my legislation mandates in about a half hour. That alone is a bit of a revolution in the Senate Finance Committee, or the tax-writing committee in the other body, because it has been a long time since anybody who wrote tax laws could fill out their own returns. I bring this up only by way of saying let's make sure people understand how much deadwood and legal mumbo jumbo and needless complication there is in the Tax Code. That is why I have started today with the burdensome requirements of the alternative minimum tax. But I am going to go on, in the weeks ahead, to a number of other kinds of provisions.

As a result of what I read on the alternative minimum tax, lots of folks simply turn to tax preparers. This year we will spend $140 billion on tax preparation. That is more than the Government spends on higher education. It is pretty obvious why. There were 14,000 changes in the Tax Code since the last major overhaul, three significant changes for every working day in the last 20 years.

What I do in my fair flat tax legislation is simply say to the distinguished Presiding Officer of the Senate, the distinguished Senator from Oklahoma: You take your income from all your sources, you subtract your deductions, you add your credits, add it all up, send it to the IRS, and say: Have a nice day, I am done.

One page, 1040 form—somebody called me about it yesterday and we discussed how long it took me to do it. I mentioned I could do mine in half an hour. They said: Ron, it only took me 15 minutes.

That is what this is all about. I am not sure the Congress understands how this body has permitted this mindless bureaucracy, a bureaucracy that only can be described as deadwood, a bureaucracy that has lost all kind of connection with what the middle class in this country is all about. And I want to change it.

I believe we ought to start tax reform by simplifying the Code. Then let us

change the tax system so that all Americans have the opportunity to climb the ladder of success. One way you do that is to change a set of rates that now have the second richest person in America, Warren Buffett, paying a lower tax rate than his receptionist. The Tax Code discriminates against work.

I am not interested in soaking anybody. I believe in markets, and I believe in creating wealth, but as we saw today where we have very low rates in savings for the middle class, it is because they cannot keep up. Their wages aren't even keeping up with inflation. Their concerns are about those matters where the second word is ''bill''—the tax bill, the medical bill, the gas bill, the heating bill, and the education bill.

We say with my legislation that we are going to end the discrimination against work. We will protect 90 percent of all interest income earned by our citizens—their house, the capital gains they may be able to enjoy if they sell it, their savings accounts, their life insurance. I want us to build a new savings ethic. I do that in this legislation as well. But for the life of me, I can't figure out why we can't get both political parties to get moving on this issue.

The President has an advisory commission. They asked me what I thought about it. I said: Look, I have a one-page 1040 form which will simplify this code for everybody. The President's commission report is a bit longer, but for purposes of Government work, they are pretty close together.

So why not start with simplification? Why not start with the rates I have proposed which I would like to bring to the attention of the Senate? The first bracket of rates in my legislation is 15 percent, the second bracket is 25 percent, and the third bracket is 35 percent. That is what Ronald Reagan proposed. Those are the exact brackets Ronald Reagan proposed in 1986.

Now, much has changed. I would be the first to acknowledge that. Certainly the AMT hits much harder than anything that was anticipated in the 1980s. But I am interested in being flexible with respect to the rates.

If the Senate, after bipartisan deliberation on a fair flat tax, wanted to have 13, 23, and 33, that would be fine with me. The principle is we ought to say marginal rates are important; they send a very significant message with respect to growth. But let us treat all income the same. Let us particularly get rid of some of this mindless kind of bureaucracy.

We are having a hearing today on the tax gap, the money that is not collected that ought to be paid. We all realize that is a good opportunity to generate revenue to help the middle class. If we pick up some of that money, we will drive the rates down for everybody in this country even more than I am proposing.

People ask me what I stand for. I stand for the proposition that every American ought to have the opportunity to climb the ladder of success. And let us start by changing the Tax Code, where the second wealthiest person in the United States, Warren Buffett, pays a lower tax rate than his receptionist. How is the receptionist going to be in a position to be in the middle class if we don't treat them fairly?

I also think it is worth noting that when you graduate from a college in Oklahoma or in Illinois, when you go out into the marketplace and in the first job with your new college degree, after all that hard work, you are going to pay a higher tax rate than Warren Buffett, the second wealthiest person in this country.

We need incentives for investment.

I protect 90 percent of the interest income earned by people who are saving and showing the kind of financial discipline which is necessary to get ahead.

But we can have a Tax Code that is simpler, flatter, and fairer.

I wrap up by saying to both Democrats and Republicans, I believe this is really what you are all about.

For Democrats, what could be more important than a message about giving the middle class a fair shake, the opportunity to climb the ladder of success and get out from under some of this bureaucracy?

Our friend from Illinois is here, Senator DURBIN. His colleague from the House, Congressman EMANUEL, has tax clinics in Chicago for families who can't fill out the earned income tax credit because it is too complicated. I have outlined how absurd the requirements are for the alternative minimum tax and why it is difficult for folks to comply. But this is something which affects everybody—poor folks with the earned income tax credit and the middle-class folks with the alternative minimum tax.

As far as I can tell, many of the affluent in this country are saying to themselves: What really counts is finding a better accountant to get me more tax dodges because that is the way you get ahead in this country, not by innovating but by finding an accountant to get you more tax dodges.

It doesn't have to be this way. The Code doesn't have to be as complicated as it is. The Code doesn't have to discriminate against people who work for a living. The late President Reagan accepted that principle in the 1986 tax reform.

We can do this. Certainly the administration, after talking about how they were interested in tax reform and forming a commission, is going to ask me and, I believe, other Members of Congress: Where are the deadlines?

This is an opportunity for the administration to have a big second-term initiative. Ronald Reagan did this in the middle of his second term because he reached out to Senators such as Bill Bradley and the chairman of the Ways and Means Committee in the other body, Congressman Rostenkowski.

It is time to cleanse this Code. It has been 20 years since real reform, 14,000 changes, spending more on preparation than the Government spends on higher education. That is a disgrace. It is not right to working people. It is not right to all taxpayers, regardless of their income.

It is my intention to come back to this Chamber again and again—but particularly between now and April 15—as I have done today with the alternative minimum tax.

I would like to pose once more the language for folks who are middle income and trying to comply with the alternative minimum tax. If anybody who is not a CPA can figure out the first line of the AMT, I urge them to call me. My guess is they can't. They will have to call their accountant to sort it out.

I also wish to point out for people trying to get help this morning that the IRS has an 800-number. We will post it on our Web site: 1–800–829–1040.

As I wrap up this presentation, let me contrast this, which is the dead wood in the tax bureaucracy today, with the legislation I have filed, the Fair Flat Tax Act, which replaces the legal mumbo-jumbo I have shown you with our section 1—just a handful of lines—describing whether you are single, married, head of household, or a widower.

I know colleagues are waiting to speak.

Mr. DURBIN. Mr. President, will the Senator yield for a question?

Mr. WYDEN. Certainly.

Mr. DURBIN. I would like to ask the Senator from Oregon through the Chair—first, I would like to tell him that about 10 or 15 years ago, in my hometown, my accountant in Springfield, IL, passed away, a man who had done the tax returns for my wife and me. After years of being a lawyer, I thought to myself: I can do this. I will fill out my own income tax return.

I went back home Sunday afternoon and sat down to fill out what is a pretty simple income tax return for a Member of Congress. It took me 3 or 4 hours, and then I had to come back to it the next day, and I filed it. I then found out I had made several glaring errors. This was before TurboTax, H&R Block's Web site, and all the rest of these things. But I thought: Let me do it myself. I tell the Senator from Oregon that I have an abiding respect for what he just said after that humbling experience.

I would like to ask the Senator whether he thinks we would have more impetus for simplifying tax returns if Members of Congress had to file their own tax returns, prepare their own tax returns, and then submit to the American people the fruits of their labor as to whether they made mistakes?

Mr. WYDEN. Mr. President, I thank the distinguished Senator from Illinois, who as usual is being a bit too logical. The fact is, if Members of the Congress had to go through this—because we

will have a lot who are paying the AMT, many who have investments of a variety of sorts—I believe that alone could trigger a bit of a revolution around here. I think the challenge is for people to see just the kind of tax hole we have dug ourselves into over the last 20 years—14,000 changes, needless complications.

I really do not see how a middle-class person can get ahead with a Tax Code that discriminates against work. The Senator from Illinois has been a champ for the middle-class kind of family.

Here is the way it works. If a cop in Chicago gets a $500 pay raise, that cop pays 25 percent of his or her pay raise to the Federal Government in income taxes, and then they pay Social Security payroll taxes on top of that. If somebody in downtown Chicago makes all their money from capital gains and investment, they pay 15 percent on their capital gains and no Social Security payroll tax.

Again, I have tried to emphasize that I am not for soaking anybody. I believe in markets, and I believe in creating wealth, as I believe Senators of both political parties do. But as the Senator from Illinois has pointed out, if Senators were really forced to deal with these kinds of situations themselves, starting with the Tax Code complications, when they fill it out on their own, that could start a revolution around here.

I believe this is a bipartisan opportunity that comes along rarely.

I will wrap up with one last point.

I believe the Social Security reform showed a lot about what our citizens think about a vital American program. A lot of Americans love Social Security dearly, and there are a lot of rallies outside the offices of Members of Congress, with folks carrying signs saying, ''I love Social Security.'' I tell colleagues that there will be no rally outside your office with people carrying signs saying, ''We Love the IRS Code.'' This is something which could be reformed, could be changed on a bipartisan basis.

Mr. DURBIN. Mr. President, if the Senator will yield for one question which I think gets to the concern people have about tax reform, it seems like a zero-sum game in this respect: If you end up lowering the taxes paid by someone in order to keep the same return to Government in revenue, you have to raise the taxes for others.

So I ask the Senator to step back from his proposal for a minute. Who are the winners and losers?

Mr. WYDEN. The Senator asks a good question. First, a quick word on my proposal, which is available from the Congressional Research Service and Jane Gravell, the top economist who is there to discuss it with Senators. It would actually reduce the deficit by about $100 billion over 5 years, making downpayments in terms of deficit reduction.

But here is what the distribution profile looks like in terms of our legislation. We believe that upwards of 70 percent of the people in this country would get a solid tax cut. These are middle-class folks making $60,000, $70,000, $80,000, and $90,000. Essentially, what the Congressional Research Service has shown is that millions of middle-class people would get relief. It is upwards of 70 percent. We have calculated that about 15 percent of the people in this country would be treated about the same.

For example—and it is matter of public record, and I can discuss it—I have a Senate wage of about $160,000, and I have a bit of investment income. I come out about the same under my proposal as under the status quo. We have to make 6 or 7 percent of the people in this country who make virtually all their income from capital gains and dividends—not from wages—pay a bit more.

So that is what the distributional effect of one actual proposal looked like. That was again very similar to what happened in 1986 when Ronald Reagan, after having started his Presidency with a set of tax changes—and my colleague will remember they were largely for investment—did an about-face and passed a reform proposal that gave real relief to middle-class people.

I want to close by thanking the Senator from Illinois, who I know has a great interest in this subject and has been a strong champion of the middle class.

The PRESIDING OFFICER. The Senator's time has expired.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. FEINGOLD. Mr. President, it is my understanding the Senator from New Hampshire is going to make some remarks and I ask unanimous consent that I be recognized after he has completed his remarks.

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

USA PATRIOT ACT ADDITIONAL REAUTHORIZING AMENDMENTS ACT OF 2006—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 2271, which the clerk will report.

The assistant legislative clerk read as follows:

Motion to proceed to consider S. 2271, a bill to clarify that individuals who receive FISA orders can challenge nondisclosure requirements, that individuals who receive national security letters are not required to disclose the name of their attorney, that libraries are not wire or electronic communication service providers unless they provide specific services, and for other purposes.

The PRESIDING OFFICER. Who seeks time?

The Senator from New Hampshire.

Mr. SUNUNU. Mr. President, I rise today to speak in support of the motion to proceed and in support of the underlying legislation itself. This bill was introduced to make changes, changes to the PATRIOT Act conference report that was delayed at the end of last year, just as we were ready to adjourn for the holidays.

That conference report had some flaws and weaknesses. I began focusing on and working on reauthorization of the PATRIOT Act well over a year and a half ago, recognizing that we could do more to improve the original Act, we could make this bill more balanced by adding better protections for civil liberties even as we reauthorized the law enforcement tools in the PATRIOT Act to give law enforcement power to conduct terrorism investigations.

I don't think there is anyone in this Chamber who believes we should not provide law enforcement with tools necessary to deal with the threat of terrorism, both domestically and overseas. But whenever we give law enforcement new tools, new powers, we want to make sure they are balanced, balanced by the ability of individuals who think they have been singled out unfairly to raise objections in court, balanced by the ability of individuals to seek legal advice, balanced by restricting the use of these tools to ensure they are only used in appropriate circumstances. That is what protecting civil liberties is all about.

As the process of reauthorizing the PATRIOT Act began well over a year and a half ago, a bipartisan group of Senators, including myself, joined to highlight a number of areas where we felt the legislation could and should be improved and strengthened to provide the kinds of protections I mentioned.

We spoke with Justice Department officials, not a month or 2 months before this process began, but, as I've said, over a year and a half ago, raising our concerns in a clear, articulate fashion, trying to make certain that DOJ knew full well that there was a bipartisan group that would push to make changes to improve the PATRIOT Act and that we would be willing to stand up for those changes and stand up on principle.

Unfortunately, the people who should have been engaged in this discussion process early on simply were not and much of the work was left to the very end of the process, and continued after the law was originally set to expire at the end of last year. As a result, changes that should have been made early were not, and we found ourselves

with reauthorization legislation that could not win enough bipartisan votes to gain passage at the end of December.

What I wish to do today is to talk about the changes that were made to the PATRIOT Act earlier in the reauthorization process that better safeguard civil liberties, and the changes that are in this underlying legislation that I think will allow us to move forward with some confidence that we have made additional improvements since the cloture vote in December.

In the conference report that was delayed, I certainly agree that there were many significant improvements made to the original PATRIOT Act. For example, improvements were made to add clarity to a roving wiretap order to require more specificity as to the target or location of the surveillance to be conducted. Improvement was made to add clarity to delayed notification search warrants, which are search warrants that are conducted without immediately telling the targets of the search.

I think delayed notice search warrants are appropriate tools for law enforcement, but at a certain point law enforcement either needs to inform the target of the search or get agreement from a judge to further delay the notification. In the delayed conference report we added clarity. We added a requirement that a target must be notified of a search within 30 days unless a judge agrees to continue delaying the notification.

We were successful when we took a stand at the end of last year in moving the sunset period in the draft conference report from a 7-year sunset on the most controversial provisions of the PATRIOT Act to a 4-year sunset period, so that 215 subpoena power, a very significant subpoena power for law enforcement to access the most sensitive of records, the lone wolf provisions and the roving wiretap provisions I mentioned, would have to be reviewed four years from now.

All of these were improvements to the PATRIOT Act. But a number of us still had many concerns, concerns in three particular areas.

First, our most significant concern was and is the breadth of the standard for obtaining a 215 subpoena. We felt—and we still feel—it is unnecessarily broad. It could result in the gathering of information that is not only extraneous, but pertains to innocent Americans. We think that standard should be more narrow so that there be shown that an individual who is a target of this subpoena be connected to a suspected terrorist or suspected spy. The current standard of mere relevance to a terrorist investigations is unnecessarily broad.

Second, we feel there should be a clear judicial review, a review before a judge, of the gag order associated with the 215 subpoena. If you are the recipient of one of these subpoenas, that subpoena comes with a restriction on your ability to tell anyone about the subpoena. But you ought to be able to challenge that gag order before a judge.

Third, we feel the provision in the conference report that required the recipient of a national security letter to disclose the name of their attorney to the FBI was punitive and might have the result of discouraging an individual from seeking legal advice. Over the last 6 weeks, I have worked with a number of my colleagues, Democrats and Republicans, on changes to the PATRIOT Act, negotiating with the Justice Department, making Members of the House aware of what we were pursuing, working with Chairman ARLEN SPECTER, who has been very helpful throughout this whole process. Senator LEAHY, Senator DURBIN, Senator FEINGOLD have all been part of these discussions and I have worked to share with them the concepts we were working on, the language we were working on in the areas where there were still differences, differences between those who wanted to pass the conference report as it was and those of us who felt we could strike a better balance.

In the end, we have worked out an agreement on language that has received bipartisan support and makes changes to the conference report in three areas.

First, we add a clear, explicit judicial review process for the 215 subpoena gag order. It is a judicial review process that is very similar to the judicial review process for the National Security Letter gag order set forth in the conference report. I think it is important that we stand for the principle that a restriction on free speech such as a gag order can be objected to in a court of law before a judge. You can at least have your case heard. That does not mean you will win, necessarily, but you can at least have your case heard.

Second, we were able to get language striking the requirement that the recipient of a National Security Letter disclose the name of their attorney to the FBI. Again this is a punitive provision, and it could have the unintended effect of discouraging people from seeking legal advice.

Third, we added clarification to National Security Letters as they pertain to libraries. Our agreement adds a provision that makes very clear that libraries operating in their traditional role, including the lending of books, including making books available in digital form, including providing basic Internet access, are not subject to National Security Letters.

These are three areas that were highlighted as being of concern at the end of last year. I did—and I think the others would agree—we all did everything possible to stay focused on these areas of concern. We made improvements in each of these three areas. I think we ought to be able to move forward now with the reauthorization, knowing full well that in an effort such as this, no party ever gets everything they want. But having shown that there is a bipartisan group of Members of the Senate and I believe Members of the House as well who will look carefully at these measures, who will push hard for improvements, I think the oversight of the PATRIOT Act will be improved. I know that the reporting to Congress as to how this act is used will be improved. Requirements to report on the use of 215 subpoenas and the minimization procedures used to get rid of data and information on innocent Americans collected through 215 subpoenas and National Security Letters are improvements.

So I feel confident we have legislation that is a vast improvement over current law in terms of protecting civil liberties. We have oversight that is improved and, frankly, we have a strong coalition within Congress that is committed to doing an effective job in making sure these important law enforcement tools are used effectively but also used fairly.

I know not all my colleagues will support this final package. I know in particular Senator FEINGOLD, who has worked extremely hard on this issue, is not able to support this final package. He will speak more eloquently than I can as to the concerns that remain, but among his concerns is the breadth of the 215 standard and the feeling that we ought to be able to agree on and work toward a standard that will prevent fishing expeditions, that will better protect civil liberties but still enable law enforcement to do their job. I share that concern and that goal, but I at the same time recognize we have an obligation to take the many gains we received throughout the reauthorization process and reauthorize this legislation so we can move forward, focus on our outstanding concerns, and focus on the agenda that still sits before Congress.

I thank the President for the time and the opportunity to lay out the improvements that are in the package before us. I look forward to the debate and the discussion, but I do hope we can, in a deliberate fashion, complete work on this legislation that now has gained bipartisan support, has gained additional votes from Republicans, including Senator CRAIG, Senator HAGEL, Senator MURKOWSKI, who have raised concerns, Senator DURBIN, Senator FEINSTEIN, and others on the Democratic side who have stood with us too since the end of last year in the hopes of improving the balance of the conference report. I think we do the country a service by enacting this legislation now with a commitment to continue to try to improve it wherever we can.

I thank the Chair.

The PRESIDING OFFICER. The Senator from Wisconsin.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

Mr. FEINGOLD. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Senator cannot reserve the right to object. Is there objection?

Mr. SUNUNU. I ask consent that the Senator be allowed to make his point.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, I object to raising the quorum call.

The PRESIDING OFFICER. Without objection, the quorum call is terminated, and the Senator from Wisconsin is recognized.

Mr. FEINGOLD. Mr. President, I ask unanimous—I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. FEINGOLD. Mr. President, I ask unanimous consent that I be recognized to speak at 11 a.m. on the motion to proceed.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. FEINGOLD. Mr. President, it will come as no surprise that I would like to talk about the PATRIOT Act today, and certainly I listened to the remarks of the Senator from New Hampshire and have greatly enjoyed the experience of working with him on this issue for the last couple of years.

I, of course, come to a very different conclusion about the matters before us. I strongly oppose proceeding to the consideration of S. 2271, which is legislation introduced by some of my friends and colleagues to implement the deal on the PATRIOT Act that was struck by the White House last week.

Some may argue that there is no harm in passing a bill that could charitably be described as trivial. But protecting the rights of law-abiding Americans is not trivial, and passage of S. 2271 is the first step toward passage of the flawed PATRIOT Act conference report.

I will oppose both measures, and I am prepared to discuss at length my reasons for doing so. I do greatly respect the Senators who negotiated this deal, but I am gravely disappointed in the outcome. The White House would agree to only a few very minor changes to the same PATRIOT Act conference report that could not get through the Senate just back in this past December. These changes do not address the major problems with the PATRIOT Act that the bipartisan coalition has been trying to fix for the past several years.

In fact, the Senator from New Hampshire described the issues that brought us together, the points that brought us together. This agreement doesn't relate, in any significant way, to the provisions that we were concerned about that brought us together in a bipartisan way.

What came out of this agreement is, quite frankly, a figleaf to allow those who were fighting hard to improve the act to step down, claim victory, and move on. What a hollow victory that would be and what a complete reversal of the strong, bipartisan consensus that we saw in this body a couple months ago.

What we are seeing, I regret to say, is quite simply a capitulation on the intransigent and misleading rhetoric of the White House that sees any effort to protect civil liberties as a sign of weakness. Protecting American values is not weakness. Standing on principle is not weakness. Committing to fight terrorism aggressively without compromising the rights and freedoms this country was founded upon is not weakness either.

We have come too far and fought too hard to agree to reauthorize the PATRIOT Act without fixing any of the major problems with the act. A few insignificant face-saving changes don't cut it. So I cannot support this deal. I strongly oppose proceeding to legislation that would implement it.

I understand the pressure my colleagues have been under on this issue, and I again want to say I appreciate all the hard work they have done on the PATRIOT Act. It has been very gratifying to work on a bipartisan basis on this issue. It is unfortunate the White House is so obviously trying to make this into a partisan issue because it sees some political advantage in doing so. But whether the White House likes it, this will continue to be an issue where both Democrats and Republicans have concerns, and we will continue to work together for changes in the law. I am sure of that. But I will also continue to strongly oppose any reauthorization of the PATRIOT Act that doesn't protect the rights and freedoms of law-abiding Americans who have absolutely no connection whatsoever to terrorism.

This deal does not meet that standard. Frankly, Mr. President, it doesn't even come close. I urge my colleagues to oppose it and I, therefore, ask that they oppose even proceeding to this legislation.

I wanted to take some time to lay out the background and context for this ongoing debate over the PATRIOT Act, a debate that will not end with the reauthorization of the 16 provisions that are now set to expire March 10. And I want to discuss my concerns about this reauthorization deal with some specificity.

Mr. President, because I was the only Senator to vote against the PATRIOT Act in 2001, I want to be very clear from the start. I am not opposed to reauthorization of the PATRIOT Act. I supported the bipartisan compromise, the reauthorization bill the Senate passed last July without a single Senator objecting. I believe that bill should become law.

The Senate reauthorization bill is not a perfect bill, but it is actually a good bill. If that were the bill we considered back in December or the bill we were considering today, I would be speaking in support of it. In fact, we could have completed the process of reauthorizing the PATRIOT Act months ago if the House had taken up the bill that the Senate approved without any objection from any Senator on either side of the aisle.

I also want to respond to those who argue that any people who are continuing to call for a better reauthorization package want to let the PATRIOT Act expire. That is nonsense. Not a single Member of this body is calling for any provision—not only that the bill should not be reauthorized, but no Senator is calling for even one provision at all to actually expire. There are any number of ways we can reauthorize the act, while amending its most problematic provisions, and I am not prepared to support reauthorization without adequate reform.

Let me also be clear about how this process fell apart at the end of last year and how we ended up having to extend the PATRIOT Act temporarily past the end of 2005. In December, this body, in one of its prouder moments in recent years, refused to let through a badly flawed conference report. A bipartisan group of Senators stood together and demanded further changes. We made very clear what we were asking for. We laid out five issues that needed to be addressed to get our support.

Let me quickly read excerpts from a letter that we sent out explaining our concerns:

> The draft conference report would allow the Government to obtain sensitive personal information on a mere showing of relevance. This would allow Government fishing expeditions. As business groups like the U.S. Chamber of Commerce have argued, the Government should be required to convince a judge that the records they are seeking have some connection to a suspected terrorist or spy.
>
> The draft conference report does not permit the recipient of a section 215 order to challenge its automatic, permanent gag order. Courts have held that similar restrictions violate the First Amendment. The recipient of a section 215 order is entitled to meaningful judicial review of the gag order.
>
> The draft conference report doesn't provide meaningful judicial review of a national security letter's gag order. It requires the court to accept as conclusive the Government's assertion that a gag order should not be lifted, unless the court determines the

Government is acting in bad faith. The recipients of NSLs are entitled to meaningful judicial review of a gag order.

The draft conference report does not sunset the NSL authority. In light of recent revelations about possible abuses of NSLs, the NSL provision should sunset in no more than four years so that Congress will have an opportunity to review the use of this power.

The draft conference report requires the Government to notify the target of a ''sneak and peek'' search no earlier than 30 days after the search, rather than within seven days, as the Senate bill provides and as pre-PATRIOT Act judicial decisions required. The conference report should include a presumption that notice will be provided within a significantly shorter period in order to better protect Fourth Amendment rights. The availability of additional 90-day extensions means that a shorter initial timeframe should not be a hardship on the Government.

Those are the key parts of the letter that we sent late last year. Now, you might ask, in this newly announced deal on the PATRIOT Act, have any of these problems been solved? Have any of the five problems identified by the SAFE Act authors been solved?

The answer is simple, Mr. President. The answer is: No, not a single one. Only one of these issues has been even partially addressed by this deal. The White House applied immense pressure and pulled out its usual scare tactics and succeeded in somehow convincing people to accept a deal that makes only a tiny substantive improvement to a bill that was actually rejected in December. This is simply not acceptable.

I want to explain in detail my biggest concerns with the conference report, as modified by S. 2271, the legislation that the majority leader is seeking to take up. First, I want to clear up one frequent misconception. I have never advocated repeal of any portion of the PATRIOT Act. In fact, as I have said repeatedly over the past 4 years, I supported most of that bill. There were many good provisions in that bill. As my colleagues know, the PATRIOT Act did a lot more than expand our surveillance laws. Among other things, it set up a national network to prevent and detect electronic crimes, such as the sabotage of the Nation's financial sector; it established a counterterrorism fund to allow the Justice Department offices, disabled in terrorist attacks, to keep operating; and it changed the money laundering laws to make them more useful in disrupting the financing of terrorist organizations. One section even condemned discrimination against Arab and Muslim Americans.

Even some of the act's surveillance sections were reasonable. One provision authorized the FBI to expedite the hiring of translators. Another added terrorism and computer crimes to the list of crimes for which criminal wiretap orders could be sought. And some provisions helped to bring down what has been called frequently ''the wall''—the wall that had been built up between intelligence and law enforcement agencies.

Whenever we start debating the PATRIOT Act, we hear a lot of people saying we must reauthorize the PATRIOT Act in order to ensure that the wall doesn't go back up. So let me make it clear. I supported the information-sharing provisions of the PATRIOT Act. One of the key lessons we learned in the wake of September 11 was that our intelligence and law enforcement agencies were not sharing information with each other, even where the statutes permitted it.

Unfortunately, the wall was not so much a legal problem as it was a problem of culture. That is not just my conclusion. The report of the 9/11 Commission made that very clear. I am sorry to report we have not made as much progress as we should have in bringing down those very significant cultural barriers to information sharing among our agencies. The 9/11 Commission report card that was issued toward the end of last year gave the Government a ''D'' for information sharing because our agencies' cultures have not changed enough. A statement issued by Chairman Kean and Vice Chairman Hamilton explained, ''You can change the law, you can change the technology, but you still need to change the culture. You still need to motivate institutions and individuals to share information.'' And so far, apparently, our Government has not met that challenge.

Talking about the importance of information sharing, as administration officials and other supporters of the conference report have done repeatedly, is part of a pattern that started several years ago on this issue of renewing or revising the PATRIOT Act. Rather than engage in a true debate on the controversial parts of the PATRIOT Act, as some in this body have done—to their credit—during this reauthorization process, many proponents of the PATRIOT Act point to the noncontroversial provisions of the act and talk about how important they are. They say this bill must be passed because it reauthorizes those noncontroversial provisions. But, that doesn't advance the debate; it muddies the waters because we all agree that those provisions should be continued.

The point is we don't have to accept bad provisions to make sure the good provisions become law, or continue to be law.

I hope I actually advance the debate. I want to spend some time explaining my specific concerns with the conference report and the deal that was struck to make a few minor changes to it. It is unfortunate the whole Congress could not come together, as the Senate did around the Senate's bipartisan compromise reauthorization bill. In July, the Senate Judiciary Committee voted unanimously in favor of a reauthorization bill that made meaningful changes to the most controversial provisions of the PATRIOT Act to protect the rights and freedoms of innocent Americans.

Shortly thereafter, that bill passed the full Senate by unanimous consent. It was not entirely easy for me to support the Senate bill, which fell short of the improvements contained in the bipartisan SAFE Act. But at the end of the day, the Senate bill actually contained meaningful changes to some of the most problematic provisions in the PATRIOT Act—provisions I have been trying to fix since October 2001—so I decided to support it. I made it very clear at the time, however, that I viewed the bill as the end point of negotiations, not the beginning. In fact, I specifically warned my colleagues ''that the conference process must not be allowed to dilute the safeguards in this bill.'' Obviously, I meant it, but it appears that people either were not listening or weren't taking me seriously. This conference report, as slightly modified by this deal, unfortunately does not contain many important reforms to the PATRIOT Act we passed in the Senate, so I cannot support it. And I will fight.

I wish to remind my colleagues of the serious problems with the PATRIOT Act which we have been discussing for several years now. Let me start with section 215, the so-called library provision, which has received probably the most public attention of any one of the controversial provisions. I remember when the former Attorney General of the United States called the librarians who were expressing disagreement with this provision ''hysterical.'' What a revelation it was when the Chairman of the Judiciary Committee, the Senator from Pennsylvania, opened his questioning of the current Attorney General during his confirmation hearing by expressing concerns about this provision of the PATRIOT Act, section 215. He got the Attorney General to concede that, yes, in fact, this provision probably went a bit too far and could be improved and clarified. And that was really an extraordinary moment. It was a moment that was very slow in coming, and it was long overdue.

I give credit to the Senator from Pennsylvania because it allowed us to start having a real debate on the PATRIOT Act. Credit also has to go to the American people, who stood up, despite the dismissive and derisive comments of Government officials, and said, with loud voices: The PATRIOT Act needs to be changed.

My colleagues know as well as I do that these voices came from the left and the right, from big cities and small towns across America. So far, more than 400 State and local governmental bodies have passed resolutions calling for revisions to the PATRIOT Act. I plan to read some of those resolutions on the floor during this debate, and there are a lot of them. Nearly every one mentions section 215.

Section 215 is at the center of this debate over the PATRIOT Act. It is also one of the provisions that I tried unsuccessfully to amend here on the floor in October of 2001. So it makes sense to start my discussion of the specific problems I have with the conference report with the infamous ''library'' provision.

Section 215 of the PATRIOT Act allows the Government to obtain secret court orders in domestic intelligence investigations to get all kinds of business records about people, including not just library records but also medical records and various other types of business records. The PATRIOT Act allowed the Government to obtain these records as long as they were ''sought for'' a terrorism investigation. That is all they had to say. That is a very low standard. It didn't require that the records concern someone who was suspected of being a terrorist or spy or even suspected of being connected to a terrorist or a spy. It didn't require any demonstration of how the records would be useful in the investigation. Under section 215, if the Government simply said it wanted records for a terrorism investigation, the secret FISA Court was required to issue the order—no discretion required to issue the order, period. To make matters worse, recipients of these orders are also subject to an automatic gag order. They cannot tell anyone that they have been asked for records.

Some in the administration and even in this body took the position that people shouldn't be able to criticize these provisions until they could come up with a specific example of ''abuse.'' The Attorney General has repeatedly made that same argument, and he did so again in December in an op-ed in the Washington Post when he dismissed concerns about the PATRIOT Act by saying that ''there have been no verified civil liberty abuses in the 4 years of the Act's existence.''

First of all, that has always struck me as a strange argument since 215 orders are issued by a secret court and people who receive them are prohibited by law from discussing them. In other words, the law is designed—it is actually designed—so that it is almost impossible for you to know if abuses have occurred. But even more importantly, the claim about lack of abuse just isn't credible anymore, given what we now know about how this administration views the surveillance laws that this body, this Congress, writes. We now know that for the past 4-plus years, the Government has been wiretapping the international communications of Americans inside the United States without obtaining the wiretap orders required by statute.

If we want to talk about abuses, I can't imagine a more shocking example of an abuse of power than to violate the law by eavesdropping on American citizens without first getting a court order based on some evidence, some evidence that they are possibly criminals or terrorists or spies. So I don't want to hear again from the Attorney General or anyone on this floor that this Government has shown it can be trusted to use the power we give it with restraint and care.

The Government should not have those kinds of broad, intrusive powers in section 215—not this Government, not any government. The American people shouldn't have to live with a poorly drafted provision which clearly allows for the records of innocent Americans to be searched and just hope that the Government uses it with restraint. A government of laws doesn't require its citizens to rely on the good will and good faith of those who have these powers, especially when adequate safeguards could easily be written into the law—easily be written into the law—without compromising their usefulness as a law enforcement or antiterrorist tool.

After lengthy and difficult negotiations, the Judiciary Committee came up with language that achieved that goal. It would require the Government to convince a judge that a person has some connection to terrorism or espionage before obtaining their sensitive records. When I say ''some connection,'' that is what I mean. The Senate bill's standard is the following: No. 1, that the records pertain to a terrorist or spy; No. 2, that the records pertain to an individual in contact with or known to a suspected terrorist or spy; or No. 3, that the records are relevant to the activities of a suspected terrorist or spy. That is the three-prong test in the Senate bill, and I believe it is more than adequate to give law enforcement the power it needs to conduct investigations while also sufficiently protecting the rights of innocent Americans. It would not limit the types of records the Government could obtain, and it does not go as far to protect law-abiding Americans as I would prefer, but it would make sure the Government cannot go on fishing expeditions into the records of completely innocent people.

The Senate bill would also give recipients of the 215 order an explicit, meaningful right to challenge those orders and the accompanying gag orders in court. These provisions passed the Senate Judiciary Committee unanimously after tough negotiations late into the night, and as anyone familiar with the Judiciary Committee knows, including the Chair, that is no mean feat, to get that done in the Judiciary Committee on any issue.

The conference report did away with this delicate provision. First and most importantly, it does not contain the critical modifications to the standard for section 215 orders. The Senate permits the Government to obtain business records only if it can satisfy one or more of the prongs of the three-prong test I just described. This is a broad standard, and it has a lot of flexibility. But it retains the core protection—the core protection—that the Government cannot go after someone who has no connection whatsoever to a terrorist or spy or their activities.

The conference replaces the three-prong test with a simple relevance standard. It then provides a presumption of relevance that the Government meets one of the three prongs. It is silly to argue that this is adequate protection against a fishing expedition. The only actual requirement in the conference report is that the Government show that those records are just relevant to an authorized intelligence investigation—that is all—just relevant to an authorized intelligence investigation. Relevance is a very broad standard that could arguably justify the collection of all kinds of information about all kinds of law-abiding Americans. The three prongs are just examples of how the Government can satisfy the relevance standard. That is not simply a loophole or an exception that swallows the rule; the exception is the rule. The exception basically destroys the meaning of the carefully considered three-prong test we all supported in the Senate.

I will try to make this as straightforward as I can. The Senate bill requires the Government to satisfy one of three tests. Each test requires some connection between the records and a suspected terrorist or spy. But the conference report says that the Government only is required to satisfy a new fourth test, and that test is only relevance and which does not require a connection between the records and a suspect. So the other three tests no longer provide any protections at all.

This issue was perhaps the most significant reason I and others objected to the conference report. So, naturally, the question today is, How was this issue addressed by the White House deal to get the support of some Senators? The answer is, It wasn't. Not one change was made on the standard for obtaining section 215 orders, and that is a grave disappointment. The White House refused to make any changes at all. Not only would it not accept the Senate version of section 215, which no Member of this body objected to back in July, it wouldn't make any change in the conference report on this issue at all.

Another significant problem with the conference report that was rejected back in December is that it does not authorize judicial review of the gag order that comes with a section 215 order. While some have argued that the review by the FISA Court of a Government application for a section 215 order is equivalent to judicial review of the accompanying gag order, that is simply inaccurate. The statute does not give the FISA Court any latitude to make an individualized decision about whether to impose a gag order when it issues a section 215 order. It is required by statute to include a gag order in every section 215 order. That means the gag order is automatic and permanent in every case.

This is a serious deficiency and one which very likely violates the First Amendment. In litigation challenging a similar, permanent, automatic gag rule in a national security letter statute, two courts have found first amendment violations because there is no individualized evaluation of the need for secrecy. I have those decisions here,

and perhaps I will have a chance to read them during this debate.

This question of judicial review of the section 215 gag order is one issue that is actually addressed in some way by the White House deal—addressed but not solved. Far from it. Under the deal, there is judicial review of section 215 gag orders, but it can only take place after a year has passed, and it can only be successful if the recipient of the section 215 order proves that the Government has acted in bad faith. As many of us have argued in the context of national security letters, that is a virtually impossible standard to meet. What we need is meaningful judicial review of these gag orders, not just the illusion of it.

I do acknowledge one change made by the White House deal that I do think is an improvement over the conference report. The conference report clarifies that the recipients of both section 215 orders and national security letters, which I will discuss in detail in a moment, can consult an attorney, but it also includes a provision that requires the recipients of these letters to notify the FBI if they consult with the attorney and to identify the attorney to the FBI. Obviously, this could have a significant chilling effect on the right to counsel. The deal struck with the White House makes clear that recipients of section 215 orders in national security letters would not have to tell the FBI if they consult with an attorney. That is an improvement over the conference report but, unfortunately, it is only one relatively minor change.

Let me now turn to a very closely related provision that has finally been getting the attention it deserves: national security letters, or NSLs—an authority that was expanded by section 358 and 505 of the PATRIOT Act. This NSL issue has flown under the radar for years, even though many of us have been trying to bring more public attention to it. I am gratified that we are finally talking about NSLs, in large part due to a lengthy Washington Post story published last year on the use of these authorities.

What are NSLs, and why are they such a concern? Let me spend a little time on this because it is quite important. National security letters are issued by the FBI to businesses to obtain certain types of records. So they are similar to section 215 orders, but with one very critical difference: the Government does not need to get any court approval whatsoever to issue them. It doesn't have to go to the FISA Court and make even the most minimal showing. It simply issues the order signed by the special agent in charge of a field office or some other FBI headquarters official.

NSLs can only be used to obtain certain categories of business records, in fairness, while section 215 orders can be used to obtain ''any tangible thing.''

But even the categories reachable by an NSL are quite broad. NSLs can be used to obtain three types of business records: subscriber and transactional information related to Internet and phone usage; credit reports; and financial records, a category that has been expanded to include records from all kinds of everyday businesses like jewelers, car dealers, travel agents and even casinos.

Just as with section 215, the PATRIOT Act expanded the NSL authorities to allow the Government to use them to obtain records of people who are not suspected of being, or even of being connected to, terrorists or spies. The Government need only certify that the documents are either sought for or relevant to an authorized intelligence investigation, a far-reaching standard that could be used to obtain all kinds of records about innocent Americans. And just as with section 215, the recipient is subject to an automatic, permanent gag rule.

The conference report does little to fix the problems with the national security letter authorities. In fact, it could be argued that it makes the law worse. Let me explain why.

First, the conference report does nothing to fix the standard for issuing an NSL. It leaves in place the breathtakingly broad relevance standard. Now, some have analogized NSLs to grand jury subpoenas, which are issued by grand juries in criminal investigations to obtain records that are relevant to the crime they are investigating. So, the argument goes, what is the big deal if NSLs are also issued under a relevance standard for intelligence investigations?

Two critical differences make that analogy break down very quickly. First of all, the key question is: Relevant to what? In criminal cases, grand juries are investigating specific crimes, the scope of which is explicitly defined in the criminal code. Although the grand jury is quite powerful, the scope of its investigation is limited by the particular crime it is investigating. In sharp contrast, intelligence investigations are, by definition, extremely broad. When you are gathering information in an intelligence investigation, anything could potentially be relevant. Suppose the Government believes a suspected terrorist visited Los Angeles in the last year or so. It might then want to obtain and keep the records of everyone who has stayed in every hotel in L.A., or booked a trip to L.A. through a travel agent, over the past couple years, and it could argue strongly that that information is relevant to a terrorism investigation because it would be useful to run all those names through the terrorist watch list.

I don't have any reason to believe that such broad use of NSLs is happening. But the point is that when you are talking about intelligence investigations, ''relevance'' is a very different concept than in criminal investigations. It is certainly conceivable that NSLs could be used for that kind of broad dragnet in an intelligence investigation. Nothing in current law prevents it. The nature of criminal investigations and intelligence investigations is different, and let's not forget that.

Second, the recipients of grand jury subpoenas are not subject to the automatic secrecy that NSL recipients are. We should not underestimate the power of allowing public disclosure when the Government overreaches. In 2004, Federal officials withdrew a grand jury subpoena issued to Drake University for a list of participants in an antiwar protest because of public revelations about the demand. That could not have happened if the request had been under section 215 or for records available via the NSL authorities.

Unfortunately, there are many other reasons why the conference report does so little good on NSLs. Let's talk next about judicial review. The conference report creates the illusion of judicial review for NSLs, both for the letters themselves and for the accompanying gag rule, but, if you look at the details, it is drafted in a way that makes that review virtually meaningless. With regard to the NSLs themselves, the conference report permits recipients to consult their lawyer and seek judicial review, but it also allows the Government to keep all of its submissions secret and not share them with the challenger, regardless of whether there are national security interests at stake. So you can challenge the order, but you have no way of knowing what the Government is telling the court in response to your challenge. The parties could be arguing about something as garden variety as attorney-client privilege, with no national security issues, and the Government would have the ability to keep its submission secret. That is a serious departure from our usual adversarial process, and it is very disturbing.

The other significant problem with the judicial review provisions is the standard for getting the gag rule overturned. In order to prevail, the recipient has to prove that any certification by the Government that disclosure would harm national security or impair diplomatic relations was made in bad faith. Again, this is a standard of review that is virtually impossible to meet. So what we have is the illusion of judicial review. When you look behind the words in the statute, you realize it's just a mirage.

Does the White House deal address these problems? It does not. In fact, as I have already discussed, it expands that same very troubling standard of review to judicial review section 215 gag orders.

The modifications to the conference report agreed to by the White House do contain one other purported change to one of the NSL statutes. This modification states that the FBI cannot issue an NSL for transactional and subscriber information about telephone and Internet usage to a library unless

the library is offering ''electronic communication services'' as defined in the statute. But that just restates the existing requirements of the NSL statute, which currently applies only to entities—libraries or otherwise—that provide ''electronic communication services.'' So that provision has no real legal effect whatsoever. Perhaps that explains why the American Library Association issued a statement calling this provision a ''figleaf'' and expressing disappointment that so many Senators have agreed to this deal.

I also want to take a moment to address, again, an argument that has been made about the NSL provisions of the conference report. It has been argued that many of the complaints I have about the NSL provisions of the conference report apply equally to the NSL provisions of the Senate bill and therefore, because I supported the Senate bill, by some convoluted theory my complaints are therefore invalid and I should support the conference report.

That just makes no sense. The NSL section of the Senate bill was one of the worst sections of the bill. I didn't like it then, and I don't like it now. But in the context of the larger package of reforms that were in the Senate bill, including the important changes to section 215 that I talked about earlier and the new time limit on ''sneak and peek'' search warrants that I will talk about in a moment, I was able to accept that NSL section even though I would have preferred additional reforms.

The argument has been made that after supporting a compromise package for its good parts, I guess the idea is I am supposed to accept a conference report that has only the bad parts of the package even though the good parts have been stripped out. That is just nonsense, and every Member of this chamber who has ever agreed to a compromise—and I must assume that includes every single one of us—knows it.

The other point I want to emphasize here is that the Senate bill was passed before the Post reported about the use of NSLs and the difficulties that the gag rule poses for businesses that feel they are being unfairly burdened by them. At the very least, I would think that a sunset of the NSL authorities would be justified to ensure that Congress has the opportunity to take a close look at such a broad power. But the conferees and the White House refused to make that change. Nor would they budge at all on the absurdly difficult standard of review, the so-called conclusive presumption; in fact, the White House insisted on repeating it in the context of judicial review of section 215 gag orders.

This points out a real problem I have with the White House deal. In our letter in December, my colleagues and I, Democratic and Republican, complained about the unfair standard for judicial review of the gag order in connection to NSLs. So how can the supporters of this deal argue that applying that same standard to challenges to the gag rule for section 215 orders is an improvement? A standard that was unacceptable in December has somehow miraculously been transformed into a meaningful concession. That is just spin. It doesn't pass the laugh test.

I suspect that the NSL power is something that the administration is zealously guarding because it is one area where there is almost no judicial involvement or oversight. It is the last refuge for those who want virtually unlimited Governmental power in intelligence investigations. And that is why the Congress should be very concerned and very insistent on making the reasonable changes we have suggested.

I next want to address ''sneak and peek'' searches. This is another area where the conference report departs from the Senate's compromise language, another area where the White House deal makes no changes whatsoever, and another reason that I must oppose the conference report.

When we debated the PATRIOT Act in December, the senior Senator from Pennsylvania made what seems on the surface to be an appealing argument. He said that the Senate bill requires notice of a sneak and peek search within 7 days of the search, and the House said 180 days. The conference compromised on 30 days. ''That's a good result,'' he says. ''They came down 150 days, we went up only 23. What's wrong with that?''

Let me take a little time to put this issue in context and explain why this isn't just a numbers game—an important constitutional right is at stake.

One of the most fundamental protections in the Bill of Rights is the fourth amendment's guarantee that all citizens have the right to ''be secure in their persons, houses, papers, and effects'' against ''unreasonable searches and seizures.'' The idea that the Government cannot enter our homes improperly is a bedrock principle for Americans, and rightly so. The fourth amendment has a rich history and includes in its ambit some very important requirements for searches. One is the requirement that a search be conducted pursuant to a warrant. The Constitution specifically requires that a warrant for a search be issued only where there is probable cause and that the warrant specifically describe the place to be searched and the persons or things to be seized.

Why does the Constitution require that particular description? For one thing, that description becomes a limit on what can be searched or what can be seized. If the magistrate approves a warrant to search someone's home and the police show up at the person's business, that search is not valid. If the warrant authorizes a search at a particular address, and the police take it next door, they have no right to enter that house. But of course, there is no opportunity to point out that the warrant is inadequate unless that warrant is handed to someone at the premises. If there is no one present to receive the warrant, and the search must be carried out immediately, most warrants require that they be left behind at the premises that were searched. Notice of the search is part of the standard Fourth Amendment protection. It's what gives meaning, or maybe we should say ''teeth,'' to the Constitution's requirement of a warrant and a particular description of the place to be searched and the persons or items to be seized.

Over the years, the courts have had to deal with Government claims that the circumstances of a particular investigation require a search without notifying the target prior to carrying out the search. In some cases, giving notice would compromise the success of the search by leading to the flight of the suspect or the destruction of evidence. The two leading cases on so-called surreptitious entry, or what have come to be known as ''sneak and peek'' searches, came to very similar conclusions. Notice of criminal search warrants could be delayed but not omitted entirely. Both the Second Circuit in U.S. v. Villegas and the Ninth Circuit in U.S. v. Freitas held that a sneak and peek warrant must provide that notice of the search will be given within 7 days, unless extended by the court. Listen to what the Freitas court said about such searches:

> We take this position because surreptitious searches and seizures of intangibles strike at the very heart of the interests protected by the Fourth Amendment. The mere thought of strangers walking through and visually examining the center of our privacy interest, our home, arouses our passion for freedom as does nothing else. That passion, the true source of the Fourth Amendment, demands that surreptitious entries be closely circumscribed.

So when defenders of the PATRIOT Act say that sneak and peek searches were commonly approved by courts prior to the PATRIOT Act, they are partially correct. Some courts permitted secret searches in very limited circumstances, but they also recognized the need for prompt notice after the search unless a reason to continue to delay notice was demonstrated. And they specifically said that notice had to occur within 7 en days.

Section 213 of the PATRIOT Act didn't get this part of the balance right. It allowed notice to be delayed for any reasonable length of time. Information provided by the administration about the use of this provision indicates that delays of months at a time are now becoming commonplace. Those are hardly the kind of delays that the courts had been allowing prior to the PATRIOT Act.

The sneak and peek power in the PATRIOT Act caused concern right from the start. And not just because of the lack of a time-limited notice requirement. The PATRIOT Act also broadened the justifications that the Government could give in order to obtain a sneak and peek warrant. It included

what came to be known as the ''catch-all'' provision, which allows the Government to avoid giving notice of a search if it would ''seriously jeopardize an investigation.'' Some think that that justification in some ways swallows the requirement of notice since most investigators would prefer not to give notice of a search and can easily argue that giving notice will hurt the investigation.

That is why it sounds to many like a catch-all provision.

Critics of the sneak and peek provision worked to fix both of the problems when they introduced the SAFE Act. First, in that bill, we tightened the standard for justifying a sneak and peek search to a limited set of circumstances—when advance notice would endanger life or property, or result in flight from prosecution, the intimidation of witnesses, or the destruction of evidence. Second, we required notice within 7 days, with an unlimited number of 21-day extensions if approved by the court.

The Senate bill, as we all know, was a compromise. It kept the catch-all provision as a justification for obtaining a sneak and peek warrant. Those of us who were concerned about that provision agreed to accept it in return for getting the 7-day notice requirement. And we accepted unlimited extensions of up to 90 days at a time. The key thing was prompt notice after the fact, or a court order that continuing to delay notice was justified.

That is the background to the numbers game that the Senator from Pennsylvania and other supporters of the conference report point to. They want credit for walking the House back from its outrageous position of 180 days, but they refuse to recognize that the sneak and peek provision still has the catch-all justification and unlimited 90-day extensions.

Here is the crucial question that they refuse to answer. What possible rationale is there for not requiring the Government to go back to a court within 7 days and demonstrate a need for continued secrecy? Why insist that the Government get 30 days free without getting an extension? Could it be that they think that the courts usually won't agree that continued secrecy is needed after the search is conducted, so they won't get the 90-day extension? If they have to go back to a court at some point, why not go back after 7 days rather than 30? From the point of view of the Government, I don't see the big deal. But from the point of view of someone whose house has been secretly searched, there is a big difference between 1 week and a month with regard to the time you are notified that some one came into your house and you had absolutely no idea about it.

Suppose, for example, that the Government actually searched the wrong house. As I mentioned, that's one of the reasons that notice is a fourth amendment requirement. The innocent owner of the place that had been searched might suspect that someone had broken in, might be living in fear that someone has a key or some other way to enter. Should we make that person wait a month to get an explanation rather than a week? Presumably, if the search revealed nothing, and especially if the Government realized the mistake and does not intend to apply for an extension, it will be no hardship, other than embarrassment, for notice to be given within 7 days.

That is why I'm not persuaded by the numbers game. The Senate bill was already a compromise on this very controversial provision. And there is no good reason not to adopt the Senate's provision. I have pointed this out repeatedly, and no one has ever come forward and explained why the Government can't come back to the court within 7 days of executing the search. Instead, they let the House get away with a negotiating tactic—by starting with 180 days, they can argue that 30 days is a big concession. But it certainly wasn't.

Let me put it to you this way: If the House had passed a provision that allowed for notice to be delayed for 1,000 days, would anyone be boasting about a compromise that requires notice within 100 days, more than 3 months? Would that be a persuasive argument? I don't think so. The House provision of 180 days was arguably worse than current law, which required notice ''within a reasonable time,'' because it creates a presumption that delaying notice for 180 days, 6 months, is reasonable. It was a bargaining ploy. The Senate version was what the courts had required prior to the PATRIOT Act. And it was itself a compromise because it leaves in place the catch-all provision for justifying the warrant in the first place. That is why I believe the conference report on the sneak and peek provision is inadequate and must be opposed. And the fact that this so-called deal with the White House does not address this issue is yet another reason why I see no reason why I, or anyone, should change their position on this.

Let me make one final point about sneak and peek warrants. Don't be fooled for a minute into believing that this power is needed to investigate terrorism or espionage. It's not. Section 213 is a criminal provision that applies in whatever kinds of criminal investigations the Government has undertaken. In fact, most sneak and peek warrants are issued for drug investigations. So why do I say that they aren't needed in terrorism investigations? Because FISA also can apply to those investigations. And FISA search warrants are always executed in secret, and never require notice. If you really don't want to give notice of a search in a terrorism investigation, you can get a FISA warrant. So any argument that limiting the sneak and peek power as we have proposed will interfere with sensitive terrorism investigations is a red herring.

I have spoken at some length about the provisions of this conference report that trouble me, and the ways in which the deal struck with the White House does not address those problems with the conference report. But to be fair, I should mention one aspect of the conference report that was better than a draft that circulated prior to the final signing of that report. The conference report includes 4-year sunsets on three of the most controversial provisions: roving wiretaps, the so-called ''library'' provision, and the ''lone wolf' provision of the Foreign Intelligence Surveillance Act. Previously, the sunsets on these provisions were at 7 years, and it is certainly an improvement to have reduced that number so that Congress can take another look at those provisions sooner.

I also want to acknowledge that the conference report creates new reporting requirements for some PATRIOT Act powers, including new reporting on roving wiretaps, section 215, ''sneak and peek'' search warrants, and national security letters. There are also new requirements that the Inspector General of the Department of Justice conduct audits of the Government's use of national security letters and section 215. In addition, the conference report includes some other useful oversight provisions relating to FISA. It requires that Congress be informed about the FISA Court's rules and procedures and about the use of emergency authorities under FISA, and gives the Senate Judiciary Committee access to certain FISA reporting that currently only goes to the Intelligence Committee. I am also glad to see that it requires the Department of Justice to report to us on its data mining activities.

But adding sunsets and new reporting and oversight requirements only gets you so far. The conference report, as it would be modified by S. 2271, remains deeply flawed. I appreciate sunsets and reporting, and I know that the senior Senator from Pennsylvania worked hard to ensure they were included, but these improvements are not enough. Sunsetting bad law in another 4 years is not good enough. Simply requiring reporting on the Government's use of these overly expansive tools does not ensure that they will not be abused. We must make substantive changes to the law, not just improve oversight. This is our chance, and we cannot let it pass by.

Trust of Government cannot be cannot be demanded or asserted or assumed; it must be earned. And this administration has not earned our trust. It has fought reasonable safeguards for constitutional freedoms every step of the way. It has resisted congressional oversight and often misled the public about its use of the PATRIOT Act. We know now that it has even authorized illegal wiretaps and is making misleading legal arguments to try to justify them. We sunsetted 16 provisions of the original PATRIOT Act precisely so we could revisit them and make necessary changes—to make improvements based on the experience of 4

years with the Act, and with the careful deliberation and debate that, quite frankly, was missing 4 years ago. This process of reauthorization has certainly generated debate, but if we pass the conference report, even with the few White House modifications, in some ways we will have wasted a lot of time and missed our opportunity to finally get it right.

The American people will not be happy with us for missing that chance. They will not accept our explanation that we decided to wait another 4 years before really addressing their concerns. It appears that is now an inevitable outcome. But I am prepared to keep fighting for as long as it takes to get this right. For now, I urge my colleagues to oppose the motion to proceed to this legislation to implement the White House deal. We can do better than these minor cosmetic changes.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Ms. MURKOWSKI). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. ALLEN pertaining to the introduction of S.J. Res. 31 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

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

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

The bill clerk proceeded to call the roll.

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

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

Mr. DORGAN. Mr. President, I understand the current business. I ask unanimous consent that my presentation appear in the RECORD as in Morning Business.

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

(The remarks of Mr. DORGAN are printed in today's RECORD under ''Morning Business.'')

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

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

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. SESSIONS. Mr. President, we are again enduring another filibuster of the PATRIOT Act. It is frustrating to me in the sense that I believe, properly understood, the PATRIOT Act provides tremendous protections to the people of the United States which don't now exist, and that those protections are crafted in a way which is sensitive to and consistent with the great civil liberties which we all cherish.

Two months ago, in December, we had a long debate, and since then, we have had to extend the PATRIOT Act for some time without reauthorizing it. Leaders have met and worked and dealt with some concerns. I know four Republican Senators who had concerns, and their concerns have been met. I think others also have likewise felt their concerns have been met. They are not large changes, but it made the Senators happy and they feel comfortable with voting for the bill today. That is good news. It is time to pass it.

I believe the American people expect that we will be able to have an up-or-down vote on this legislation. That has been blocked. There has been a majority in favor of the legislation for some time.

To get to cloture, we have to use 30 hours of debate, which will probably last throughout the day and into tomorrow. We will get there this time, I am confident. When we do, we will have a fairly strong vote, I believe, in favor of the legislation. We certainly should.

I urge my colleagues to work with us as best they can to move this forward in an expeditious way that allows for the up-or-down vote that is necessary.

I have talked about it a number of times, but I thought today I would focus on the question of why the PATRIOT Act matters, or are these just academic issues? Are they issues of an FBI agent wanting to violate our civil rights and spy on us? Some group in Government out here with black helicopters trying to find out what people are doing and then take away our liberties?

That is a great exaggeration. This is not what is at stake here. This bill is consistent with our great American liberties. It has not been held unconstitutional. Overwhelmingly, the powers given in this act are powers that law enforcement officers have had for years. They have been able to utilize them to catch burglars, murderers, drug dealers, and the like.

The local district attorney can subpoena my library records, medical records, and bank records. The Drug Enforcement Administration Act by administrative subpoena—not even a grand jury subpoena—can subpoena my telephone toll records. That has always been the law. That is the law today. We have provisions that allow our investigators to do that for terrorists. One would think somehow we are ripping the Constitution into shreds, that this is somehow a threat to our fundamental liberties. It is not so.

Let me point out I had the privilege, for over 15 years, to be a Federal prosecutor and work on a daily basis with FBI agents, DEA agents, and customs agents. These are men and women who love their country. They believe in our law. They follow the law. In my remarks, I will demonstrate these agents, unlike what is seen on television, follow what we tell them to do. If they do not follow what we tell them to do, they can be prosecuted, removed from the FBI, the DEA or the Federal agency for which they work. In fact, they know that and they remain disciplined and men and women of integrity who follow the law. Therefore, do not think, when we pass restrictions on how they do their work, that it is not going to be followed; that if it is a really big case, such as on ''Kojak,'' that they will go in and kick in the door without a warrant. That does not happen.

In 2001, we know at least 19 foreign terrorists were able to enter this country and plan and execute the most devastating terrorist attack this Nation has ever seen. The reasons the United States and terror investigators, the people we had out there at the time—FBI, CIA, and others—failed to uncover and stop the September 11 conspiracy have now been explored carefully by a joint inquiry of the House and Senate Intelligence Committees and other congressional committees and commissions, as well as the 9/11 Commission. These very commissions and inquiries have reviewed, in painstaking detail, the various pre-September 11 investigations that were out there—investigations, inquiries, preliminary inquiries—gathering information that raised people's suspicions about terrorism.

These investigations could have but unfortunately did not stop the September 11 plot. We have seen how close the investigators came to discovering or disrupting the conspiracy, only to repeatedly reach dead ends or obstructions to their investigations.

Those are the facts they found. Some of the most important pre-September 11 investigations, we know exactly what stood in the way of a successful investigation. It was the laws Congress wrote, seemingly minor, but, nevertheless, with substantive gaps in our antiterror laws, preventing the FBI from fully exporting the best leads it had on the al-Qaida conspiracy. One pre-September 11 investigation, in particular, came tantalizingly close to substantially disrupting or even stopping the terrorist plot. But this investigation was blocked by a flaw in our antiterror laws that has since been corrected by this PATRIOT Act being filibustered today.

This investigation involved Khalid Al Midhar. Midhar was one of the eventual suicide attackers on the American Airlines flight 77 which was flown into the Pentagon across the river from here, killing 58 passengers on the plane, the crew, and 125 people at the Pentagon. Patriots all.

An account of a pre-September 11 investigation of Midhar is provided in the 9/11 Commission Staff Statement No. 10. The 9/11 Commission looked at what information we did have prior to these events, and this is what the staff statement notes:

During the summer of 2001, a CIA agent asked an FBI official [a CIA agent responsible for foreign intelligence talked with an FBI official responsible for the security and law enforcement international] to review all of the materials from a Al Qaeda meeting in Kuala Lumpur, Malaysia one more time. The FBI official began her work on July 24th prior to September 11, 2001. That day she found the cable reporting that Khalid Al Mihdhar had a visa to the United States. A week later she found the cable reporting that Mihdhar's visa application—what was later discovered to be his first application—listed New York as his destination . . . The FBI official grasped the significance of this information.

The FBI official and an FBI analyst working on the case promptly met with INS representatives at the FBI Headquarters. On August 22nd, INS told them that Mihdhar had entered the United States on January 15t, 2000, and again on July 4, 2001 . . . The FBI agents decided that if Mihdhar was in the United States, he should be found.

At this point, the investigation of Khalid Al Midhar came up against the infamous legal ''wall'' that separated criminal and intelligence investigations at the time.

The Joint Inquiry Report of the House and Senate Intelligence Committees describes what happens next:

Even in late August 2001 when CIA told FBI, State, INS, and Customs that Khalid al-Mihdhar, Nawaf al-Yazmi, and two other ''Bin Laden-related individuals'' were in the United States, FBI Headquarters refused to accede to the New York field office recommendation that a criminal investigation be opened, which might allow greater resources to be dedicated to the search for the future hijackers . . .

The FBI has attorneys. They read our statutes, they read the laws we pass, they tell the agents what they can and cannot do because they are committed to complying with the laws we place upon them.

The FBI attorneys took the position that criminal investigators CANNOT be involved and that criminal information discovered in the intelligence case would be ''passed over the wall'' according to procedures. An agent in the FBI's New York field office responded by an e-mail, saying—

And I will quote the agent in a second but the scene is this: The FBI field office in New York concluded, after obtaining information from CIA that this individual, one of the hijackers, was a dangerous person and should be found. And the FBI field office—it is a big deal to be a special agent in charge of the New York field office, the biggest one in the country—recommended to FBI headquarters that we act on it. The FBI lawyers read the laws we passed and said ''you cannot.'' This is what the agent in New York responded when he heard this, sent it by e-mail. See if this doesn't chill your spine a bit.

He said:

Whatever has happened to this, someday someone will die and, wall or not, the public will not understand why we were not more effective in throwing every resource we had at certain problems.

That was his reaction. It was a natural reaction.

How did we get this wall? It occurred in a spate of reform legislation after abuses of Watergate and the Frank Church committee hearings. They decided that in foreign intelligence—that is one thing, domestic is another—foreign intelligence does not always follow every rule. We ought to have a clear line between the FBI, which is over here in America, and we ought not give them information that the CIA had because they thought somehow this was going to deny us our civil liberties, which was not very clear thinking, in my view.

But these were good people. They were driven maybe by the politics of the time or what they thought was good at the time. They created this wall we have demolished with the PATRIOT Act—and good riddance it is. There is no sense in this.

The 9/11 Commission has reached the following conclusion about the effect the legal wall between criminal and intelligence investigations had on the pre-September 11 investigation of Khalid Al Midhar. This is what the 9/11 Commission concludes:

Many witnesses have suggested that even if Mihdhar had been found, there was nothing the agents could have done except follow him onto the airplane. We believe this is incorrect. Both Hazmi and Mihdhar could have been held for immigration violations or as material witnesses in the Cole bombing case.

This was our warship, the USS *Cole*, that was bombed by al-Qaida, killing a number of American sailors in Yemen; an attack on a warship of the United States by al-Qaida. What does it take to get our attention?

This report continues:

Investigation or interrogation of any of these individuals, and their travel and financial activities, also may have yielded evidence of connections to other participants in the 9/11 plot. In any case, the opportunity did not arise.

There was a realistic chance, had these rules not existed, rules that this PATRIOT Act eliminates, we would have been able to move forward with an investigation that had some prospect of actually preventing September 11 from occurring.

Some say, Jeff, you cannot say that for certain; and I am not saying it for certain, but I have been involved in investigations. You never know. You get a bit of information, you follow up on a lead or two, you get a search warrant, you surveil an activity, and all of a sudden you find that bit of evidence that takes you even further into an organization committed to a criminal activity or a terrorist plot you never knew existed. This is reality of law enforcement work today. We ask them every day to do this. And those investigating terrorist cases are giving their very heart and soul to it. They are trying every way possible, consistent with the law, not outside the law, to gather all the information they can to be successful.

So we know the PATRIOT Act was enacted too late to have aided in the pre-September 11 investigations, unfortunately. But it did raise our consciousness of the lack of wisdom on the reform legislation that was passed the year before—all with good intentions.

Let me mention another matter of a similar nature.

Another key pre-September 11 investigation was also blocked by a seemingly minor gap in the law. The case involves Minneapolis FBI agents' summer 2001 investigation of al-Qaida member Zacarias Moussaoui.

Hearings before the 9/11 Commission raised agonizing questions about the FBI's pursuit of Moussaoui. Commissioner Richard Ben-Veniste noted the possibility that the Moussaoui investigation could have allowed the United States to ''possibly disrupt the [9/11] plot.'' Commissioner Bob Kerrey, a former Member of this Senate, even suggested that with better use of the information gleaned from Moussaoui, the ''conspiracy would have been rolled up.''

Moussaoui was arrested by Minneapolis FBI agents several weeks before the 9/11 attacks. Do you remember that? He was arrested early that summer. Instructors at a Minnesota flight school became suspicious when Moussaoui, with little apparent knowledge of flying, asked to be taught how to pilot a 747. The instructors were concerned about it. They were on alert. They did what good citizens would do. Remember, this is before 9/11. But they were concerned about this oddity. They called the FBI in Minneapolis, which immediately suspected that Moussaoui might be a terrorist.

FBI agents opened an investigation of Moussaoui and sought a FISA that is the Foreign Intelligence Surveillance Court—national security warrant to search his belongings. But for 3 long weeks, the FBI agents were denied that FISA warrant. During that 3 weeks—you know the truth—the September 11 attack occurred.

After the attacks—and largely because of them the agents were then able to obtain an ''ordinary'' criminal warrant. So after the attacks, the agents were issued an ''ordinary'' criminal warrant to conduct the search. And when they conducted the search, his belongings then linked Moussaoui to two of the actual 9/11 hijackers and to a high-level organizer of the attacks who was later arrested in Pakistan.

The 9/11 Commissioners were right to ask whether more could have been done to pursue the case. This case was one of our best chances of stopping or disrupting the 9/11 attacks. Could more have been done? The best answer is probably no—based on the law that existed at that time.

The FBI agents were blocked from searching Moussaoui because of an outdated requirement of the 1978 FISA statute. Unfortunately, one of that statute's requirements was that the target of an investigation—if it were to be subject to a search under a FISA warrant, a foreign intelligence warrant—the agent had to have proof that he was not a lone-wolf terrorist, but he

must have been an agent of a foreign power or a known terrorist group. The law did not allow searches of apparent lone wolves, like Zacarias Moussaoui was thought to be at the time. They did not have the evidence to show otherwise.

So according to the FBI Director, the man in charge of the FBI, Robert Mueller—a former prosecutor of many years and a skilled lawyer—the gap in FISA probably would have prevented the FBI from using FISA against any of the September 11 hijackers. As the Director noted in his testimony before the Judiciary Committee:

> Prior to September 11, [of] the 19 or 20 hijackers . . . we had very little information as to any one of the individuals being associated with . . . a particular terrorist group.

So in other words, their lawyers in the FBI were saying: Well, you can't use the FISA. I know you want to. I know you have suspicions. And I know he looks like a terrorist. And we would like to search his belongings and see if he has any connection with any terrorist organization and maybe find out if they have any bombs or plans there. But you can't do it because we lack one little bit of proof. We can't prove he's connected to a terrorist group or a foreign nation. Sorry. Can't do it.

So the ''lone-wolf'' gap was fixed by the Intell reauthorization, and adopted as part of the PATRIOT Act. We need to reauthorize it and continue it into law.

What the various reports and commissions investigating the 9/11 attacks have shown us thus far is that where our antiterror laws are concerned, even seemingly little things, minor things—it might seem like they were OK at the time—can make a big difference, a life and death difference.

Before September 11, few would have thought that the lack of authority in FISA for the FBI to monitor and search lone-wolf terrorists might be decisive as to our ability to stop a major terrorist attack on U.S. soil. Indeed, that is true. We did not think about it. We did not think clearly about it.

And before September 11, though there was some attention to the problems posed by the legal wall between the intelligence-gathering agencies and the criminal investigative agencies, there was little sense of urgency to fix those matters. We accepted it. The FBI accepted it. It was the way you had to do business. You could not violate the law. I am sorry, you cannot investigate. You cannot participate with the CIA. Even though you may think he is a terrorist instigator, you cannot participate because there is a wall that the Congress created.

So at the time, these all seemed like legal technicalities—not real problems, the kind of problems that could lead to the deaths of almost 3,000 American citizens.

Today, we face the same challenge—recognizing why it is so important to fix small gaps in the law that can lead to large consequences and real-life disasters. Congress must not take the position that enough time has been passed since 9/11. Congress must not allow the information wall to be reconstructed by blocking the passage of the PATRIOT Act, or allow the tools we have given to our terrorism investigators by the PATRIOT Act to be taken away.

We must pass the PATRIOT Act reauthorization conference report. It is that simple. It permanently plugs most of the holes that we know existed in our terrorism laws. The report retains a few sunsets. I do not think they are necessary. I think they were good, sound changes in the law. But people are nervous that they might be abused, so they will automatically sunset if we do not extend them. OK, we will do that. If that will get some people more comfortable so they will pass this bill, we will do that.

And the report has a long list of additional civil liberties protections.

It is a compromise product that came out of our Judiciary Committee, I believe with a unanimous vote, and with a unanimous vote on the floor of the Senate, and went to conference. A few changes were made in conference. But where there were conflicts, overwhelmingly, the conflicts were decided in favor of the Senate product. And it was that product that finally hit the floor of the Senate in December. And we have had this filibuster going ever since. Hopefully, now we are in a position to end it.

I urge my colleagues to examine the nature of the PATRIOT Act as it is now configured. Read it carefully. Ask any questions you have. Make sure you understand what powers police have today in your hometowns all over America. And do not get confused that some of the things provided for might sound if—you listen to critics—as if they are new and far-reaching and utterly dangerous. They are part of everyday law enforcement—overwhelmingly, they are—and I believe are consistent with the highest commitment of American citizens to civil liberties.

I would also mention this. There are almost 3,000 people who are no longer with us today. They have zero civil liberties as a result of the most vicious and hateful attack on 9/11. That is not an academic matter. That is a fact. As that FBI agent said: Someday the American people are not going to understand how we were not able to intercept and investigate these groups.

Mr. President, I thank the Chair and yield the floor.

The PRESIDING OFFICER (Mr. COBURN). The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I appreciate the Senator from Alabama joining the debate about the PATRIOT Act. I am going to respond very briefly to his remarks because I know there are other Senators on the floor who wish to speak about other issues, and I will defer to them in a moment.

But the Senator complained that the Senate is enduring another filibuster on this issue. I suppose that is one way to characterize it. What I would characterize it as is those of us who have concerns about this bill are enduring again speech after speech that has absolutely nothing to do with the issues at hand. That is irrelevant to the concerns we have raised about the PATRIOT Act.

Throughout his speech, the Senator from Alabama talked about issues that are not about the concerns we have raised. In fact, again, we are subjected to this idea that somehow those of us who raise these concerns are not concerned about what happened to this Nation on 9/11, that we do not feel exactly as much as the Senator from Alabama the pain and the tragedy of the loss of those 3,000 lives.

Not a single concern I have raised about this bill would have anything to do with this Government's ability to crack down on people who are trying to attack this country. In fact, that is the whole point. All of the changes we seek are to try to make sure we distinguish those who are completely innocent and unrelated to the terrorists from those who, in fact, are involved in espionage or terrorism.

The Senator talks about academic issues. But these are not academic issues. The fact is, when he brings up anything specific, he is changing the subject. He is bringing up noncontroversial issues. He talks about this wall. I talked about this in my speech before: the wall between the CIA and FBI. No Member of this body disputes that wall needed to be taken down. The wall has been taken down. I do not want it to be put back up. That is not in controversy.

And virtually the entire speech by the Senator from Alabama was about specific issues—the Midhar case and the Moussaoui case. All of that part of his speech was about something that is not in controversy. If he wants to offer that as a bill right now to simply continue that provision, he can put me down as a cosponsor. So it is completely irrelevant to what we are discussing and what my concerns are at this point.

The Senator says that somehow people are running around saying that the FBI is kicking down people's doors without a warrant. Nobody ever said that. I understand how the sneak-and-peek provisions work. We have been on this issue for a while. We know that in sneak and peek there has to be a warrant.

The question there is not whether there are warrantless searches of people's homes. The question is, when somebody is allowed, through a judicial order and a warrant, to come into somebody's house when they do not get notice of it, how long somebody should have to endure the possibility that their home has been searched and they

do not get notice after the fact that somebody came into their house when they were not there. So again, the argument is entirely unrelated to the concern.

The concerns we have raised are important, but they are limited. I am going to insist in this debate that we debate the concerns that we have put forward.

Finally, Mr. President, I am amused by the Senator talking about how we passed a bill in the Judiciary Committee by a unanimous vote. You bet we did. The Senator from Alabama voted for it and I voted for it. The whole Senate did not oppose the bill. Now every single thing I have advocated to change in the PATRIOT Act, in terms of the product of this body, is what I am advocating today. The Senator is acting as if those are dangerous provisions. Well, he voted for them. He voted for the stronger standard on 215. He voted for 7 days on the sneak-and-peek provisions. So how can they be dangerous if the Senator from Alabama actually voted for those provisions with me in the Judiciary Committee?

These are not dangerous changes. These are not irresponsible changes. These are not changes that have anything to do with legitimate efforts to try to stop the terrorists.

I so thank the Senator. I always enjoy debating him. He is the one Senator who has come down here and engaged on this today. I appreciate that. But I wish the debate could be about the questions that have arisen having to do with notice issues in sneak and peek, whether there is going to be a stronger provision on national security letters, whether there is going to be a provision on library business records to make sure it is tied to terrorists. The only reason I am doing this has to do with those kinds of provisions, not the issues the Senator from Alabama raised on which I happen to, in large part, agree.

Mr. SESSIONS. If the Senator will yield, I have talked about the details of this bill and individual complaints the Senator has about this or that provision in some detail. I will do so again. At this point, what we are facing is a filibuster of the motion to proceed that impacts the entire legislation.

I would ask the Senator if the Senator remembers that when the bill came out of the Senate, it said there would be a 7-day notice if there were a sneak-and-peek search warrant. The House bill had 180 days before notice would be given. The conferees moved far to the side of the Senate and made it a 30-day notice. Is that the basis of the Senator's desire to filibuster this entire bill, the difference between 7 and 30 days, recognizing in this body we seldom get anything exactly as we want it?

Mr. FEINGOLD. Mr. President, if the Senator is asking me a question, I am happy to respond.

The PRESIDING OFFICER. The Senator from Wisconsin controls the time.

Mr. FEINGOLD. I spoke at some length this morning about this issue which I call the numbers game on the sneak and peek. Of course, the sneak-and-peek provision is not my only concern. There are four or five areas. But I am very concerned about the length of time that somebody does not get notice that the FBI has come into their home without their being aware of it and the idea that somehow, after very careful court decisions said there will be exceptions to the requirements of the fourth amendment for perhaps 7 days—that was the standard in the court decisions upon which these unusual sneak-and-peek provisions were based—then to somehow have it become reasonable to have a whole month, a 30-day period, strikes me as extreme.

The 7-day standard was not picked out of the air. The 7-day standard was based on those court decisions which made the unusual law, in terms of our history as a country in the prohibition against unreasonable searches and seizures—the 7 days was based on those court decisions. So, yes, 30 days, four times more, is unreasonable.

After the Government has come into somebody's home and they have had 7 days, why is it that they should not have to come back and get permission to do that for a longer period of time? What is the need for the Government to have 30 days to not tell somebody to do that, when you remember that the Senate version you and I both voted for had the 7-day period?

Mr. SESSIONS. Well, we all don't get exactly what we want, I say to the Senator, No. 1.

No. 2, under current law, the so-called sneak-and-peek search by which you can, if you are investigating a major criminal enterprise or a terrorist group, actually conduct a search without actually telling the person the day you conducted it, the courts allow you as much time as they choose to allow you, for the most part. Some courts may have said 7 days. I am not aware at all that is the law in this country. It is what the judge says. This sets the standard. It says 30 days, and then they have to be repeated after that.

We have a bill on the floor that is a matter of life and death. I would ask my colleague to be somewhat more amenable to the fact that he won a pretty good victory in conference but just didn't get everything he wanted in conference by going from the House version of 180 down to 30.

Mr. FEINGOLD. Mr. President, I could say: Gee, it went from 180 to 30. I could tell my constituents in Spooner, WI: Look, the Government is going to come into your home under a special circumstance when you are not around, and it might not have even been the right house, and we are making this exception for 7 days because of emergencies in important situations. You and I both agree in certain circumstances that might occur. But the idea that for a whole month, that for 30 days the Government of the United States of America can come into your home without telling you they have been there, even if they have made a mistake, and they have no responsibility to tell a completely innocent person they made a mistake, to me is serious business.

If the Senator could make a credible argument as to why it is important for the Government to have a whole month after this 7-day period or 3 more weeks after the 7-day period, it would be one thing. But nobody has even made the argument that it is important for the Government to have 30 days to conduct this search. It is essentially an unreasonable period of time. I think it is important. The erring here should be on the side of people's liberty. It should be on the side of people protecting their homes from unreasonable searches and seizures. It should not be: What is the problem here? The Senator should be happy he got something better than the House version. I don't accept that, as somebody who believes the fourth amendment still has meaning.

Mr. BYRD. Mr. President, will the Senator yield?

Mr. FEINGOLD. I yield to the Senator from West Virginia.

Mr. BYRD. Would the Senator yield and let me make a few remarks?

Mr. FEINGOLD. Absolutely.

The PRESIDING OFFICER. Does the Senator yield his time?

Mr. FEINGOLD. I yield my time.

Mr. LEAHY. Mr. President, I don't want to interfere with the Senator. I see quite a few pages of remarks there. I don't want to interfere with that, but I understood the Senator from Virginia and the Senator from Arkansas were going to introduce legislation, to be followed by remarks of mine on the bill before us in my capacity as the ranking member of the Senate Judiciary Committee, which has jurisdiction over this piece of legislation. My remarks will only be 5 or 6 minutes, but I wish to make them now or as soon as the Senators from Virginia and Arkansas have finished.

Mr. WARNER. Mr. President, there had been an informal agreement among colleagues, subject to the Senator who is principally on the floor at this point in time—and I will let him speak for himself—that we were going to introduce a bill. It would take 4 or 5 minutes for my remarks and 4 or 5 for the Senator from Arkansas. We were intending to do that at the conclusion of the colloquy between Senators FEINGOLD and SESSIONS.

Am I correct on that, the Senator had indicated that we could proceed?

Mr. FEINGOLD. Certainly, I had no objection to that.

The PRESIDING OFFICER. There is no recognized time agreement by the Chair at this time.

Mr. WARNER. Then I make a unanimous consent request that the Senator from Arkansas and I have 15 minutes equally divided, to be followed by Senator LEAHY for such time as he may

need and then the distinguished Senator from West Virginia.

The PRESIDING OFFICER. Is there objection to the unanimous consent request?

Mr. BYRD. Mr. President, reserving the right to object—I do not intend to object—I need to complete my remarks by 4:35. I have about 20 minutes here.

Mr. WARNER. Then I revise the request. The Senator from Arkansas and I can drop to, say, 10 minutes, and 5 minutes for the Senator from Vermont. Well, let's drop it down to 8 minutes——

Mr. LEAHY. I would need about 6 minutes. And that is cutting down a half-hour speech to accommodate the Senator from West Virginia, but I have been here for a couple hours ready to give this speech.

Mr. BYRD. Mr. President, I have waited many hours here many times. I never make a fuss about it. I will just leave the floor and——

Mr. WARNER. Mr. President, before the Senator leaves, what amount of time would the senior Senator from West Virginia like?

Mr. BYRD. I have 61 pages, large type. But that will take about 20 minutes—15, I think.

Mr. LEAHY. I have 5 or 6 pages of large type.

Mr. BYRD. My problem is, I need to get through by 4:30 or 4:35.

Mr. WARNER. Mr. President, I would suggest to my distinguished colleague from Arkansas, recognizing that Senator BYRD has an extenuating circumstance he has to take care of, I would be perfectly willing to step aside and regain into the queue following the Senator.

Mr. BYRD. The Senator is more than generous and more than kind.

Mr. LEAHY. The understanding is that I will be done by 4:15 to accommodate the Senator from West Virginia.

Mr. FEINGOLD. Mr. President, reserving the right to object, I ask to be recognized at the completion of the Senator's speech.

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

The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, last week, the Judiciary Committee held an important hearing. That hearing should be the beginning of the process of congressional oversight into what has been called ''the President's program.'' This is a domestic spying program into emails and telephone calls of Americans without a judge's approval, apparently conducted by the National Security Agency. Having participated in the hearing and reviewed the transcript of the Attorney General's testimony, I understand the fear that this administration is engaged in an elaborate cover-up of illegality. I urge them to come clean with us and the American people.

Perhaps their recent change of course and briefings with the full Intelligence Committees of the Senate and House will be a start. We need the whole truth not self-serving rationalizations. Since our hearing the Bush administration has had to adjust its course. That is good. They have had to acknowledge that they cannot simply ignore Congress and keep us in the dark about this illegal spying program. The classified briefings of the Intelligence Committees are a first step but cannot be used to cover up the facts through secrecy and arbitrary limitations. That is unacceptable. This domestic spying program has raised serious concern, not only among Democrats and Republicans here in Congress, but also among the Federal judges providing oversight over terrorist surveillance and even high-ranking Justice Department officials.

I commend Chairman SPECTER for beginning this investigation. He and I have a long history of conducting vigorous bipartisan oversight investigations. If the Senate is to serve its constitutional role as a real check on the Executive, thoroughgoing oversight is essential. Today, Chairman SPECTER has announced a second Judiciary Committee hearing will be held on February 28. We expect by then to have received answers to the written questions that have already been sent to the Attorney General.

The question facing us is not whether the Government should have all the tools it needs to protect the American people. Of course it should. The terrorist threat to America's security remains very real, and it is vital that we be armed with the tools needed to protect Americans' security. That is why I coauthored the PATRIOT Act 5 years ago. That is why we have amended the Foreign Intelligence Surveillance Act five times since 9/11 to provide more flexibility.

And that is why within days of the despicable attacks we passed the Authorization for the Use of Military Force on September 14, 2001, to send the United States Armed Forces into Afghanistan to get those who planned and carried out the vicious attacks on September 11.

We all agree that we should be wiretapping al-Qaida terrorists. Congress has given the President authority to wiretap legally, with checks to guard against abuses when Americans' conversations and email are being monitored. But instead, the President has chosen to proceed outside the law, without those safeguards. He has done so in a way that is illegal and illogical. It remains confusing that the Attorney General testified last week that the Bush administration has limited ''the President's program'' of illegal wire taps to calls with an international component.

The administration's rationale is not limited to calls and emails with an international component or to know al-Qaida operatives.

It sounded at our hearing as if what the Bush Attorney General and former White House counsel was saying is that this particular ''program'' is limited because they were afraid of public outrage. The Attorney General said as much to Senator KOHL and confirmed to Senator BIDEN that the Bush administration does not suggest that the President's powers are limited by the Constitution to foreign calls. Their descriptions of the President's program seem to have more to do with public relations than anything else. It was even branded with a new name in the last few days after it has been known for years as simply ''the President's program.''

Senator FEINSTEIN was right to observe after the Attorney General dodged and weaved and would not directly answer her questions: ''I can only believe—and this is my honest view—that this program is much bigger and much broader than you want anyone to know.'' The Attorney General's strenuous efforts to limit the hearing to ''those facts the President has publicly confirmed'' and ''the program that I am here testifying about today'' suggest that all of us must be skeptical about the secret games the Attorney General was playing through controlling the definition of ''the program'' to include only what he understood to exist at the beginning of last week. Senator FEINSTEIN was not fooled. None of us should be. Such limiting definitions are what the Bush Administration used to redefine ''torture'' in order to say that we do not engage in ''torture'' as they redefined it. These are the word games of coverup and deception. It is not al-Qaida surprised that our Government eavesdrops on its telephone calls and emails. Al-Qaida knows that we eavesdrop and wiretap. It is the American people who are surprised and deceived by the President's program of secret surveillance on them without a judge's approval for the last 5 years—especially, after the Attorney General, the Justice Department, the head of the NSA and the President have all reassured the American people over and over that their rights are being respected—when they are not.

I wish the President had effectively utilized the authority Congress did grant in the Authorization for the Use of Military Force in September 2001 to get Osama bin Laden and those responsible for the terrible attacks on September 11. That resolution was what it said it was, authorization to send troops to Afghanistan to get those responsible for 9/11. President Bush should have gotten Osama bin Laden when Congress authorized him to use our military might against al-Qaida in 2001 in Afghanistan. Instead of pursuing him to the end, he pulled our best forces out of the fight and diverted them to preparing for his invasion of Iraq.

Last week the Attorney General left key questions unanswered and left impressions that are chilling. Under his approach, there is no limit to the power the President could claim for so long as we face a threat of terrorism.

That is a real threat, which we have long faced and will continue to face for years if not decades toe. The Attorney General's testimony only hinted at the full dimensions of the Bush administration's illegality. He would not reassure us that Americans' domestic calls, emails, or first class mail have not been illegally spied upon.

He sought to choose his words carefully to say that he was only willing to speak about the President's ''program'' as it existed that day. That means we do not yet know the full dimensions of the program as it has evolved over time from 2001 to today. That means we do not know what other illegal activities the Bush administration is still endeavoring to hide from us.

Along with other Senators I asked about the lack of any limit to the legal rationale the Bush administration has embraced. Their rationalization for their actions is rationalization for any action. Under their view of the President's power, he can order houses and businesses searched without a warrant. Americans can be detained indefinitely. Detainees can be tortured. Property could be seized. Their rational is a prescription for lawlessness and the opposite of the rule of law.

Regrettably, the Attorney General's testimony last week left much to be desired. He did not provide convincing answers to basic questions, relevant information or the relevant underlying documents. Facts are a dangerous thing in a coverup. They are seeking to rewrite history and the law and control the facts that Congress can know.

The Bush administration refusal to provide the contemporaneous evidence of what the Congress and the Bush administration were indicating to each other regarding what the Authorization for the Use of Military Force was intended to mean, speaks volumes. Does anyone think that if they had any evidence in support of their after-the-fact rationalization they would hesitate to provide it, to trumpet it from the highest media mountain? Of course not.

Their failure to provide the information we asked for is not based on any claim of privilege, nor could it be. It is just a deafening, damning silence. So what is so secret about precisely when they came to this legal view, this rationalization of their conduct? Could it have come after the illegal conduct had been initiated? Could it have come after the President sought to immunize and sanitize the illegal conduct? Could it have come months or years later than the impression Attorney General Gonzales is attempting to create? Is that why the Bush administration is also refusing to provide to us the formal legal opinions of our Government, the binding opinions of the Office of Legal Counsel from 2001 and 2004 that we have also requested? Would review of those opinions show that the after-the-fact legal rationalizations changed over time and in 2001 were not those that the Attorney General has repackaged for public consumption in their current public relations campaign? Now that we know of the existence of the years-old secret domestic spying program that included the warrantless wiretapping of thousands of Americans, the Bush administration says that we should just trust them. That is a blind trust this administration has not earned. We have seen this administration's infamous and short-lived ''Total Information Awareness'' program and know how disastrous the FBI's Carnivore and Trilogy computer programs have been.

I have read recent reports of a secret Pentagon database containing information on a wide cross-section of ordinary Americans, including Quakers meeting in Florida and Vermont, and have gotten no satisfactory explanation of the Defense Department's Counterintelligence Field Activities that spy on law-abiding Americans. I read about a secret Homeland Security database and datamining activities, as well. Today we read about another database with the names of more than 325,000 terrorists but we do not know how many are Americans, how many are listed incorrectly or how the mistakes will be corrected.

There are new and disturbing reports that the Defense Department and the FBI have been monitoring U.S. advocacy groups working on behalf of civil rights or against the continuing occupation of Iraq.

This is all too reminiscent of the dark days when a Republican President compiled enemies lists and eavesdropped on political opponents and broke into doctors offices and used the vast power of the executive branch to violate the constitutional rights of Americans. That President resigned in disgrace after articles of impeachment were reported in the House of Representatives.

I was first elected to the Senate in the aftermath of Watergate and the White House ''plumbers'' and the illegality that led to the impeachment inquiry of President Nixon. The Foreign Intelligence Surveillance Act was passed in 1978 as part of the reform and reaction to those abuses. It was enacted after decades of abuses by the Executive, including the wiretapping of Dr. Martin Luther King, Jr., and other political opponents of earlier Government officials.

It was enacted after the White House ''horrors'' of the Nixon years, during which another President asserted that whatever he did was legal because he was the President. The law has been extensively updated in accordance with the Bush administration's requests in the aftermath of 9/11 and has been modified further in the last 4 years. It is the governing law. The rule of law and freedoms we enjoy as Americans are principles upon which this Nation was founded and what we are defending and fighting for abroad. This type of covert spying on American citizens and targeted groups on American soil betrays those principles and it is unacceptable.

What happens to the rule of law if those in power abuse it and only adhere to it selectively? What happens to our liberties when the government decides it would rather not follow the rules designed to protect our rights? What happens is that the terrorists are allowed to achieve a victory they could never achieve on the battlefield. We must not be intimidated into abandoning our fundamental values and treasured freedoms. We cannot let them scare us into giving up what defines us as Americans.

There can be no accountability unless the Republican Congress begins to do its job and joins with us to demand real oversight and real answers. Senators take an oath of office, too. We swear to support and defend the Constitution of the United States, to bear true faith and allegiance to it, and to faithfully discharge our duties so help us God. Let each Senator fulfill that pledge and the Senate can resume its intended place in our democracy.

Let us protect our national security and the national heritage of liberty for which so many have given so much.

The PRESIDING OFFICER. The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the distinguished Senator from Vermont for his characteristic kindness and courtesy. I thank the distinguished Senator who has been alone in opposing this act in the beginning, at a time when I wish I had voted as he did.

In June 2004, 10 peace activists outside of Halliburton, Inc., in Houston gathered to protest the company's war profiteering. They wore paper hats and were handing out peanut butter and jelly sandwiches, calling attention to Halliburton's overcharging on a food contract for American troops in Iraq.

Unbeknownst to them, they were being watched. U.S. Army personnel at the top secret Counterintelligence Field Activity, or CIFA, saw the protest as a potential threat to national security.

CIFA was created 3 years ago by the Defense Department. Its official role is forced protection; that is, tracking threat and terrorist plots against military installations and personnel inside the United States. In 2003, then Deputy Defense Secretary Paul Wolfowitz authorized a fact-gathering operation code named TALON, which stands for Threat and Local Observation Notice, which would collect raw information about suspicious incidents and feed it to CIFA.

In the case of the ''peanut butter'' demonstration, the Army wrote a report on the activity and stored it where? In its files. Newsweek magazine has reported that some TALON reports may have contained information on U.S. citizens that has been retained in Pentagon files. A senior Pentagon official has admitted that the names of these U.S. citizens could number in the thousands. Is this where we are heading? Is this where we are heading in

this land of the free? Are secret Government programs that spy on American citizens proliferating? The question is not, is Big Brother watching? The question is, how many big brothers have we?

Ever since the New York Times revealed that President George W. Bush has personally authorized surveillance of American citizens without obtaining a warrant, I have become increasingly concerned about dangers to the people's liberty. I believe that both current law and the Constitution may have been violated, not just once, not twice, but many times, and in ways that the Congress and the American people may never know because of this White House and its penchant for control and secrecy.

We cannot continue to claim we are a nation of laws and not of men if our laws, and indeed even the Constitution of the United States itself, may be summarily breached because of some determination of expediency or because the President says, ''Trust me.''

The Fourth Amendment reads clearly:

> The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

The Congress has already granted the executive branch rather extraordinary authority with changes in the Foreign Intelligence Surveillance Act that allow the Government 72 hours after surveillance has begun to apply for a warrant. If this surveillance program is what the President says it is, a program to eavesdrop upon known terrorists in other countries who are conversing with Americans, then there should be no difficulty in obtaining a warrant within 72 hours. One might be tempted to suspect that the real reason the President authorized warrantless surveillance is because there is no need to have to bother with the inconveniences of probable cause. Without probable cause as a condition of spying on American citizens, the National Security Agency could, and can, under this President's direction, spy on anyone, and for any reason.

How do you like that? How about that? We have only the President's word, his ''trust me,'' to protect the privacy of the law-abiding citizens of this country. One must be especially wary of an administration that seems to feel that what it judges to be a good end always justifies any means. It is, in fact, not only illegal under our system, but it is morally reprehensible to spy on citizens without probable cause of wrongdoing.

When such practices are sanctioned by our own President, what is the message we are sending to other countries that the United States is trying to convince to adopt our system? It must be painfully obvious that a President who can spy on any citizen is very unlike the model of democracy the administration is trying to sell abroad.

In the name of ''fighting terror,'' are we to sacrifice every freedom to a President's demand? How far are we to go? Can a President order warrantless, house-to-house searches of a neighborhood where he suspects a terrorist may be hiding? Can he impose new restrictions on what can be printed, what can be broadcast, what can be uttered privately because of some perceived threat—perceived by him—to national security? Laughable thoughts? I think not.

This administration has so traumatized the people of this Nation, and many in the Congress, that some will swallow whole whatever rubbish that is spewed from this White House, as long as it is in some tenuous way connected to the so-called war on terror. And the phrase ''war on terror,'' while catchy, certainly is a misnomer. Terror is a tactic used by all manner of violent organizations to achieve their goal. This has been around since time began and will likely be with us until the last day of planet Earth.

We were attacked by bin Laden and by his organization, al-Qaida. If anything, what we are engaged in should more properly be called a war on the al-Qaida network. But that is too limiting for an administration that loves power as much as this one. A war on the al-Qaida network might conceivably be over someday. A war on the al-Qaida network might have achievable, measurable objectives, and it would be less able to be used as a rationale for almost any Government action. It would be harder to periodically traumatize the U.S. public, thereby justifying a reason for stamping ''secret'' on far too many Government programs and activities.

Why hasn't Congress been thoroughly briefed on the President's secret eavesdropping program, or on other secret domestic monitoring programs run by the Pentagon or other Government entities? Is it because keeping official secrets prevents annoying congressional oversight? Revealing this program in its entirety to too many Members of Congress could certainly have unmasked its probable illegality at a much earlier date, and may have allowed Members of Congress to pry information out of the White House that the Senate Judiciary Committee could not pry out of Attorney General Gonzales, who seemed generally confused about for whom he works—the public or his old boss, the President.

Attorney General Gonzales refused to divulge whether purely domestic communications have also been caught up in this warrantless surveillance, and he refused to assure the Senate Judiciary Committee and the American public that the administration has not deliberately tapped Americans' telephone calls and computers or searched their homes without warrants. Nor would he reveal whether even a single arrest has resulted from the program.

What about the first amendment? What about the chilling effect that warrantless eavesdropping is already having on those law-abiding American citizens who may not support the war in Iraq, or who may simply communicate with friends or relatives overseas? Eventually, the feeling that no conversation is private will cause perfectly innocent people to think carefully before they candidly express opinions or even say something in jest.

Already we have heard suggestions that freedom of the press should be subject to new restrictions. Who among us can feel comfortable knowing that the National Security Agency has been operating with an expansive view of its role since 2001, forwarding wholesale information from foreign intelligence communication intercepts involving American citizens, including the names of individuals to the FBI, in a departure from past practices, and tapping some of the country's main telecommunication arteries in order to trace and analyze information?

The administration could have come to Congress to address any aspects of the FISA law in the revised PATRIOT Act which the administration proposed, but they did not, probably because they wished the completely unfettered power to do whatever they pleased, the laws and the Constitution be damned.

I plead with the American public to tune in to what is happening in this country. Please forget the political party with which you may usually be associated and, instead, think about the right of due process, the presumption of innocence, and the right to a private life. Forget the now tired political spin that if one does not support warrantless spying, then one may be less than patriotic.

Focus on what is happening to truth in this country and then read President Bush's statement to a Buffalo, NY, audience on April 24, 2004:

> Any time you hear the United States Government talking about wiretap, it requires—a wiretap requires a court order. Nothing has changed, by the way. When we are talking about chasing down terrorists, we are talking about getting a court order before we do so.

That statement is false, and the President knew it was false when he made it because he had authorized the Government to wiretap without a court order shortly after the 2001 attacks.

This President, in my judgment, may have broken the law and most certainly has violated the spirit of the Constitution and the public trust.

Yet I hear strange comments coming from some Members of Congress to the effect that, well, if the President has broken the law, let's just change the law. That is tantamount to saying that whatever the President does is legal, and the last time we heard that claim was from the White House of Richard M. Nixon. Congress must rise to the occasion and demand answers to the serious questions surrounding warrantless

spying. And Congress must stop being spooked by false charges that unless it goes along in blind obedience with every outrageous violation of the separation of powers, it is soft on terrorism. Perhaps we can take courage from the American Bar Association which, on Monday, February 13, denounced President Bush's warrantless surveillance and expressed the view that he had exceeded his constitutional powers.

There is a need for a thorough investigation of all of our domestic spying programs. We have to know what is being done by whom and to whom. We need to know if the Federal Intelligence Surveillance Act has been breached and if the Constitutional rights of thousands of Americans have been violated without cause. The question is: Can the Congress, under control of the President's political party, conduct the type of thorough, far-ranging investigation which is necessary. It is absolutely essential that Congress try because it is vital to at least attempt the proper restoration of the checks and balances. Unfortunately, in a Congressional election year, the effort will most likely be seriously hampered by politics. In fact, today's Washington Post reports that an all-out White House lobbying campaign has dramatically slowed the congressional probe of NSA spying and may kill it.

I want to know how many Americans have been spied upon. Yes, I want to know how it is determined which individuals are monitored and who makes such determinations. Yes, I want to know if the telecommunications industry is involved in a massive screening of the domestic telephone calls of ordinary Americans like you and me. I want to know if the U.S. Post Office is involved. I want to know, and the American people deserve to know, if the law has been broken and the Constitution has been breached.

Historian Lord Acton once observed that:

> Everything secret degenerates, even the administration of justice; nothing is safe that does not show how it can bear discussion and publicity.

The culture of secrecy, which has deepened since the attacks on September 11, has presented this Nation with an awful dilemma. In order to protect this open society, are we to believe that measures must be taken that in insidious and unconstitutional ways close it down? I believe that the answer must be an emphatic ''no.''

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. FEINGOLD. Mr. President, I ask unanimous consent to be recognized at the conclusion of the remarks of the Senator from Virginia and the Senator from Arkansas.

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

The Senator from Virginia is recognized.

Mr. WARNER. I thank the Chair.

(The remarks of Mr. WARNER and Mr. PRYOR pertaining to the introduction of S. 2290 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

The Senator from Michigan is recognized.

PRESCRIPTION DRUGS

Ms. STABENOW. Mr. President, I came to the Senate back in 2001 focused in part on lowering the cost of prescription drugs and the importance of making sure every American senior, every person with disabilities on Medicare, had the opportunity to receive their medicine through the Medicare system, which has been so very successful. We had a lot of work, a lot of effort go back and forth on the Medicare bill as time went on, related to Medicare Part B, and it changed from being about our seniors to being about what was best for those in the industry, particularly the pharmaceutical industry. We began to see a bill that was written, in fact, for the industry rather than for our seniors.

I stand here this evening calling on my colleagues to join with us on this side of the aisle to fix this, to get it right for people. We have a Medicare prescription drug plan that has been adopted that costs twice as much for the American taxpayer as it should, much more for most seniors than it should, and provides less in options and less in medicines than it should. It makes no sense to continue with something which is so confusing, with the cost gaps, which does not allow our poorest seniors to get the medicines they need or, if they do, they are paying more than they did last year. It makes no sense.

We stand here getting ready to go on a recess next week without having fixed the basics of what is wrong with this program. We know that at the beginning of January, our poorest seniors on Medicaid were switched over to the Medicare Program. But too much of the time the computers didn't work, the pharmacists did not have records in the system, and seniors didn't know what plans they were in. They were arbitrarily put into a plan that may not cover their medicines today or costs much more than it should. We saw the administration indicate that while this was being fixed, the pharmacists should go ahead and give people their medicines for the first 30 days. In many cases, States have stepped in to try to continue to help our seniors to get the life-saving medicine they desperately need while all of this gets figured out.

At the end of 30 days, it wasn't figured out. That was the end of January. Here we are now on February 15, and we are into a 2-month extension, a 60-day extension to try to figure out this mess for our seniors.

Pharmacists are told to continue giving people their medicine. Of course, it is the right thing to do. People should not be losing their medicine. But now I am getting calls from pharmacists who are deeply concerned because they are trying to decide whether their small family-owned pharmacy, for example, will be able to continue to pay its own bills without reimbursement or they are going to have to choose whether to help the people in the community they care about, whom they were set up to serve, and want to serve and are serving.

The question is, What is going to happen? Are the pharmacies going to get paid? Are the States going to get reimbursed? What happens to the seniors at the end of March? Are we going to see another 30 days or another 60 days because of a failed system that is confusing? We need to fix this, and it can be fixed.

On this side of the aisle, Senator JAY ROCKEFELLER has legislation many of us cosponsored to make sure that States are reimbursed. We need to make sure those who are providing the medicines now will get this worked out and will be reimbursed.

We also have another series of issues that need to be addressed with this system. People have until May 15, 3 months from today, to decide whether they are going to sign up to be a part of the Medicare system in terms of their prescription drugs and wade through all of this. In Michigan, there are about 65 plans. God bless them if they can get through it, or their children or friends can help them get through all of this and figure out the plan they are going to be on. But once they figure it out, they are locked into the plan after May 15 for a year. Shockingly, the people they sign up with aren't locked into the same agreement for a year. The drug companies can change what is covered. They don't have to cover the plan.

If my mother has worked through a plan that covers four medicines, for example, after May 15 if they decide they will only cover two, or maybe they decide not to cover any of them, that is OK under the current system. It is not OK for the American people. It is not OK for people who are counting on us to have a plan that works.

What if they want to raise the price? You lock into a system, looks like a good deal, figure out the premium that works for you, figure out the copay, what is covered, after May 15 you are

locked in for a year. But the plan could change the price, and it could change it every day, if they wanted to. That is outrageous, absolutely outrageous.

A colleague of mine, Senator BILL NELSON, introduced a bill I am cosponsoring with others to extend that May 15 date to the end of the year to at least give people a year to figure out what is going on.

But in addition to that, we need to say once somebody is locked into a plan, everybody is locked in. You can't say I am obligated or my mother is obligated to pay a monthly premium and a copay on a plan they sign up for but the other side can change the contract, change the price, and no longer cover the medicine. That is outrageous. It makes absolutely no sense whatsoever.

I have an example of a gentleman with MS who called my office a couple of weeks ago. He worked through all of the plans and made a determination on a plan that would cost him $50 a month for his medicine. He got ready to go to the pharmacy and thought he would call to make sure the price he had was right. He called and found out that, no, that has been changed now. It is over $500. He is fortunate because he could and did drop that plan because it is not May 15. If that were after May 15, this gentleman with MS would be locked into a plan costing him over $500 for something he thought he was getting for $50. Who in their right mind would say that is OK? We can do better than that. We have to do better for our seniors and for the people with disabilities.

To add insult to injury, we have a situation where negotiating for group prices is actually prohibited in this new Medicare bill. How does that make any sense at all? You are talking about over 31 million people on Medicare. That would be a pretty good group discount if they were negotiating together for a group discount. But that is prohibited. So we are locking in the highest possible prices. The taxpayers are paying more, the seniors are paying more, and people with disabilities are paying more because they are not allowed to do group pricing.

The VA, on behalf of veterans, doesn't pay top dollar. They get about a 40-percent discount. That makes sense. There is no reason why that should not be happening here with a plan that in fact is written for seniors and the disabled.

What happened? What happened when people didn't get the choices they wanted, which is the one I am advocating for, which is a real benefit to Medicare—sign up, go to your pharmacy, know what your prices are, like Medicare. What happened? Why didn't that plan get enacted instead of this privatized approach forcing people to go through private insurance companies or HMOs to get the help they need? How did that happen? How did it happen that Medicare is stopped from negotiating the best deal? How did that happen? How did it happen that seniors have to sign up for a plan and be locked in for a year, but the people on the other side providing the benefit, getting the premium and the copay, don't have to have prices that are locked in for a year or the range of medicines they will cover locked in for a year?

When you look at what happened, unfortunately, this is the legislative process at its worst. Unfortunately, for somebody who came here wanting desperately to make sure that we are providing low-cost medicine for everybody through various means but certainly for our seniors, this was an extremely disturbing process that occurred that resulted in this new law.

The reality is while we were negotiating on the Senate floor, the head of the Centers for Medicare and Medicaid was at the same time negotiating himself a job with a pharmaceutical industry. We now know that at least 10 people from the administration working in Medicare and Medicaid have now gone out to work with the industry. We also know that in the House, one of the committee chairs, at the same time he was negotiating this bill, was negotiating a salary for himself of $2.5 million to go to work for PhRMA, which is a lobbying arm for the brandname pharmaceutical industry. That is outrageous. When we talk about reform, when we talk about what needs to be done here, we need to start with that. That is the kind of thing that, in fact, we address in our honest government bill that has been passed and submitted by the Democrats in the Senate. We need to deal with that.

But the reality is we have a bill that was written for the interests of people in the industry, not for seniors and the disabled in this country, and not for the taxpayers either.

When you lock in the biggest prices possible, you are not looking out for taxpayers' interests any more than looking out for the interests of seniors or the disabled. This needs to be fixed. There needs to be a sense of urgency about this.

I know at home there is an outrage about this. This needs to be fixed. There are those potentially who can be helped by this bill. I hope everybody who can receive assistance under this new benefit will be able to wade through the bureaucracy and figure out or have somebody help them get some help for themselves. Every day, there is a sense of urgency for people, but we have to fix this overall.

In my book, we need to start over and get this right and decide we are going to worry about the person right now, at almost 7 o'clock tonight, on a Wednesday night, who has probably had dinner already and is sitting down maybe deciding what medicine they take tonight—or do I have my pills for tomorrow? Do I cut them in half so they will last longer? Maybe I can take them every other day. Maybe I am a wife whose husband takes the same blood pressure medicine and can share, even though it is dangerous for your health to do that.

This is the United States of America. We can do better than that. We can do better than a Medicare bill that costs too much and provides too little and does not put Americans first. We can do better than that.

My colleagues on this side of the aisle stand ready and are going to speak out every single day to create a sense of urgency about getting this done. We need to work together. Things only happen when we work together on a bipartisan basis. We need to do that. But we cannot let another month or two go by without having fixed the things that are right in front of us. We can't let time go by and not have dealt with the issues that lock people into a system that can raise their prices and take away their medicine while they have to continue to pay. That is outrageous.

There is a better way to do this through Medicare. That is the way it should have been done from the very beginning. There is absolutely no reason we can't go back and get this right.

I hope everyone who cares about this issue will be speaking out, will do everything they can to raise this issue and call on us to act and get this right. This is not the finest hour of this Congress or this administration. We can do much better than what has been done.

I am going to continue to do everything in my power to both fix this in the short run for people and then make sure we have a real prescription drug benefit for people as we go forward. Medicine isn't a frill. This is about life and death for too many people. We need to go back and get this right. I am hopeful that, working together, we will.

Thank you, Mr. President.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. COBURN. Mr. President, I want to speak a few minutes after hearing the Senator from Michigan. I thought, first of all, her accusations have to be answered. First of all, she made a fairly serious charge on a friend of mine, the Congressman from Pennsylvania, Bucks County, Jim Greenwood, and implied that not only was his vote and his work in trying to secure prescription drugs for seniors part of a deal with the pharmaceutical industry, which I think there is no foundation for whatever, and I believe it also probably is in very poor taste for this Senate to start hanging out people who have left and demeaning their name on the basis of whom they go to work for. If we counted on both sides, we would find plenty of ammunition to do that. I think that is probably not the decorum of the Senate. I hope we will not hear that again.

I have lots of differences with former Congressman Greenwood in terms of

social issues, but I have always found him to be an honorable man, above board and straightforward in both his intellect and the way he carried himself. To disadvantage his reputation the way that was done I find unconscionable.

No. 2, the Senator from Michigan did run a campaign on lowering prescription drugs. Her campaign was increased competition and reimportation, as well as Government control of every aspect of the pharmaceutical industry to lower the prices.

The program this country has I would not have supported. I do not believe it is the Government's role for us to supply to seniors in this country, but this program will supply drugs at half the cost of what most seniors who have been paying for their prescription drugs pay. To scare seniors into thinking they have a prescription drug program and they will not have one in 2 months or 2 weeks or 6 months is the type of tactic that undermines the integrity of this Senate and is one of the reasons people in this country are losing confidence in elected representatives. Quite frankly, the difference is going to be a lot of seniors today are having medicines they would not otherwise have.

I don't like it, but it is understandable, and we must recognize any program of this magnitude, when it starts, is going to have trouble. They are having far less problems now. The vast majority of people and the vast majority of pharmacists are not having a problem with the program. It will still have some bugs for the next couple of months. It will get better every month.

The goal of the program was to make sure those people who were choosing between food and medicine did not have to make that choice. Even though I'm not a fan of this program, it is accomplishing its goals. To scare seniors with this tactic, to try to scare seniors into thinking something they have now will go away, is unconscionable and is beyond the decorum of the Senate.

I yield the floor.

Mr. LEAHY. Mr. President, as one of the authors of the original USA PATRIOT Act, as someone who voted to reauthorize an improved version of the act back in July 2005, and as an American concerned with our security, I am glad that we are making progress, but I have some misgivings about the bill being considered today. I will vote to proceed and hope there is an opportunity to improve the bill and the PATRIOT Act reauthorization even further.

I believe that the PATRIOT Act provides important and valuable tools for the protection of Americans from terrorism. These matters should be governed by law and not by whim. Legislative action should be the clear and unambiguous legal footing for Government powers.

I am glad that the sunsets that Congressman Armey and I insisted be included in the 2001 act brought about reconsideration and some refinement of the powers authorized in that measure. Those sunsets contributed to congressional oversight. Without them I expect the Bush administration would have stonewalled our requests for information and for review of the way they were implementing the statute. The sunsets were the reason we have been going through a review and renewal process over the last few months. Now the challenge to Congress is to provide the effective oversight that will be needed in the days ahead and to ensure that there is effective court review of actions that affect the rights of Americans.

Several specific provisions of this bill reflect modest improvement over both the original PATRIOT Act and the reauthorization proposal initially produced by the House-Senate conference. It is with these improvements in mind that I will support Senator SUNUNU's bill.

These improvements, like those contained in the conference report, were hard won. The Bush administration pursued its usual strategy of demanding sweeping Executive powers and resisting checks and balances. As usual, it was short on bipartisan dialogue and long on partisan rhetoric. And as usual, the Republican majorities in the House and Senate did their utmost to follow the White House's directives and prevent any breakout of bipartisanship. But a ray of bipartisanship did break out, and this reauthorization package is the better for it.

Senator SUNUNU's bill modifies a provision I objected to that would have required American citizens to tell the FBI before they exercise their right as Americans to seek the advice of counsel. Chairman SPECTER and I worked together to correct this provision and Senator SUNUNU has improved it further. I commend his efforts in this regard.

Another important change provided by the Sununu bill builds upon another objection I had and an idea I shared with him to ensure that libraries engaged in their customary and traditional activities not be subject to national security letters as Internet service providers. This is a matter I first raised and feel very strongly about. I commend Senator SUNUNU for the progress he has been able to make in this regard. The bill is intended to clarify that libraries as they traditionally and currently function are not electronic service providers, and may not be served with NSLs for business records simply because they provide Internet access to their patrons. Under this clarification, a library may be served with an NSL only if it functions as a true Internet service provider, as by providing services to persons located outside the premises of the library, but this is an unlikely scenario. In most if not all cases, if the Government wants to review library records for foreign intelligence purposes, it will need a court order to do so. The language I proposed to Senator SUNUNU in this regard was less ambiguous than that to which the Bush administration would agree. Still, my intent, Senator SUNUNU's intent, and the intent of Congress in this regard should be clear. It is to strengthen the meaning and ensure proper implementation of this provision that I will support this bill. As a supporter, I trust my intent will inform those charged with implementing the bill and reviewing its proper implementation.

It is regrettable that the Bush administration would not engage all of us in a bipartisan conversation on ways we could improve the bill. The White House Counsel only spoke to the Republican Senators. In that setting, they negotiated to achieve what they viewed as improvements. It is less than we would have liked. I know that the Republican Senators who worked on this bill were well intentioned and I commend their efforts. Regrettably, I note that one set of changes included in this bill I strongly oppose.

The Bush administration has used the last round of discussions with Republican Senators to make the gag order provisions worse, in my view, by forbidding any challenge for one year. The Bush administration has simply refused to listen to reason on this and insists on this thumb on the scale of justice. In addition, the bill continues and cements into law procedures that, in my view, unfairly determine challenges to gag orders. The bill allows the Government to ensure itself of victory by declaring that, in its view, disclosure ''may'' endanger national security or ''may'' interfere with diplomatic relations. This is the type of provision to which I have never agreed in connection with national security letters or section 215 orders. It will serve to prevent meaningful judicial review of gag orders and, in my view, is wrong.

I will continue to work to improve the PATRIOT Act. I will work to provide better oversight of the use of national security letters and to remove the un-American restraints on meaningful judicial review. I will seek to monitor how sensitive personal information from medical files, gun stores, and libraries are obtained, used, and retained. While we have made some progress, much is left to be done.

In 2001, I fought for time to provide some balance to Attorney General Ashcroft's demands that the Bush administration's antiterrorism bill be enacted in a week. We worked hard for 6 weeks to make that bill better and were able to include the sunset provisions that contributed to reconsideration of several provisions over the last several months. Last year I worked with Chairman SPECTER and all the members of the Judiciary Committee and the Senate to pass a reauthorization bill in July. As we proceeded into the House-Senate conference on the measure, the Bush administration and congressional Republicans locked Democratic conferees out of their deliberations and wrote the final bill.

That was wrong. In December, working with a bipartisan group of Senators, we were able to urge reconsideration of that final bill. Senators SUNUNU and CRAIG were able to use that opportunity to make some improvements. I commend them for what they were able to achieve and hope that my support for their efforts has been helpful. I wish that along the way the Bush administration had shown a similar interest in working together to get to the best law we could for the American people. When the public's security and liberty interests are at stake, it seems especially prudent and compelling to me that every effort should be made to proceed on a bipartisan basis toward constructive solutions. Instead, the White House has chosen once again to try to politicize the situation.

Since the conference was hijacked, I have tried to get this measure back on the right track. We have been able to achieve some improvements, and that is no small feat given the resistance by this White House to bipartisan suggestions. I regret that this bill is not better and that the intransigence of the Bush administration has prevented a better balance and better protections for the American people. I will continue to work to provide the tools that we need to protect the American people. I will continue to work to provide the oversight and checks needed on the use of Government power and will seek to improve this reauthorization of the PATRIOT Act.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. I understand an agreement has been reached to have the cloture vote on the motion to proceed tomorrow morning and then a cloture vote on the bill on that Tuesday after we return from the recess.

I point out the agreement essentially implements the schedule that would have been followed had I required the Senate to go through all the procedural hoops necessary to reach a vote on the White House deal. It, of course, maintains the 60-vote threshold for passing this legislation.

I thank the two leaders for working with me. I have no desire to inconvenience my colleagues or force votes in the middle of the night, as I understand the majority leader was threatening.

I have been trying all day to get an agreement to allow debate and votes on a small number of amendments to this bill. I do not understand what the majority leader is afraid of or concerned about in rejecting this reasonable request. So while I do not object to the agreement that will be propounded in a few minutes, I hope once we are on the bill tomorrow, I will be able to offer amendments and have them voted on.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. FRIST. Mr. President, we are at a continuation of a sequence of events which has resulted in a lot of delay, a lot of postponement, really reflecting these insufferable attempts to put off the Nation's business with obstruction and stalling. It is disturbing to me because we have so many issues to address in securing America's future, securing America's future in terms of security, securing America's future when it comes to looking at health care issues, education issues, securing America's prosperity as we look at competition and innovation and things we can do to invest in math and science education, and making us more competitive and creating jobs with respect to China and India.

There are so many issues, many of which were outlined by the President of the United States in the State of the Union Address. Yet we are going through this stall ball, which is reflected now on the PATRIOT Act, where we have the PATRIOT Act reauthorization being filibustered by the Democrats, which started in December when we had a filibuster on the reauthorization, and the filibuster now on the motion to proceed. Now, with that continued postponement and filibuster, there is no way to complete this reauthorization of the PATRIOT Act before we go on recess. There is no way to do it using the tools of the Senate, using the tools of the filibuster.

And a filibuster I can understand if you are shaping the bill or if the outcome is not absolutely predetermined. But the outcome here is absolutely predetermined. There will be overwhelming support in this body for this bill. It is important to the safety and security of the American people. It breaks down barriers between the intelligence community and our law enforcement community, and it does so protecting the civil liberties of Americans.

There is overwhelming support. The outcome is determined. Yet we have been in a quorum call for most of the day, and using the rules of the Senate. Again, people say: Well, if it is a filibuster, why aren't people talking all the time? With the rules of the Senate, you do not have to be talking, but you control the Senate in terms of time. With that, we are able to file cloture motions, and then you wait another 30 hours, and it is a series of cloture motions, which stretches the time out, again, really wasting precious time on the floor of the Senate when we should be governing, answering, responding to the problems of everyday Americans, the challenges of everyday Americans.

Looking at what we have gone through recently, for example, the pensions bill, we passed the pensions bill on November 16, 2005, with a vote of 97 to 2, overwhelming support. I asked the Democrats to appoint conferees on December 15 of last year. I asked them to appoint conferees again, renewing that request on February 1. I have been in continued conversation and discussions with the Democratic leadership. Again: Not yet, postponement. We know the issues pertaining to the pensions bill. We can't respond until we can get to conference. The House is ready with conferees, but we can't go to conference until we appoint conferees. Yet once again, those names are not given.

I have been in discussion with the Democratic leader. I understand we will be able to appoint conferees in the next 24 hours or so. But it is the pattern of postponement, delay, obstruction, and stopping the Nation's business that disturbs me.

The asbestos bill, I said long ago that we would spend this period on asbestos. We were forced by the other side of the aisle to file cloture on the motion to proceed just to get on that bill, a bill that does address victims who are suffering from asbestos-related disease and who are not being compensated fairly. We voted in favor of cloture 98 to 1. Then we had delayed consideration of the bill by 3 days by forcing cloture, and then we had insistence on a day of debate only—again, postponement.

The Alito nomination ended up being successful; the advice and consent was carried out. But once again, there was a week delay beyond which we had worked out a time line before we could bring the Alito nomination to the floor.

Earlier this week and over the last couple of weeks, we have had to deal with the tax reconciliation bill to go to conference. The Democrats forced the Senate to consider the bill three separate times just to get to conference. We had 20 hours of debate the first time, with 17 rollcall votes, and then we had another 20-hour limitation, with 7 more rollcall votes. Then we had a series of votes yesterday morning on motions to instruct before we get to conference. All of that didn't change the bill at all. These are nonbinding motions to instruct—but again, another manifestation of stalling, postponing, delaying.

It is frustrating because whether it is the tax relief bill or the Alito nomination or the asbestos bill or the pensions bill or, now, the PATRIOT Act, it is a pattern that, if we are going to be working together in the Nation's interest, we cannot continue over the course of the year; otherwise, we will not get anything done when we do have challenging problems with health care costs too high, things that we can do on education in terms of math and science, making our country and our students more competitive in the future, addressing issues surrounding funding our military.

So with that, I plead to my colleagues on both sides of the aisle to work together to make progress. Let's be doing what we are supposed to be

doing and that is governing in the Nation's interest.

Mr. President, I ask unanimous consent that the cloture vote on the pending motion to proceed occur at 10:30 a.m. tomorrow with the mandatory quorum waived; provided further that if cloture is invoked, notwithstanding rule XXII, the Senate proceed immediately to the bill; I further ask consent that if a cloture motion is filed on the bill during Thursday's session, then that cloture vote occur at 2:30 p.m. on Tuesday, February 28; provided further that if cloture is invoked on the bill, then at 10 a.m. on Wednesday, March 1, the bill be read a third time and the Senate proceed to a vote on the bill with no intervening action or debate.

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

MORNING BUSINESS

Mr. FRIST. Mr. President, I ask unanimous consent that there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

ENERGY

Mr. DORGAN. Mr. President, I will spend a few minutes talking about energy.

There was a letter to the editor in the Wall Street Journal, I believe, this morning or yesterday morning, responding to an editorial where I had given a response to an editorial. The writer to the Wall Street Journal was taking me to task for saying there is not a ''free market'' in energy or in oil. My point was there is no free market in oil. He said he doesn't know what I have been drinking or where I got these thoughts. He said there is a free market in oil.

Let me describe all of this in the context of President Bush's State of the Union Address in which he suggested that we are ''addicted'' to oil and we need to move toward greater independence with respect to oil, especially coming from off our shores.

First, on the subject of a free market, there is no free market in oil. A substantial portion of oil comes from halfway around the world, under the sand in the Middle East, in Saudi Arabia, Kuwait, Iraq, and Iran. A substantial part of the world supply of oil comes from that region. And those OPEC ministers, having formed a cartel, sit around a room and decide how much they are going to pump and at what price. That is a cartel. Cartels are the antithesis of the free market system. Yet the OPEC countries have this cartel, produce a great amount of oil, and they decide how they are going to manipulate price and supply. That is No. 1.

No. 2, you have the large oil companies, bigger and much stronger because of the blockbuster mergers in recent decades, especially in the last one. These oil companies used to be one company, and now they are a company with several names, such as ExxonMobil. That used to be Exxon, and that used to be Mobil. They decided to fall in love and get married, and now it is ExxonMobil. Last year, ExxonMobil made $36.1 billion—the highest profit ever recorded in corporate America. ExxonMobil.

Then there is Chevron-Texaco. It used to be Chevron, and there was Texaco. They discovered they liked each other and they got hitched, making it Chevron-Texaco.

And then we have ConocoPhillips, which used to be separate companies. Once they decide to marry up and merge, they save all these names.

So there is ExxonMobil, Chevron-Texaco, and ConocoPhillips. Maybe some day they will all merge, and when you put them all together, they will be ExxonMobil ChevronTexaco ConocoPhillips—just one company. The blockbuster mergers mean these companies are bigger, stronger, and have greater capacity to influence the marketplace.

So you have the OPEC ministers in a closed room talking about supply and price and how they affect supply and price and the manner in which they want to affect it. You have the oil companies, larger and stronger, having more muscle to influence the marketplace. And third, you have the futures market. The futures market, rather than simply providing liquidity for training, has become an orgy of speculation. So those three things are what determine the price of oil and the price of gasoline. It has very little to do with the so-called free market. Yet we hear all these people talk about the free market.

Do you think it is the free market that gives us a company such as ExxonMobil, with profits of $36.1 billion last year? That is not a free market. That is the price of oil which is somewhere between $60 and $70 a barrel. That is up from $40 a barrel average price of the year before, at which point this company had the highest profits in their history. So it went from an original price of $40 a barrel to over $60 a barrel, and the company had no additional expenses at all. That price went to that level and it stayed relatively at that level, and it has dramatically boosted the profits of all of these oil companies—Shell, $25.3 billion; B.P., $22.3 billion; $36.1 billion for ExxonMobil.

Listen, all the gain is here with the big oil companies and the OPEC countries. All the gain is here, and all the pain is on the side of the consumers, people trying to heat their home in the winter, people driving to the gas pump trying to figure out how much it is going to take to fill up their tank. They are paying the higher prices, and all that goes into these coffers, higher profits. And that is sent also to the OPEC countries.

The President talks about an addiction to oil. I would use that term. We are hopelessly addicted to oil. I don't suggest that we have an oil anonymous organization where we show up on Wednesday nights and confess that we drove our Humvee 10 blocks to pick up a bagel. What do we confess to? Well, we have a 6,000-pound vehicle and we decided we needed to run an errand to buy a piece of ribbon. That is not what I suggest, nor is it what I expect the President suggest.

Addiction to oil. Let's think about that. We suck 84 million barrels of oil out of this Earth every day. Every single day, 84 million barrels are sucked out of the Earth. One-fourth of it, 21 million barrels of oil, goes to this country, the United States of America. We use fully one-fourth of all the oil that is extracted from this planet every single day. Sixty percent of all that oil we use in this country comes from off our shore, and much of it from troubled parts of the world. If, God forbid, something should happen to the supply of oil from Saudi Arabia tomorrow, we would have a huge problem.

Our economy is, in fact, attached to the ability to get oil from other parts of the world that are very troubled parts of our planet. If terrorists, for some reason, interdicted the supply of oil, shut off the supply of oil tomorrow morning, our economy would be in deep trouble. Obviously, there are national security interests here. Does it make sense from a national security standpoint to have the American economy running on 60-percent foreign oil, much of it coming from troubled parts of the world? The answer to that is no. Of course not. So in addition to national security issues, you have the issue of the unfairness, of huge profits for the major oil companies, huge profits for the OPEC countries, Saudi Arabia, Kuwait and others, and then substantial pain for people, many of whom can't afford it, pain in the form of higher prices.

Energy independence: That is the watchword. Energy independence, they say. What does all this mean? Let me go back for a moment to January 13, 2002. January 13, 2002 is the day the Ambassador for Saudi Arabia showed up at the White House in the Oval Office. Prince Bandar, the Saudi Ambassador, was then told at a meeting in the White House on January 13 that this country was going to attack Iraq, invade the country of Iraq. It is interesting that not until the next day did the President notify the U.S. Secretary of State.

On January 13, at a meeting in the Oval Office—and again, this comes from Bob Woodruff's book ''Bush at War''—the President called in and notified the Saudi Ambassador to the United States that we were going to war with Iraq. The following day, the President notified his own Secretary of State that he had made a decision to

go to war with Iraq. Interesting. It describes something about the relationship this country has with Saudi Arabia and the importance it places on that relationship.

This occurred, by the way, as my colleagues know, following 9/11/2001. Fifteen of the 19 hijackers were Saudi citizens. Of the 19 hijackers who flew the planes that hit this country, 15 of them were Saudi citizens. We had Saudi citizens rounded up on private airplanes leaving this country. Then in January of 2002, the President calls the Saudi Ambassador to the Oval Office and tells him we are going to war with Iraq. The following day, he tells our own U.S. Secretary of State Colin Powell that he has decided to go to war with Iraq. I recite that because it describes a very special relationship this country has had with Saudi Arabia, and perhaps a very unhealthy relationship. Under the Saudis' noses and eyes, I believe, there has existed a network of madrassas, schools and other activities in which terrorist organizations developed and flourished, and we bore the brunt of that on 9/11/2001. As long as they left Saudi Arabia alone, it was going to be all right; They could develop their terrorist cells.

The fact is when we go to the gas pumps in this country and fill our tank and pay the kind of money we are paying for that petroleum, there is a fair amount of evidence, and it is written evidence coming from numerous studies, that we are actually helping to finance terrorism. There are many steps we have to take to deal with that.

The first and most important step, however, is for us to understand this addiction to oil from the Middle East. The addiction to oil from Saudi Arabia and Kuwait and Iraq and elsewhere is a very unhealthy circumstance for our country. It is relatively easy to talk about addiction and fairly simple to talk about the need for energy independence. It is quite another thing to get there. I mentioned a moment ago driving a 6,000-pound car to go get a bagel. By that I meant a Humvee. Understand, I have never driven a Humvee, but I understand they weigh about 6,000 pounds, and I don't mean to demean anybody who would drive a 6,000-pound Humvee. But I do have, as I have indicated before, only broken knowledge of Latin, and when I drive up to a stoplight beside a Humvee and look over and see a Humvee on the street next to me, I think of a Latin phrase I learned in high school, not in formal class, but the phrase was ''totus porcus.'' I look at Humvees, 6,000-pound vehicles, and I understand that no one has been serious in this country about suggesting that we change the way we do things.

Are we suggesting that we get better gas mileage in our automobiles in any significant way? I looked at a vehicle the other day that is an identical vehicle to the same model that was produced 10 years ago. Guess what. It has exactly the same rated gas mileage. In 10 years, we can't add 1 mile per gallon. Whether it is conservation, efficiency, better gas mileage, or any dozens of other issues on the side of using petroleum products, or if it is on the side of producing petroleum products, we don't have a national plan. We don't have a plan that represents this country's crucial interests in actually getting to some kind of independence or some percentage of independence of foreign oil. We need one, and if the President's call in his State of the Union is an honest attempt to get there, I am with him. But it is not so much what we say, it is what we do that will determine our energy future.

I was proud in the last week or two to join my colleagues Senator DOMENICI, Senator BINGAMAN, and Senator TALENT in offering legislation to open the Gulf of Mexico for additional production. We believe there is somewhere around 6 trillion cubic feet of natural gas available for production in lease 181. It was ready for production in 2001 and the President took it off the books because his brother was Governor of Florida and didn't want it produced, so it has not been produced. But the fact is on a bipartisan basis here in the Senate we have a fair number of people on the bill that has been introduced. So let's produce, let's get that natural gas and get it into the pipeline.

The issue of additional production, especially coming from renewable fuels, makes a great deal of sense to me. I talked about lease 181, that is drilling, and that is production from drilling, oil and natural gas. We have a pipeline that needs to get done that we have already supported, from Alaska to the United States, transporting substantial portions of natural gas to the United States, but those who are supposed to be doing that have been dragging their feet on that. We do need fossil fuels to be producing more. But we also in the area of renewable fuels need to understand, we can decide to substitute for traditional fuels a substantial amount of renewable energy if we decided our country could do that.

Wind energy. Wind energy has great potential. Taking energy from the wind and producing electricity from it, perhaps even using electricity in the process of electrolysis to separate hydrogen from water and creating hydrogen fuel to run a hydrogen fuel-celled vehicle. All of that makes great sense. But you only do that as a country if you set goals and decide that is the direction you want to head.

Biofuels, ethanol. I was part of a group that set a new renewable fuel standard, saying we are going to get to 7.5 billion gallons of ethanol by the year 2012, doubling the use of ethanol in our country. That means you go in the farm fields on a renewable basis every year, produce corn, as an example, and produce ethanol fuel from corn that extends America's energy supply and also produces a new market for family farmers. All of these things are doable. Other countries have done them. Brazil is an example of a country that has done remarkable things with the extension of renewable fuels. Our country has not because we have not had a plan. Now we are getting there.

Last year's energy bill was a start. The bill we have introduced on lease 181 is another piece. There is much more to do, but we will not do anything close to move toward something you could call energy independence unless we as a country have a rational plan, a thoughtful plan.

There has been a lot of discussion about who created this energy plan of ours. It goes all the way back to the year 2001 when there were secret meetings and we had people coming to town to participate in these meetings, and virtually all of these countries, I understand, played a role in meetings such as that, although we can't find the names because they claim that the meetings were not public. The Vice President and others convened meetings, developed an energy policy, but it has not been a policy that has done anything other than lead us toward greater dependence on foreign sources of oil.

Slightly over 60 percent of our oil is coming from off our shores. That is scheduled in a very short order to go to nearly 70 percent. It has been an inevitable climb, from 60 to now 70. We are going to have to decide as a country, are we going to change that or aren't we? There is not much more we can do for this country's economic security and national security that is more important than to take this kind of energy plan and to decide to embark on something that will strengthen this country and make us less dependent on unstable parts of the world for the production of our energy and for the transport of our oil.

It is interesting to me that we never see that which goes in our gas tanks. My father ran a gasoline station, among other things. So when I was a kid, on nights and Saturdays and weekends, I was pumping gas. Some people say my occupation hasn't changed very much. But I pumped gas, and people would drive up and I filled their car with gas. I did that when I was a kid for years and years. When you think about this, we never see that product. So it comes from under the sands of Saudi Arabia. The Lord has seen fit to give us this wonderful bounty called the United States of America. There is no other country quite like it. Yet we have this prodigious appetite for energy. We use one-fourth of all the oil that is sucked out of this earth every day, and a substantial part of the oil, for some reason, exists halfway around the world under the sands of a very troubled part of our globe.

So in Saudi Arabia, where there are dramatic deposits of oil—we are not quite sure how large those deposits are because the Saudis won't let anyone verify all that—it is pulled out of that sand. It is cheaper to pull it out of that sand than anywhere else on the face of

the Earth, and then it is put in a pipe, it goes to a refinery, put in another pipe, goes to a dock, put on a ship, comes to this country on a tanker, is offloaded into a refinery, goes on a pipeline, perhaps goes to a truck, gets sent to a gasoline station, pumped through an underground tank and pumped through a hose into your car, and no one has ever seen it. Nobody has ever seen that gallon of gasoline. That is the way it works. But literally in this country our economy and our future are held prisoner by this unbelievable dependence on foreign oil.

It affects everything we do. It affects our foreign policy. We have gone to war over oil. It affects everything. So the question for this President and this Congress, not tomorrow but today, is how do you reach some sort of independence? How do we make our country less dependent on something we desperately need for our future economic opportunity and growth, less dependent on oil from overseas? I know there are as many suggestions on how to write a new energy policy as there are Members of the Senate. But I do not believe, with all due respect, that there is a Republican or Democratic way to write an energy policy or a conservative or liberal way to write an energy policy. I think there is a right way and a wrong way and a smart way and a pretty stupid way. But it seems to me that we need to begin to find the best of what each of our political parties has to offer in terms of an energy policy and find a way to construct, from the best of what both have to offer, something to assure us that our economy will have the energy that it needs for the future.

This is not some academic discussion, as is often the case on the floor of the Senate. There are people who, this winter, do not have enough money to heat their homes because prices are too high. That does not, by the way, have anything to do with supply and demand. You see these profits, the highest profits in history for the oil companies. You don't see gasoline lines. Has anybody seen any gas lines around here, people lining up for hours to get gas? No. There is no shortage. In fact, something came across my desk yesterday—an oil company is shutting down a portion of its refinery because it wants to restrict supply. Why? It wants to keep prices where they are. They like these high prices.

There are a lot of ramifications. There are enormous riches for the big oil companies and enormous pain for the American consumer, and that is the short term. The question in the short term is always: Who is going to stand up for the American consumer? I introduced a bill, along with my colleague, Senator DODD, from Connecticut, a couple of months ago, that would have imposed a windfall profit tax on these oil company profits, only on the profits above $40 a barrel. Incidentally, last year, 2004, represented the highest profits in history at $40 a barrel. We proposed a windfall profits tax at 50 percent on profits over $40 a barrel, with all the proceeds to be sent back to the American consumers as a rebate.

Interestingly enough, I guess it was 65 Senators voted against that because they do not want to take money from the oil industry and provide it as a rebate to consumers. I think you ought to even the score a bit. There is no justification for these profits. These companies have not exhibited additional expenses. These are extraordinary profits, the highest in the history of corporate America, and all the American consumers are feeling the pain. That is the short term. We have tried, in the short term, to address it with the windfall profits tax rebate bill and we have not been successful. But that is not over.

Then in the intermediate to longer term, we have to do more. We need a real plan for energy independence, a real plan, one that addresses alternative fuels and renewable fuels, enhances the recovery of fossil fuels in a way that is protective of our environment. We need to be doing all of that together, reaching a set of goals that our country establishes. You can't do this without leadership.

So my hope is that, both from the White House and also from here, we will begin to see some leadership toward energy independence—I mean some real leadership. Talking about it is one thing. It doesn't mean anything. People have been talking about this forever. It is a waste of breath unless it results in real planning.

I have mentioned before the book McCullough wrote about John Adams. It was a fascinating book and had lingering questions from John Adams as he was traveling around the world representing this new country they were trying to form. He spent time in France and England. He would write back to his wife Abigail. At least as I read the book, it would seem that he would write to Abigail and lament to her in his letters: Where will the leadership come from to form this new country of ours? Where will the leadership emerge to put this new country we want to form together? Then in the next letter he would write: Well, then, there is really only us—there's me, there's George Washington, there's Ben Franklin, there's Thomas Jefferson, there's Madison, there's Mason—and of course in the rearview mirror of history we know the ''only us'' now represents some of the greatest human talent ever assembled. But every generation of Americans asks the identical question: Where will the leadership come from? Where will the leadership emerge, real leadership, to steer this country in the right direction?

With respect to energy policy which relates to both our economic security and our national security, time is wasting, and there is not a more important subject for us to address, beginning now. The question remains: Where will the leadership come from? That question is addressed to both the White House and the Congress, asking for, finally, what the best of both political parties ought to have to offer this country.

AMERICAN ASSOCIATION ON MENTAL RETARDATION AWARD WINNERS

Mr. DURBIN. Mr. President, I am pleased today to join the Illinois chapter of the American Association on Mental Retardation, AAMR, in recognizing the recipients of the 2006 Direct Service Professional Award. These individuals are being honored for their outstanding efforts to enrich the lives of people with developmental disabilities in Illinois.

These recipients have displayed a strong sense of humanity and professionalism in their work with persons with disabilities. Their efforts have inspired the lives of those for whom they care, and they are an inspiration to me as well. They have set a fine example of community service for all Americans to follow.

These honorees spend more than 50 percent of their time at work in direct, personal involvement with their clients. They are not primarily managers or supervisors. They are direct service workers at the forefront of America's effort to care for people with special needs. They do their work every day with little public recognition, providing much needed care and assistance that is unknown except to those with whom they work.

It is my honor and privilege to recognize the Illinois recipients of AAMR's 2006 Direct Service Professional Award: Cheryl Case, Lisa Cutter, Jane Flores, Cindy Block, Patricia Bzdyl, Don Collins, Judy Hicks, Holly Spence, Della Reese, Sarah McRae, and Kathy Slimmer.

I know my fellow Senators will join me in congratulating the winners of the 2006 Direct Service Professional Award. I applaud their dedication and thank them for their service.

ARMY SPECIALIST PATRICK HERRIED

Mr. JOHNSON. Mr. President, in February 6, 2006, one of South Dakota's sons made the ultimate sacrifice while serving in Iraq. Army SP Patrick Herried died when an improvised explosive device detonated under the armored military vehicle he was driving. He was a member of the 4th Squadron, 14th Calvary Regiment, 172nd Stryker Brigade Combat Team based in Fort Wainwright, AK.

Specialist Herried was a 1994 graduate of Roosevelt High School in Sioux Falls and was fondly remembered by his classmates and teachers. Like many South Dakotans, he was passionate about sports and the outdoors. He was a member of the Roosevelt High School football team and enjoyed skateboarding and mountain biking.

Specialist Herried joined the Army in the hopes that it would lead to a better career and even college. His mother, Rita, agreed that the Army had a positive impact on her son. ''He was just a good kid,'' she said. ''Really quiet, but very directed since he's been in the service. He was a good son.''

Patrick's family and friends are in my thoughts and prayers during this trying time. Coming to terms with the

loss of any soldier who gives their life in defense of freedom is difficult. While we are awed by Patrick's selfless sacrifice, we are reminded that his life ended much too soon. It is my sincere hope that Patrick's family may take some small measure of comfort knowing our Nation is eternally grateful for his dedicated service to our country.

CORPORAL JESSE ZAMORA

Mr. BINGAMAN. Mr. President, I rise today to pay tribute to the life of CPL Jesse Zamora. I regret to inform my colleagues that Corporal Zamora was killed in Beiji, Iraq on February 3, 2006.

Those close to Corporal Zamora recognized an indomitable love of country and a passionate desire to serve his Nation in the military at an early age. Friends and family recall that as a young man, Corporal Zamora would often drive into the desert near Las Cruces in his pickup to practice his marksmanship. This simple custom is indicative of his discipline and certainly contributed to his great skill as a soldier. In 2002, shortly after graduating from high school, Corporal Zamora enlisted in the Army, fully knowing that his country would soon be going to war abroad. This brave decision illustrates the selflessness that endeared Corporal Zamora in the hearts of his family members, his friends, and his brothers in arms. It also demonstrates his passionate, disciplined approach to service and the selfless demeanor that is at the core of what the American Army prides its servicemembers on honor, duty, humility, and loyalty.

His mother Paola, stepfather Sergio, sister Christy, are all in our thoughts. His brother Tyrel is another brave member of the U.S. Army, and I hope that we can soon guarantee him a swift and safe journey home.

Corporal Zamora was assigned as an infantryman to the 101st Airborne Division. We can never fully express our gratitude for our veterans' service; I ask that we stop now to thank Corporal Zamora and acknowledge the sacrifice of his family for their Nation.

POPULARITY OF ''GROUNDHOG DAY''

Mr. GRASSLEY. Mr. President, yesterday and a few weeks ago, I invoked the movie ''Groundhog Day'' starring Bill Murray to provide a perspective on consideration of our tax reconciliation package. For the edification of my esteemed colleagues and other interested parties, I ask unanimous consent that an article originally published in the February 14, 2005, issue of ''National Review'' titled, ''A Movie for All Time,'' be printed in the RECORD. This article provides some information on the film and its enduring popularity.

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

[From the National Review, Feb. 14, 2005]

A MOVIE FOR ALL TIME

(By Jonah Goldberg)

Here's a line, you'll either recognize, or you won't: ''This is one time where television really fails to capture the true excitement of a large squirrel predicting the weather.'' If you don't recognize this little gem, you've either never seen Groundhog Day or you're not a fan of what is, in my opinion, one of the best films of the last 40 years. As the day of the groundhog again approaches, it seems only fitting to celebrate what will almost undoubtedly join It's a Wonderful Life in the pantheon of America's most uplifting, morally serious, enjoyable, and timeless movies.

When I set out to write this article, I thought it'd be fun to do a quirky homage to an offbeat flick, one I think is brilliant as both comedy and moral philosophy. But while doing what I intended to be cursory research—how much reporting do you need for a review of a twelve-year-old movie that plays constantly on cable?—I discovered that I wasn't alone in my interest. In the years since its release the film has been taken up by Jews, Catholics, Evangelicals, Hindus, Buddhists, Wiccans, and followers of the oppressed Chinese Falun Gong movement. Meanwhile, the Internet brims with weighty philosophical treatises on the deep Platonist, Aristotelian, and existentialist themes providing the skin and bones beneath the film's clown makeup. On National Review Online's group blog, The Corner, I asked readers to send in their views on the film. Over 200 e-mails later I had learned that countless professors use it to teach ethics and a host of philosophical approaches. Several pastors sent me excerpts from sermons in which Groundhog Day was the central metaphor. And dozens of committed Christians of all denominations related that it was one of their most cherished movies.

When the Museum of Modern Art in New York debuted a film series on ''The Hidden God: Film and Faith'' two years ago, it opened with Groundhog Day. The rest of the films were drawn from the ranks of turgid and bleak intellectual cinema, including standards from Ingmar Bergman and Roberto Rossellini. According to the New York Times, curators of the series were stunned to discover that so many of the 35 leading literary and religious scholars who had been polled to pick the series entries had chosen Groundhog Day that a spat had broken out among the scholars over who would get to write about the film for the catalogue. In a wonderful essay for the Christian magazine Touchstone, theology professor Michael P. Foley wrote that Groundhog Day is ''a stunning allegory of moral, intellectual, and even religious excellence in the face of postmodern decay, a sort of Christian-Aristotelian Pilgrim's Progress for those lost in the contemporary cosmos.'' Charles Murray, author of Human Accomplishment, has cited Groundhog Day more than once as one of the few cultural achievements of recent times that will be remembered centuries from now. He was quoted in The New Yorker declaring, ''It is a brilliant moral fable offering an Aristotelian view of the world.''

I know what you're thinking: We're talking about the movie in which Bill Murray tells a big rat sitting on his lap, ''Don't drive angry,'' right? Yep, that's the one. You might like to know that the rodent in question is actually Jesus—at least that's what film historian Michael Bronski told the Times. ''The groundhog is clearly the resurrected Christ, the ever-hopeful renewal of life at springtime, at a time of pagan-Christian holidays. And when I say that the groundhog is Jesus, I say that with great respect.''

That may be going overboard, but something important is going on here. What is it about this ostensibly farcical film about a wisecracking weatherman that speaks to so many on such a deep spiritual level?

THOROUGHLY POSTMODERN PHIL

A recap is in order. Bill Murray, the movie's indispensible and perfect lead, plays Phil Connors, a Pittsburgh weatherman with delusions of grandeur (he unselfconsciously refers to himself as ''the talent''). Accompanied by his producer and love interest, Rita (played by Andie MacDowell), and a cameraman (Chris Elliott), Connors goes on assignment to cover the Groundhog Day festival in Punxsutawney, Pa., at which ''Punxsutawney Phil''—a real groundhog—comes out of his hole to reveal how much longer winter will last. Connors believes he's too good for the assignment—and for Punxsutawney, Pittsburgh, and everything in between. He is a thoroughly postmodern man: arrogant, world-weary, and contemptuous without cause.

Rita tells Phil that people love the groundhog story, to which he responds, ''People like blood sausage, too, people are morons.'' Later, at the Groundhog Festival, she tells him: ''You're missing all the fun. These people are great! Some of them have been partying all night long. They sing songs 'til they get too cold and then they go sit by the fire and get warm and then they come back and sing some more.'' Phil replies, ''Yeah, they're hicks, Rita.''

Phil does his reporting schtick when the groundhog emerges and plans to head home as quickly as possible. Unfortunately, a blizzard stops him at the outskirts of town. A state trooper explains that the highway's closed: ''Don't you watch the weather reports?'' the cop asks. Connors replies (blasphemously, according to some), ''I make the weather!'' Moving on, the cop explain's he can either turn around to Punxsutawney or freeze to death. ''Which is it?'' he asks. Connors answers, ''I'm thinking, I'm thinking.'' Reluctantly returning to Punxsutawney, Connors spends another night in a sweet little bed and breakfast run by the sort of un-ironic, un-hip, decent folks he considers hicks.

The next morning, the clock radio in his room goes off and he hears the same radio show he'd heard the day before, complete with a broadcast of ''I Got You Babe'' and the declaration, ''It's Groundhog Day!'' At first, Connors believes it's an amateurish gaffe by a second-rate radio station. But slowly he discovers it's the same day all over again. ''What if there is no tomorrow?'' he asks. ''There wasn't one today!''

And this is the plot device for the whole film, which has seeped into the larger culture. Indeed, ''Groundhog Day'' has become shorthand for (translating nicely) ''same stuff, different day.'' Troops in Iraq regularly use it as a rough synonym for ''snafu,'' which (also translated nicely) means ''situation normal: all fouled-up.'' Connors spends an unknown number of days repeating the exact same day over and over again. Everyone else experiences that day for the ''first'' time, while Connors experiences it with Sisyphean repetition. Estimates vary on how many actual Groundhog Days Connors endures. We see him relive 34 of them. But many more are implied. According to Harold Ramis, the co-writer and director, the original script called for him to endure 10,000 years in Punxsutawney, but it was probably closer to ten.

But this is a small mystery. A far more important one is why the day repeats itself and why it stops repeating at the end. Because the viewer is left to draw his own conclusions, we have what many believe is the best

cinematic moral allegory popular culture has produced in decades—perhaps ever.

Interpretations of this central mystery vary. But central to all is a morally complicated and powerful story arc to the main character. When Phil Connors arrives in Punxsutawney, he's a perfect representative of the Seinfeld generation: been-there-done-that. When he first realizes he's not crazy and that he can, in effect, live forever without consequences—if there's no tomorrow, how can you be punished?—he indulges his adolescent self. He shoves cigarettes and pastries into his face with no fear of lovehandles or lung cancer. ''I am not going to play by their rules any longer,'' he declares as he goes for a drunk-driving spree. He uses his ability to glean intelligence about the locals to bed women with lies. When that no longer gratifies, he steals money and gets kinky, dressing up and play-acting. When Andie MacDowell sees him like this she quotes a poem by Sir Walter Scott: ''The wretch, concentrated all in self/Living, shall forfeit fair renown/And, doubly dying, shall go down/To the vile dust, from whence he sprung/Unwept, unhonored, and unsung.''

Connors cackles at her earnestness. ''You don't like poetry?'' She asks. ''I love poetry,'' he replies, ''I just thought that was Willard Scott.''

Still, Connors schemes to bed Rita with the same techniques he used on other women, and fails, time and again. When he realizes that his failures stem not from a lack of information about Rita's desires but rather from his own basic hollowness, he grows suicidal. Or, some argue, he grows suicidal after learning that all of the material and sexual gratification in the world is not spiritually sustaining. Either way, he blames the groundhog and kills it in a murder-suicide pact—if you can call killing the varmint murder. Discovering, after countless more suicide attempts, that he cannot even die without waking up the next day he begins to believe he is ''a god.'' When Rita scoffs at this—noting that she had twelve years of Catholic school (the only mention of religion in the film)—he replies that he didn't say he was ''the God'' but merely ''a god.'' Then again, he remarks, maybe God really isn't all-powerful, maybe he's just been around so long he knows everything that's going to happen. This, according to some, is a reference to the doctrine of God's ''middle knowledge,'' first put forward by the 16th-century Jesuit theologian Luis de Molina, who argued that human free will is possible because God's omniscience includes His knowledge of every possible outcome of every possible decision.

THE METAMORPHOSIS

The point is that Connors slowly realizes that what makes life worth living is not what you get from it, but what you put into it. He takes up the piano. He reads poetry—no longer to impress Rita, but for its own sake. He helps the locals in matters great and small, including catching a boy who falls from a tree every day. ''You never thank me!'' he yells at the fleeing brat. He also discovers that there are some things he cannot change, that he cannot be God. The homeless man whom Connors scorns at the beginning of the film becomes an obsession of his at the end because he dies every Groundhog Day. Calling him ''pop'' and ''dad,'' Connors tries to save him but never can.

By the end of the film, Connors is no longer obsessed with bedding Rita. He's in love with her, without reservation and without hope of his affection being requited. Only in the end, when he completely gives up hope, does he in fact ''get'' the woman he loves. And with that, with her love, he finally wakes on February 3, the great wheel of life no longer stuck on Groundhog Day. As NR's own Rick Brookhiser explains it, ''The curse is lifted when Bill Murray blesses the day he has just lived. And his reward is that the day is taken from him. Loving life includes loving the fact that it goes.''

Personally, I always saw Nietzsche's doctrine of the eternal return of the same in this story. That was Nietzsche's idea—metaphorical or literal—to imagine life as an endless repetition of the same events over and over. How would this shape your actions? What would you choose to live out for all eternity? Others see Camus, who writes about how we should live once we realize the absurdity of life. But existentialism doesn't explain the film's broader appeal. It is the religious resonance—if not necessarily explicit religious themes—that draws many to it. There's much to the view of Punxsutawney as purgatory: Connors goes to his own version of hell, but since he's not evil it turns out to be purgatory, from which he is released by shedding his selfishness and committing to acts of love. Meanwhile, Hindus and Buddhists see versions of reincarnation here, and Jews find great significance in the fact that Connors is saved only after he performs mitzvahs (good deeds) and is returned to earth, not heaven, to perform more.

The burning question: Was all this intentional? Yes and no. Ultimately, the story is one of redemption, so it should surprise no one that it speaks to those in search of the same. But there is also a secular, even conservative, point to be made here. Connors's metamorphosis contradicts almost everything postmodernity teaches. He doesn't find paradise or liberation by becoming more ''authentic,'' by acting on his whims and urges and listening to his inner voices. That behavior is soul-killing. He does exactly the opposite: He learns to appreciate the crowd, the community, even the bourgeois hicks and their values. He determines to make himself better by reading poetry and the classics and by learning to sculpt ice and make music, and most of all by shedding his ironic detachment from the world.

Harold Ramis and Danny Rubin, the writer of the original story, are not philosophers. Ramis was born Jewish and is now a lackadaisical Buddhist. He wears meditation beads on his wrist, he told the New York Times, ''because I'm on a Buddhist diet. They're supposed to remind me not to eat, but actually just get in the way when I'm cutting my steak.'' Rubin's original script was apparently much more complex and philosophical—it opened in the middle of Connors's sentence to purgatory and ended with the revelation that Rita was caught in a cycle of her own. Murray wanted the film to be more philosophical (indeed, the film is surely the best sign of his reincarnation as a great actor), but Ramis constantly insisted that the film be funny first and philosophical second.

And this is the film's true triumph. It is a very, very funny movie, in which all of the themes are invisible to people who just want to have a good time. There's no violence, no strong language, and the sexual content is about as tame as it gets. (Some e-mailers complained that Connors is only liberated when he has sex with Rita. Not true: They merely fall asleep together.) If this were a French film dealing with the same themes, it would be in black and white, the sex would be constant and depraved, and it would end in cold death. My only criticism is that Andie MacDowell isn't nearly charming enough to warrant all the fuss (she says a prayer for world peace every time she orders a drink!). And yet for all the opportunities the film presents for self-importance and sentimentality, it almost never falls for either. The best example: When the two lovebirds emerge from the B&B to embrace a happy new life together in what Connors considers a paradisiacal Punxsutawney, Connors declares, ''Let's live here!'' They kiss, the music builds, and then in the film's last line he adds: ''We'll rent to start.''

MASTER SERGEANT WOODROW WILSON KEEBLE

Mr. JOHNSON. Mr. President, few Americans will recognize MSG Woodrow Wilson Keeble's name, but he was an American hero who served in two wars and who deserves our Nation's most prestigious recognition.

I first became aware of Master Sergeant Keeble's bravery in 2002 after being contacted by members of the Sisseton-Wahpeton Sioux Tribe who were requesting that his Distinguished Service Cross be upgraded to the Congressional Medal of Honor. The Medal of Honor is our Nation's highest military honor, and while it is awarded on behalf of Congress, the Department of Defense determines the qualifications and eligibility for the decoration.

Master Sergeant Keeble, a member of the Sisseton-Wahpeton Sioux Tribe, was an Army veteran of both World War II and the Korean War. For his service, he was awarded the Purple Heart, the Bronze Star, the Silver Star, and the Distinguished Service Cross.

The last decoration was awarded for his actions near Kumsong, North Korea in October 1951. After many days of fighting in the bitter cold, and though he was wounded, Master Sergeant Keeble single handedly took out three enemy machinegun emplacements.

The first hand accounts of his actions that day read like something out of an old Hollywood movie. What he did was real, and his bravery in the face of enemy fire was so remarkable that the men in his company twice submitted recommendations that he receive the Congressional Medal of Honor. In both cases, the recommendation was lost.

Like so many veterans, Master Sergeant Keeble returned home after the war a humble man, not interested in pursuing medals or personal honors. He died in 1982, and without the dedicated effort of his family and fellow veterans, most of us would have never had the opportunity to learn about Master Sergeant Keeble. Today, there is an ongoing effort to document his actions through the eyewitness testimony of those veterans who served with him. This is a valuable effort and will help preserve an important part of our Nation's history.

After first hearing in 2002 of his heroic actions, I contacted the Secretary of the Army to request a review of Master Sergeant Keeble's case. Based on an affidavit from a member of the company that the original recommendations for the Medal of Honor had been lost, I asked the Secretary to waive the normal 3-year statute of limitations requirement for consideration of the Medal of Honor.

Since that time, I have been in close contact with the Army. The recommendation to posthumously award

the Medal of Honor to Master Sergeant Keeble has been reviewed by an Army Decorations Board, a Senior Army Decorations Board, and now awaits final action by the Secretary of the Army. At this point, I do not know if the Secretary's decision will be positive or negative, but I remain in contact with his office almost every month as I have for the past 4 years.

While all of us who care about this case are frustrated by the amount of time this has taken, the thorough review process is an indication of the importance of the Medal of Honor and the seriousness of this decision.

As more people learn about Master Sergeant Keeble's story, more people are joining in the effort to pay tribute to his service. While I do not know what the Army's ultimate decision will be in this case, I can think of no one more deserving of this honor than Master Sergeant Keeble.

TRIBUTE TO DAVID EVANS

Mr. LUGAR. Mr. President, I today pay tribute to David Lee Evans, who had been a member of the staff of the Committee on Foreign Relations. He was a much loved Senate employee who was universally respected for his professionalism, patience, and generosity. Dave passed away last week at age 65.

Dave was born on October 23, 1940, in Baltimore, MD. He graduated from Kenwood High School, and attended Howard Community College. Dave served the Government as a journeyman printer and as a member of the Foreign Relations Committee staff for nearly 23 years. In addition to his service as a printer with the Government Printing Office, he had been Chief Clerk and Assistant Chief Clerk to the committee during the 1970's. Dave ably served under Foreign Relations Committee Chairmen Fulbright, Sparkman, Church, Helms, BIDEN and myself.

Committee members and staff relied heavily on Dave to shepherd our many publications through all aspects of the printing process. As a returning chairman in 2003, I brought in a new majority staff, many of whom were working for a Senate committee for the first time. Dave was indispensable in teaching these staff members committee printing procedures and patiently answering their many questions. Dave's skills, technical ability and good humor made it possible to meet our many deadlines.

During the last 6 years that Dave served the committee, we printed more than 400 documents, including executive and legislative reports, hearings, and other materials. Without Dave's tireless efforts and hard work, the committee would not have been able to produce such a huge volume of material. Dave took great pride in his work and ensured that the material he produced met his and the committee's high standards. Every publication Dave printed reflected favorably on the committee, the Senate, and the U.S. Government as a whole.

In addition to his extensive public service, Dave will be remembered as a loyal friend and loving husband and father. He is survived by his wife Angela, who is currently the Executive Clerk of the Committee on Foreign Relations; four children, David T. Evans, Christopher Evans, Kathleen Canby, and Susan Hennegan; a stepson, Jeffrey Morris; six grandchildren; and a brother.

All who knew Dave will miss his kindness and grace. The thoughts of the entire Foreign Relations Committee are with his family as they remember and celebrate the life of an exemplary man.

Mr. BIDEN. Mr. President, I associate myself with the remarks that our chairman, Senator LUGAR, has just made regarding our fine printer David L. Evans, who died last week at the age of 65 after a courageous battle with cancer.

Dave did two tours as a GPO printer assigned to the Committee on Foreign Relations, first in the 1970s, and then again from 1999 until about a year ago. For a time in the late 1970s, he also served directly on the staff of the committee as its deputy clerk and then its chief clerk. The committee, and the country, are indebted to him for his service for performing some of the numerous jobs that are essential to the operation of this institution, but which are largely unrecognized by the public.

Dave was a big and wonderfully gentle man. He reveled in the opportunity to serve his country, even though it meant working long days, and sometimes well into the night, to ensure that the committee's hearings and reports were printed promptly and properly. Why he put up with us I don't know, but it was an honor to have him on our staff, and to know that the published output of our committee had been subject to his careful and professional scrutiny. He was unfailingly courteous and pleasant to his co-workers, and never complained about his heavy workload.

Like so many others in this country afflicted with cancer, Dave was taken from us too soon. We will miss him greatly. Our thoughts and prayers are with all his family and especially his wife Angie Evans, who shared Dave's work ethic and continues to bless us with her service to the committee.

ADDITIONAL STATEMENTS

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

• Mr. SMITH. Mr. President, I today speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On May 17, 2003, Sakia Gunn was fatally stabbed during a confrontation about her being a lesbian. Gunn and four other girls were waiting for a bus in downtown Newark, NJ, when Richard McCullough and another man drove up and asked them to go to a party. When the girls responded that they were lesbians, the two men began spewing homophobic insults and McCullough proceeded to stab her.

I believe that the Government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. By passing this legislation and changing current law, we can change hearts and minds as well.•

ATLANTA GAS LIGHT

• Mr. CHAMBLISS. Mr. President, I rise today to congratulate Atlanta Gas Light on its 150th anniversary. Atlanta Gas Light was incorporated on February 16, 1856, and first brought lighting to the streets of Atlanta on Christmas Day, 1855, enabling accelerated growth and the safe transportation of individuals and supplies necessary for the expansion of Atlanta and its surrounding communities.

At the end of the Civil War, Atlanta Gas Light quickly rebuilt its gasworks to facilitate the rebuilding of Atlanta and contributed to the rise of that great city to a major commercial center in the Southeast. In the 1920s, it invested in the State of Georgia's future by creating the infrastructure necessary to allow natural gas to flow under the city streets and into homes, ending the need to manufacture gas and expanding the use of gas throughout the Southeast region. In the early 20th century, it began expanding its services to cities and towns throughout the State of Georgia.

Atlanta Gas Light has faithfully served the State of Georgia and its citizens for each of its 150 years, delivering natural gas to customers throughout the State safely and reliably. This great company and its top-notch employees deserve special recognition. They have contributed millions of dollars and hours to improve the communities in which they work and live.

Atlanta Gas Light and its Georgia parent, AGL Resources, continue to provide exemplary service to their customers and remain a vital part of the economic development of the State of Georgia. I am pleased to take this opportunity to commemorate the contributions and services rendered by Atlanta Gas Light in its 150 years of operation and look forward to its continued service for the next 150 years.•

CONGRATULATING MS. SARA J. KIEFFNER

• Mr. BUNNING. Mr. President, today I rise to congratulate Ms. Sara J.

Kieffner for being selected as one of the Cincinnati Enquirer newspaper's Women of the Year.

The Enquirer has done well to bestow this honor on Ms. Kieffner. Among her many causes, she has done much for the St. Elizabeth Medical Center Foundation. She has also devoted herself to promoting breast health awareness and to raising funds for the Fischer Homes Breast Center. If that weren't enough, she is also active with the Redwood Rehabilitation Center, the American Cancer Society's Northern Kentucky chapter, United Ministries, and her church, Gloria Dei Lutheran.

Since The Enquirer's Women of the Year program was started in 1968, over 350 women in Greater Cincinnati and northern Kentucky have been singled out for their efforts to improve the community for everyone.

Ms. Kieffner has certainly deserved this citation. As a Senator and a member of her community, I am proud of her dedication. Her accomplishments serve as an example to all citizens of the Commonwealth.●

TRIBUTE TO WILLIAM A. COOPER

● Mr. COLEMAN. Mr. President, I rise to extend my congratulations to Mr. William A. Cooper for long standing service as CEO at TCF Financial Corporation, a financial holding company based in Minnesota.

Bill Cooper came to TCF Financial in 1985 with an impressive financial leadership record which included serving as a senior auditor for Touche, Ross and company, a Detroit firm, and as President of Huntington Bank of Ohio.

But based on my personal relationship with Bill, I would say his high school graduating class might have voted him ''least likely to become a banker.'' The banker's stereotype is reserved, cautious, and circumspect. Bill Cooper is bold, innovative, and refreshingly outspoken. Like his hero Ronald Reagan, there is never a bit of doubt as to where Bill Cooper stands.

During his tenure as CEO, Bill Cooper directed an impressive expansion of TCF Financial in Minnesota and elsewhere through his innovative leadership. From 1985 until his retirement in January, he helped to transform TCF Financial from a small banking enterprise into a thriving operation offering industry leading consumer services.

Bill Cooper is a complete citizen. He not only led a thriving business that provided thousands of jobs and financial services to a big proportion of our Minnesota population, Bill used his voice, his philanthropy, and his influence to improve as many sectors of our State as he could get his hands on.

His work on education not only shaped Minnesota public policy, his personal involvement changed the lives of hundreds of disadvantaged students forever. He has always had strong opinions and had the integrity to walk his talk.

Although Mr. Cooper has retired as CEO of TCF, he has not completely given himself up to the ski slopes or the golf courses as he continues to remain active in the financial world and in his community.

Minnesota has been fortunate to have a business leader like Mr. Cooper who not only has enriched the economy of Minnesota and elsewhere but has also used his good name, time, and money for the good of the community. Minnesota celebrates its lakes and farms and excellent community assets. One of the secrets of our success is community leaders like Bill Cooper who shoulder the burdens of leadership.

I congratulate Bill Cooper, the staff of TCF, and his family on his great career and leadership in the community.●

CELEBRATING THE 2006 BILL TALLMAN MEMORIAL WOMEN IN SCIENCE CONFERENCE

● Mr. JOHNSON. Mr. President, it is with great pride that I rise to recognize the Bill Tallman Memorial Women in Science Conference, which is taking place in five communities across South Dakota from March 6th through April 28th. Since 2002, the Women in Science Conference has helped to increase interest in science and technological careers among young women in my State. This year's conference is named in honor of the event's distinguished founder, Bill Tallman, who unexpectedly passed away last October while helping with recovery efforts for victims of the devastating hurricanes that hit the gulf coast region.

The cover of a recent Time magazine features a rather amusing photo of a child wearing a lab coat and oversized safety goggles, accompanied by the question, ''Is America Flunking Science?'' Though the image is meant to provoke a laugh, its associated question is anything but humorous. By a number of measures, our country is losing the competitive edge in scientific and technological fields that has for decades been a key driver of our economy. At a national level, one of the factors that undoubtedly contributes to this unfortunate trend is a failure to adequately engage young women in scientific pursuits. It is discouraging to think of how many important discoveries were never made because of our failure to cultivate young female researchers.

In my view, the Women in Science Conference in South Dakota is a shining example of what we as a nation need more of to retain and enhance our superiority in science and technology. The conference provides young women in South Dakota with first-hand exposure to women who are leading important scientific work. These distinguished individuals share the rewards and challenges of their work in vivid, concrete terms, and serve as role models for young women who may not have previously considered a career in science.

The Women in Science Conference is a product of a partnership between several forward-thinking entities, including the National Weather Service, and several nonprofit and private-sector sponsors. Without their contributions, this valuable event would not be possible.

It is a fitting tribute to Bill Tallman that this year's event should be named in his honor. Bill not only recognized the need for an important event like this, he actually made it happen. I know it was one of his proudest achievements, and I congratulate everyone who participates in the Women in Science Conference for helping to carry on his vision. Bill began his career by engaging young minds as a high school math teacher, and then served his country during a 20-year career as a meteorologist with the U.S. Air Force. Next he joined the National Weather Service, and was eventually asked to lead its Aberdeen, SD, office. At a time of national tragedy, few were surprised at Bill's willingness to serve again by leaving home to help those who had suffered through the devastating hurricanes that hit the gulf coast in 2005.

Bill Tallman's presence will be sorely missed by all the people whose lives he touched. It is my distinct pleasure to honor his life and legacy by recognizing the Bill Tallman Memorial Women in Science Conference today in the Senate.●

MRS. PRANKE'S SIXTH GRADE

● Mr. CONRAD. Mr. President, it is with great pride that I rise today to recognize a special group of students. It is not often enough that we have the opportunity to acknowledge heart-warming acts of kindness, but the actions of Mrs. Pranke's sixth grade class in Sheyenne, ND, have touched my hearts and the heart of their neighbors and friends.

Throughout their years together, this special group of students has worked on more than one occasion to serve their community. As third graders, they collected box tops to purchase new games for schoolmates. When they were in the fifth grade, they initiated a fundraiser and donated the proceeds to benefit the Ronald McDonald House in Fargo, ND.

As one final project, Mrs. Pranke's sixth graders decided to treat themselves to a class trip to celebrate their years together before moving on to junior high school.

The students began holding fundraisers for their trip. Shortly after all the funds had been raised, they learned that the father of one of their classmates had fallen critically ill. The students quickly realized that they were faced with unique circumstances. After learning of their classmate's situation and the medical costs the family would bear, the children chose to donate the funds to their classmate's family and forgo their class trip.

By choosing to help with their hard-earned money rather than keep it for themselves, these extraordinary students proved that their hearts are deep and their love for one another is real.

Again, I commend Mrs. Pranke's exceptional group of sixth graders. Their

selfless act has reaffirmed that values and kindness have not been lost in a world that so often focuses on the negative. I wish them all the best as they finish their final year together and continued success as they begin a new chapter of their education next year.●

MESSAGE FROM THE HOUSE

At 1:40 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, without amendment:

S. 1989. An act to designate the facility of the United States Postal Service located at 57 Rolfe Square in Cranston, Rhode Island, shall be known and designated as the ''Holly A. Charette Post Office''.

The message also announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4152. An act to designate the facility of the United States Postal Service located at 320 High Street in Clinton, Massachusetts, as the ''Raymond J. Salmon Post Office''.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 322. Concurrent resolution expressing the appreciation of Congress for the contributions of the United Service Organizations, Incorporated (the USO), to the morale and welfare of the members of the Armed Forces and their families.

The message also announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 2275. An act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program.

The message further announced that pursuant to section 11142 of SAFETEA–LU (Public Law 109–59), Mr. Rangel, the Ranking Minority Member of the Committee on Ways and Means, hereby appoints to the National Surface Transportation Infrastructure Financing Commission the following individuals: Mr. Elliot ''Lee'' Sander (Director of the Rudin Center for Transportation Policy Management at New York University, and Senior Vice President and Director of Strategic Development at DMJM Harris) of New York City, York and Mr. Craig Lentzsch (CEO of Coach USA and KBUS Holdings) of Dallas, Texas.

At 6:29 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4745. An act making supplemental appropriations for fiscal year 2006 for the Small Business Administration's disaster loans program, and for other purposes.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 322. Concurrent resolution expressing the Sense of Congress regarding the contribution of the USO to the morale and welfare of our servicemen and women of our armed forces and their families; to the Committee on Armed Services.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 4152. An act to designate the facility of the United States Postal Service located at 320 High Street in Clinton, Massachusetts, as the ''Raymond J. Salmon Post Office''.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–5762. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Standards of Performance for Stationary Combustion Turbines'' ((RIN2060–AM79) (FRL No. 8033–4)) received on February 14, 2006; to the Committee on Environment and Public Works.

EC–5763. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Oil Pollution Prevention; Non-Transportation Related Onshore Facilities'' (FRL No. 8033–9) received on February 14, 2006; to the Committee on Environment and Public Works.

EC–5764. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District'' (FRL No. 8030–7) received on February 14, 2006; to the Committee on Environment and Public Works.

EC–5765. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled ''Standards of Performance for Electric Utility Steam Generating Units for Which Construction is Commenced After September 18, 1978; Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units; and Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units'' ((RIN2060–AM80) (FRL No. 8033–3)) received on February 14, 2006; to the Committee on Environment and Public Works.

EC–5766. A communication from the Chairman and President (Acting), Export-Import Bank of the United States, transmitting, a report of draft legislation relative to providing a five-year reauthorization of the Export-Import Bank of the United States; to the Committee on Banking, Housing, and Urban Affairs.

EC–5767. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, the Department of Veterans Affairs' report on its competitive sourcing efforts for Fiscal Year 2005; to the Committee on Veterans' Affairs.

EC–5768. A communication from the Attorney, Office of Assistant General Counsel for Legislation and Regulatory Law, Department of Energy, transmitting, pursuant to law, the report of a rule entitled ''Chronic Beryllium Disease Prevention Program; Worker Safety and Health Program; to the Committee on Energy and Natural Resources.

EC–5769. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's Annual Report of the Administration of the Government in the Sunshine Act for Calendar Year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC–5770. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Add Kazakhstan, Romania, Russia, Turkey, and Ukraine to List of Regions in Which Highly Pathogenic Avian Influenza Subtype H5N1 is Considered to Exist'' (APHIS–2006–0010) received on February 14, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5771. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Mediterranean Fruit Fly; Add Portions of Los Angeles, San Bernardino, and Santa Clara Counties, CA, to the List of Quarantined Areas'' (APHIS–2005–0116) received on February 14, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM–263. A resolution adopted by the House of Representatives of the Legislature of the State of Michigan relative to increasing efforts to protect our borders; to the Committee on Homeland Security and Governmental Affairs.

HOUSE RESOLUTION NO. 149

Whereas, The current war on terrorism began on September 11, 2001, when terrorists unleashed an air assault on America's military and financial power centers, hijacking commercial jets and crashing them into the World Trade Center in New York, and the Pentagon in Washington, D.C. Thousands of innocent people were murdered, and the nation suffered billions of dollars in damages from this terrorist attack; and

Whereas, In response to these attacks, in order to better coordinate security and emergency response efforts, the federal government created a federal Homeland Security Department and increased funding for antiterrorism efforts throughout the nation. Border security is an essential component of creating a safe and secure homeland and the federal Homeland Security Department is responsible for protecting our borders. As a border state that includes some of the busiest points of entry in the country, Michigan is acutely aware of the importance of this issue; and

Whereas, In order to increase our safety and security, Congress should pass legislation that provides increased manpower and more sophisticated technology at the national borders. United States border security should be able to apprehend illegal immigrants and potential terrorists before they enter the country and cause mayhem; now, therefore, be it

Resolved by the House of Representatives, That we memorialize the Congress of the

United States to increase efforts to protect our borders; and be it further

Resolved, That copies of this resolution be transmitted to the Speaker of the United States House of Representatives, the President of the United States Senate, and the members of the Michigan congressional delegation.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of committees were submitted:

By Mr. INHOFE for the Committee on Environment and Public Works.

*Terrence L. Bracy, of Virginia, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation for a term expiring October 6, 2010.

*Dennis Bottorff, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2011.

*Robert M. Duncan, of Kentucky, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2011.

*William B. Sansom, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2009.

*Susan Richardson Williams, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2007.

*Donald R. DePriest, of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2009.

*Howard A. Thrailkill, of Alabama, to be a Member of the Board of Directors of the Tennessee Valley Authority for the term prescribed by law.

By Mr. LUGAR for the Committee on Foreign Relations.

*Bernadette Mary Allen, of Maryland, to be Ambassador to the Republic of Niger.

Nominee: Bernadette M. Allen.

Post: Montreal.

Nominated: Niamey.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:

1. Bernadette M. Allen: $100, 2004, National Democratic Committee.

2. Never married: N/A.

3. No children: N/A.

Raymond E. Allen, Jr., none; Lucille C. Johnson (deceased), (None).

5. Raymond E. Allen, Sr. (deceased), (none); Evangeline Allen (deceased), (none); Mary G. Clark (deceased), (none); William Clark (deceased), (none).

6. Adrian T. Allen (brother), none; Cheryl S. Allen (in-law), none.

7. Marnita L. Allen (sister), none.

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*Janice L. Jacobs, of Virginia, to be Ambassador to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador to the Republic of Guinea-Bissau.

Nominee: Janice L. Jacobs.

Post: Dakar, Senegal.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:

1. Self: None.

2. Spouse: Kenneth B. Friedman, none.

3. Children and Spouses: Eric A. Fichte, son, single, none; Kurt M. Fichte, son, single, none.

4. Parents: Robert Jacobs, father (deceased 1995), and Oma Lee Jacobs, mother (following amounts contributed in 2000, 2001, 2002, 2003 and 2004), $100, National Republican Party; $80, National Republican Women's Group. Total each year $180. Total 2000–2004–$900.

5. Grandparents: Clarence Jacobs, paternal grandfather (deceased 1963); Zylphia May Porter, paternal grandmother (deceased 1965); William Delmus Corgan, maternal grandfather (deceased 1932); Carrie Corgan Holt, maternal grandmother (deceased 1987).

6. Brothers and Spouses: Robert Jacobs, brother (deceased 2004), Virginia Lowe, sister-in-law, Lawrence J. Jacobs, brother, none; Sandra Pittman Jacobs, sister-in-law, none.

7. Sisters and Spouses: Linda Jacobs Wineberg, sister, $75.00 one-time contribution sometime in 2004 Kerry campaign; Paul Wineberg, brother-in-law, none.

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*Steven Alan Browning, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador to the Republic of Uganda.

Nominee: Steven Alan Browning.

Post: Uganda.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:

1. Self: none.

2. Spouse: none.

3. Children and Spouses: Son: Jefferson Andrew Dolan, Spouse: Kristin Thielen Dolan, Daughter: Stephanie Jayne Marie Dolan, Spouse: Tay Voye, none.

4. Parents: Cheaney Harris Browning (deceased), and Rosemary Miller Browning, none.

5. Grandparents: (all deceased), none.

6. Brothers and Spouses: Brother: Rickey Van Browning, Spouse: Barbara Sterling Browning, none.

7. Sisters and Spouses: (no sister).

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*Patricia Newton Moller, of Arkansas, to be Ambassador to the Republic of Burundi.

Nominee: Patricia Newton Moller.

Post: U.S. Embassy Bujumbura, Burundi.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:

1. Self: Patricia Newton Moller, None.

2. Spouse: Gilbert Joseph Sperling, None.

3. Children and Spouses: Renee Emiko Sperling (stepdaughter), none, Jeff Durkin (spouse of Renee), none, Christopher Estvan Sperling (stepson), none, Stephanie Taleff (spouse of Christopher), none, Gilbert Hanspeter Sperling (stepson), none, Noriyo Komachi (spouse of Gilbert), none.

4. Parents: James Wilson Newton, none, Thelma Bell Newton, none.

5. Grandparents: Katie Irvin Bell (deceased), none, William Hester Bell (deceased), none, Charles Henry Newton (deceased), none, Willie Elnora Blackman Newton (deceased), none.

6. Brothers and Spouses: n/a.

7. Sisters and Spouses: Nancy Newton-Waldeck, none, Michael Waldeck (spouse of Nancy), none.

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*Jeanine E. Jackson, of Wyoming, to be Ambassador to Burkina Faso.

Nominee: Jeanine Elizabeth Jackson.

Post: Ambassador, Burkina Faso.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:

1. Self: none.

2. Spouse: none.

3. Children and Spouses: none.

4. Parents: (deceased)

5. Grandparents: (deceased)

6. Brothers and Spouses: none.

7. Sisters and Spouses: none.

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*Kristie A. Kenney, of Virginia, to be Ambassador to the Republic of the Philippines.

Nominee: Kristie A. Kenney.

Post: Chief of Mission, Manila.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:

1. Self: none.

2. Spouse: William R. Brownfield, none.

3. Children and Spouses: We have no children.

4. Parents: Jeremiah J. Kenney, Jr. (deceased), 05/08/2005 (no contributions prior to death); Elizabeth J. Kenney, no contributions.

5. Grandparents: Jeremiah J. Kenney (deceased), 1972; Selma J. Kenney (deceased), 1985; George Cornish (deceased), 1945; and Irma Cornish (deceased), 1972.

6. Brothers and Spouses: John J. Kenney (divorced), no contributions.

7. Sisters and Spouses: n/a.

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*Robert Weisberg, of Maryland, to be Ambassador to the Republic of Congo.

Nominee: Robert Weisberg.

Post: Brazzaville.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:

1. Self: none.

2. Spouse: none.

3. Children and Spouses: Cyrus Weisberg, none.

4. Parents: Maurice Weisberg, none; Annette Weisberg (deceased).

5. Grandparents: Edward Weisberg (deceased;) Rebecca Weisberg (deceased); Arthur Koerner (deceased); and Elizabeth Koerner (deceased).

6. Brothers and Spouses: No brothers.

7. Sisters and Spouses: No sisters.

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*Janet Ann Sanderson, of Arizona, to be Ambassador to the Republic of Haiti.

Nominee: Janet Ann Sanderson.

Post: Ambassador to Haiti.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount, Date, and Donee:
1. Self: None.
2. Spouse: n/a.
3. Children and Spouses: n/a.
4. Parents: John M. Sanderson, None; Patricia M. Sanderson, (deceased).
5. Grandparents: Emil and Marjorie Budde (deceased); Gail and John Sanderson (deceased).
6. Brothers and Spouses: Michael Sanderson and Michelle McMahon, None.
7. Sisters and Spouses: n/a.

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*James D. McGee, of Florida, to serve concurrently and without additional compensation as Ambassador to the Union of Comoros.
Nominee: James David McGee.
Post: Union of Comoros.
The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.
Contributions, Amount, Date, and Donee:
1. Self: None.
2. Spouse: None.
3. Children and Spouses: n/a.
4. Parents: Ruby Mae McGee, none; and Jewel L. McGee (deceased), n/a.
5.Grandparents: James West Senior (deceased), n/a; Malvena West (deceased), n/a; David McGee (deceased), n/a; and Mary McGee (deceased), n/a.
6. Brothers and Spouses: Ronald N. McGee, none; Kathy McGee, none.
7. Sisters and Spouses: Mary Ann Dillahunty, none; Tyrone Dillahunty, none.

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*Gary A. Grappo, of Virginia, to be Ambassador to the Sultanate of Oman.
Nominee: Gary A. Grappo.
Post: Muscat, Oman.
The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.
Contributions, Amount, Date, and Donee:
1. Self: none.
2. Spouse: none.
3. Children and Spouses: Michelle (21), Alexander (19) & Kristina (17) Grappo; none.
4. Parents: Anthony and Viola Grappo, none.
5. Grandparents: Severio & Maria Marchese, and Alexander & Louise Grappo (deceased); none.
6. Brothers and Spouses: Anthony P. & Deb Grappo; $2,000, 12/2001, Outback Steakhouse PAC; $4,995, 11/2002, Outback Steakhouse PAC; $5,000, 12/2003, Outback Steakhouse PAC; and $5,000, 12/2004, Outback Steakhouse PAC.
7. Sisters and Spouses: none.

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*Patricia A. Butenis, of Virginia, to be Ambassador to the People's Republic of Bangladesh.
Nominee: Patricia A. Butenis.
The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.
Contributions, Amount, Date, and Donee:
1. Self: none.
2. Spouse: n/a.
3. Children and Spouses: n/a.
4. Parents: Hafia Butenis, none; Charles P. Butenis (deceased).
5. Grandparents: Alexander Michalezka (deceased); Anastasia Michalezka (deceased); Casimir Butenis (deceased); Petronella Leszinski (deceased).
6. Brothers and Spouses: n/a.
7. Sisters and Spouses: Linda Butenis Vorsa, none; Nicholi Vorsa, none; Donna Butenis Mulraney, none; Andrew Mulraney, none.

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*Donald T. Bliss, of Maryland, for the rank of Ambassador during his tenure of service as Representative of the United States of America on the Council of the International Civil Aviation Organization.
*Claudia A. McMurray, of Virginia, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs.
*Bradford R. Higgins, of Connecticut, to be an Assistant Secretary of State (Resource Management).
*Bradford R. Higgins, of Connecticut, to be Chief Financial Officer, Department of State.
*Jackie Wolcott Sanders, of Virginia, to be Alternate Representative of the United States of America for Special Political Affairs in the United Nations, with the rank of Ambassador.
*Jackie Wolcott Sanders, of Virginia, to be an Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations during her tenure of service as Alternate Representative of the United States of America for Special Political Affairs in the United Nations.
*Michael W. Michalak, of Michigan, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as United States Senior Official to the Asia-Pacific Economic Cooperation Forum.
*Ben S. Bernanke, of New Jersey, to be United States Alternate Governor of the International Monetary Fund for a term of five years.

Mr. LUGAR. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning with Anne Elizabeth Linnee and ending with Kathleen Anne Yu, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 13, 2005.

Foreign Service nominations beginning with Lisa M. Anderson and ending with Gregory C. Yemm, which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on December 14, 2005.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. SNOWE (for herself and Mr. LOTT):

S. 2287. A bill to amend the Internal Revenue Code of 1986 to increase and permanently extend the expensing of certain depreciable business assets for small businesses; to the Committee on Finance.

By Mr. FEINGOLD (for himself and Mr. MCCAIN):

S. 2288. A bill to modernize water resources planning, and for other purposes; to the Committee on Environment and Public Works.

By Mr. BUNNING:

S. 2289. A bill to amend title XVIII of the Social Security Act to increase the per resident payment floor for direct graduate medical education payments under the Medicare program; to the Committee on Finance.

By Mr. PRYOR (for himself, Mr. WARNER, and Mr. TALENT):

S. 2290. A bill to provide for affordable natural gas by rebalancing domestic supply and demand and to promote the production of natural gas from domestic resources; to the Committee on Energy and Natural Resources.

By Mr. KENNEDY (for himself, Mr. DODD, Mr. HARKIN, and Mr. BINGAMAN):

S. 2291. A bill to provide for the establishment of a biodefense injury compensation program and to provide indemnification for producers of countermeasures; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SPECTER (for himself, Mr. LEAHY, Mr. CORNYN, Mr. CHAMBLISS, and Mrs. FEINSTEIN):

S. 2292. A bill to provide relief for the Federal judiciary from excessive rent charges; to the Committee on the Judiciary.

By Mr. ALLEN:

S. J. Res. 31. A joint resolution proposing an amendment to the Constitution of the United States relative to require a balancing of the budget; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 241

At the request of Ms. SNOWE, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds received as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 267

At the request of Mr. CRAIG, the name of the Senator from Kentucky (Mr. BUNNING) was added as a cosponsor of S. 267, a bill to reauthorize the Secure Rural Schools and Community Self-Determination Act of 2000, and for other purposes.

S. 548

At the request of Mr. CONRAD, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 548, a bill to amend the Food Security Act of 1985 to encourage owners and operators of privately-held

farm, ranch, and forest land to voluntarily make their land available for access by the public under programs administered by States and tribal governments.

S. 577

At the request of Ms. COLLINS, the name of the Senator from Nevada (Mr. ENSIGN) was added as a cosponsor of S. 577, a bill to promote health care coverage for individuals participating in legal recreational activities or legal transportation activities.

S. 829

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 829, a bill to allow media coverage of court proceedings.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1262

At the request of Mr. FRIST, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 1262, a bill to reduce healthcare costs, improve efficiency, and improve healthcare quality through the development of a nationwide interoperable health information technology system, and for other purposes.

S. 1568

At the request of Mr. BROWNBACK, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1568, a bill to enhance the ability of community banks to foster economic growth and serve their communities, and for other purposes.

S. 2123

At the request of Mr. ALLARD, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 2123, a bill to modernize the manufactured housing loan insurance program under title I of the National Housing Act.

S. 2172

At the request of Ms. LANDRIEU, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2172, a bill to provide for response to Hurricane Katrina by establishing a Louisiana Recovery Corporation, providing for housing and community rebuilding, and for other purposes.

S. 2283

At the request of Mr. FRIST, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. 2283, a bill to establish a congressional commemorative medal for organ donors and their families.

S. RES. 372

At the request of Mr. KERRY, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Res. 372, a resolution expressing the sense of the Senate that oil and gas companies should not be provided outer Continental Shelf royalty relief when energy prices are at historic highs.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. SNOWE (for herself and Mr. LOTT):

S. 2287. A bill to amend the Internal Revenue Code of 1986 to increase and permanently extend the expensing of certain depreciable business assets for small businesses; to the Committee on Finance.

Ms. SNOWE. Mr. President, I rise today to introduce legislation that allows small businesses to expense more of their equipment and business assets, which will create incentives to invest in new technology, expand their operations, and most important, create jobs. Small businesses are the engine that drives our Nation's economy and I believe this bill strengthens their ability to lead the way. I am pleased to join my colleague from Mississippi, Senator TRENT LOTT, as we work to move this important initiative for small businesses from legislation to law.

As the Chair of the Senate Committee on Small Business and Entrepreneurship, I drafted this bill in response to the repeated requests from small businesses in my State of Maine and from across the Nation to allow them to expense more of their investments like the purchase of essential new equipment. The bill modifies the Internal Revenue Code and would double the amount a small business can expense from $100,000 to $200,000, and make the provision permanent as President Bush also proposed this change in his fiscal year 2007 tax proposals. With small businesses representing 99 percent of all employers, creating 75 percent of net new jobs and contributing 51 percent of private-sector output, their size is the only 'small' aspect about them.

By doubling and making permanent the current expensing limit and indexing these amounts for inflation, this bill will achieve two important objectives. First, qualifying businesses will be able to write off more of the equipment purchases today, instead of waiting five, seven or more years to recover their costs through depreciation. That represents substantial savings both in dollars and in the time small businesses would otherwise have to spend complying with complex and confusing depreciation rules. Moreover, new equipment will contribute to continued productivity growth in the business community, which economic experts have repeatedly stressed is essential to the long-term vitality of our economy.

Second, as a result of this bill, more businesses will qualify for this benefit because the phase-out limit will be increased to $800,000 in new assets purchases. At the same time, small business capital investment will be pumping more money into the economy. Accordingly, this is a win-win for small business and the economy as a whole.

This legislation is a tremendous opportunity to help small enterprises succeed by providing an incentive for reinvestment and leaving them more of their earnings to do just that. I urge my colleagues to join me in supporting this vital legislation as we work with the President to enact this investment incentive into law.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2287

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

SECTION 1. INCREASE AND PERMANENT EXTENSION FOR EXPENSING FOR SMALL BUSINESS.

(a) IN GENERAL.—Paragraph (1) of section 179(b) of the Internal Revenue Code of 1986 (relating to dollar limitation) is amended by striking ''$25,000 ($100,000 in the case of taxable years beginning after 2002 and before 2008)'' and inserting ''$200,000''.

(b) INCREASE IN QUALIFYING INVESTMENT AT WHICH PHASEOUT BEGINS.—Paragraph (2) of section 179(b) of such Code (relating to reduction in limitation) is amended by striking ''$200,000 ($400,000 in the case of taxable years beginning after 2002 and before 2008)'' and inserting ''$800,000''.

(c) INFLATION ADJUSTMENTS.—Section 179(b)(5)(A) of such Code (relating to inflation adjustments) is amended—

(1) in the matter preceding clause (i)—

(A) by striking ''after 2003 and before 2008'' and inserting ''after 2007'', and

(B) by striking ''the $100,000 and $400,000 amounts'' and inserting ''the $200,000 and $800,000 amounts'', and

(2) in clause (ii), by striking ''calendar year 2002'' and inserting ''calendar year 2006''.

(d) REVOCATION OF ELECTION.—Section 179(c)(2) of such Code (relating to election irrevocable) is amended to read as follows:

''(2) REVOCABILITY OF ELECTION.—Any election made under this section, and any specification contained in any such election, may be revoked by the taxpayer with respect to any property, and such revocation, once made, shall be irrevocable.''.

(e) OFF-THE-SHELF COMPUTER SOFTWARE.—Section 179(d)(1)(A)(ii) of such Code (relating to section 179 property) is amended by striking ''and before 2008''.

(f) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2006.

By Mr. FEINGOLD (for himself and Mr. MCCAIN):

S. 2288. A bill to modernize water resources planning, and for other purposes; to the Committee on Environment and Public Works.

Mr. FEINGOLD. Mr. President, today I introduce the Water Resources Planning and Modernization Act of 2006, a bill that will bring our water resources policy into the 21st century. I am pleased to be joined in this legislation by the senior Senator from Arizona, Mr. MCCAIN. We have worked together for some time to modernize the Army

Corps of Engineers and I thank Senator MCCAIN for his continued commitment to this issue.

While the bill I introduce today builds on previous bills we have introduced, it also reflects a recognition that we must respond to the tragic events of the recent past and make thoughtful and needed adjustments to all aspects of water resources planning. The entire process, starting with the principles upon which the plans are developed all the way to discussions of where we invest limited Federal resources, requires attention and revision. Congress cannot afford to authorize additional Army Corps projects until it has considered and passed the Water Resources Planning and Modernization Act. From ensuring large projects are sound to using natural resources to protect our communities, modernizing water resources policy is a national priority.

As we all know, our nation is staring down deficits that just a few years ago were unimaginable. Our current financial situation demands pragmatic approaches and creative collaborations to save taxpayer dollars. The bill I introduce today provides a unique opportunity to endorse such approaches and such collaborations.

The Water Resources Planning and Modernization Act of 2006 represents a sensible effort to increase our environmental stewardship and significantly reduce the government waste inherent in poorly designed or low priority Army Corps of Engineers projects. It represents a way to both protect the environment and save taxpayer dollars. With support from Taxpayers for Common Sense Action, National Taxpayers Union, Citizens Against Government Waste, American Rivers, National Wildlife Federation, Earthjustice, Environmental Defense, Republicans for Environmental Protection, Sierra Club, and the World Wildlife Fund, the bill has the backing of a strong, creative coalition.

Several years have passed since I tried to offer an amendment to the Water Resources Development Act of 2000 to require independent review of Army Corps of Engineers' projects. Much has changed since the 2000 debate, and yet too much remains the same. We now have more studies from the National Academy of Sciences, the Government Accountability Office, and others—even the presidentially appointed U.S. Commission on Ocean Policy—to point to in support of our efforts. We have also had a disaster of historic proportion. Hurricane Katrina highlighted problems that we would be irresponsible to ignore.

The Water Resources Planning and Modernization Act of 2006 can be broadly divided into five parts: focusing our resources, identifying vulnerabilities, updating the Army Corps of Engineer's planning guidelines, guaranteeing sound projects and responsible spending, and valuing our natural resources.

Our current prioritization process is not serving the public good. To address this problem, the bill reinvigorates the Water Resources Council, originally established in 1965, and charges it with providing Congress a prioritized list of authorized water resource projects within one year of enactment and then every two years following. The prioritized list would also be printed in the Federal register for the public to see. The Water Resources Council described in the bill, comprised of cabinet-level officials, would bring together varied perspectives to shape a list of national needs. In short, the prioritization process would be improved to make sure Congress has the tools to more wisely invest limited resources while also increasing public transparency in decision making both needed and reasonable improvements to the status quo.

Taking stock of our vulnerabilities to natural disasters must also be a priority. For this reason, the bill also directs the Water Resources Council to identify and report to Congress on the Nation's vulnerability to flood and related storm damage, including the risk to human life and property, and relative risks to different regions of the country. The Water Resources Council would also recommend improvements to the Nation's various flood damage reduction programs to better address those risks. Many of these improvements were discussed in a government report following the 1993 floods so the building blocks are available; we just need to update the assessment. Then, of course, we must actually take action based on the assessment. To help speed such action, the legislation specifies that the administration will submit a response to Congress, including legislative proposals to implement the recommendations, on the Water Resources Council report no later than 90 days after the report has been made public. We cannot afford to have this report, which will outline improvements to our flood damage reduction programs, languish like others before it.

The process by which the Army Corps of Engineers analyzes water projects should undergo periodic revision. Unfortunately, the corps' principles and guidelines, which bind the planning process, have not been updated since 1983. This is why the bill requires that the Water Resources Council work in coordination with the National Academy of Sciences to propose periodic revisions to the corps' planning principles and guidelines, regulations, and circulars.

Updating the project planning process should involve consideration of a variety of issues, including the use of modern economic analysis and the same discount rates as used by all other Federal agencies. Simple steps such as these will lead to more precise estimates of project costs and benefits, a first step to considering whether a project should move forward.

To ensure that corps' water resources projects are sound, the bill requires independent review of those projects estimated to cost over $25 million, those requested by a Governor of an affected State, those which the head of a Federal agency has determined may lead to a significant adverse impact, or those that the Secretary of the Army has found to be controversial. As crafted in the bill, independent review should not increase the length of time required for project planning but would protect the public both those in the vicinity of massive projects and those whose tax dollars are funding projects.

We must do a better job of valuing our natural resources, such as wetlands, that provide important services. These resources can help to buffer communities from storms and filter contaminants out of our water. Recognizing the role of these natural systems, the Water Resources Planning and Modernization Act of 2006 requires that corps' water resources projects meet the same mitigation standard as required by everyone else under the Clean Water Act. Where States have adopted stronger mitigation standards, the corps must meet those standards. I feel very strongly that the Federal government should be able to live up to this requirement. Unfortunately, all too often, the corps has not completed required mitigation. This legislation will make sure that mitigation is completed, that the true costs of mitigation are accounted for in corps' projects, and that the public is able to track the progress of mitigation projects.

Modernizing all aspects of our water resources policy will help restore credibility to a Federal agency historically rocked by scandal and currently plagued by public skepticism. Congress has long used the Army Corps of Engineers to facilitate favored pork-barrel projects, while periodically expressing a desire to change its ways. Back in 1836, a House Ways and Means Committee report referred to Congress ensuring that the corps sought ''actual reform, in the further prosecution of public works.'' Over 150 years later, the need for actual reform is stronger than ever.

My office has strong working relationships with the Detroit, Rock Island, and St. Paul District Offices that service Wisconsin, and I do not want this bill to be misconstrued as reflecting on the work of those district offices. What I do want is the fiscal and management cloud over the entire Army Corps to dissipate so that the corps can continue to contribute to our environment and our economy without wasting taxpayer dollars.

I wish the changes we are proposing today were not needed, but unfortunately that is not the case. In fact, if there were ever a need for the bill, it is now. We must make sure that future corps' projects produce predicted benefits, are in furtherance of national priorities, and do not have negative environmental impacts. This bill gives the corps the tools it needs to a better job and focuses the attention of Congress

on national needs, which is what the American taxpayers and the environment deserve.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2288

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 ''Water Resources Planning and Modernization Act of 2006''.

SEC. 2. DEFINITIONS.

In this Act:

(1) COUNCIL.—The term ''Council'' means the Water Resources Council established under section 101 of the Water Resources Planning Act (42 U.S.C. 1962a).

(2) SECRETARY.—The term ''Secretary'' means the Secretary of the Army.

SEC. 3. NATIONAL WATER RESOURCES PLANNING AND MODERNIZATION POLICY.

It is the policy of the United States that all water resources projects carried out by the Corps of Engineers shall—

(1) reflect national priorities for flood damage reduction, navigation, and ecosystem restoration; and

(2) seek to avoid the unwise use of floodplains, minimize vulnerabilities in any case in which a floodplain must be used, protect and restore the extent and functions of natural systems, and mitigate any unavoidable damage to natural systems.

SEC. 4. MEETING THE NATION'S WATER RESOURCE PRIORITIES.

(a) REPORT ON THE NATION'S FLOOD RISKS.—Not later than 18 months after the date of enactment of this Act, the Council shall submit to the President and Congress a report describing the vulnerability of the United States to damage from flooding and related storm damage, including the risk to human life, the risk to property, and the comparative risks faced by different regions of the country. The report shall assess the extent to which the Nation's programs relating to flooding are addressing flood risk reduction priorities and the extent to which those programs may unintentionally be encouraging development and economic activity in floodprone areas, and shall provide recommendations for improving those programs in reducing and responding to flood risks. Not later than 90 days after the report required by this subsection is published in the Federal Register, the Administration shall submit to Congress a report that responds to the recommendations of the Council and includes proposals to implement recommendations of the Council.

(b) PRIORITIZATION OF WATER RESOURCES PROJECTS.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Council shall submit to Congress an initial report containing a prioritized list of each water resources project of the Corps of Engineers that is not being carried out under a continuing authorities program, categorized by project type and recommendations with respect to a process to compare all water resources projects across project type. The Council shall submit to Congress a prioritized list of water resources projects of the Corps of Engineers every 2 years following submission of the initial report. In preparing the prioritization of projects, the Council shall endeavor to balance stability in the rankings from year to year with recognizing newly authorized projects. Each report prepared under this paragraph shall provide documentation and description of any criteria used in addition to those set forth in paragraph (2) for comparing water resources projects and the assumptions upon which those criteria are based.

(2) PROJECT PRIORITIZATION CRITERIA.—In preparing a report under paragraph (1), the Council shall prioritize each water resource project of the Corps of Engineers based on the extent to which the project meets at least the following criteria:

(A) For flood damage reduction projects, the extent to which such a project—

(i) addresses the most critical flood damage reduction needs of the United States as identified by the Council;

(ii) does not encourage new development or intensified economic activity in flood prone areas and avoids adverse environmental impacts; and

(iii) provides significantly increased benefits to the United States through the protection of human life, property, economic activity, or ecosystem services.

(B) For navigation projects, the extent to which such a project—

(i) produces a net economic benefit to the United States based on a high level of certainty that any projected trends upon which the project is based will be realized;

(ii) addresses priority navigation needs of the United States identified through comprehensive, regional port planning; and

(iii) minimizes adverse environmental impacts.

(C) For environmental restoration projects, the extent to which such a project—

(i) restores the natural hydrologic processes and spatial extent of an aquatic habitat;

(ii) is self-sustaining; and

(iii) is cost-effective or produces economic benefits.

(3) SENSE OF CONGRESS.—It is the sense of Congress that to promote effective prioritization of water resources projects, no project should be authorized for construction unless a final Chief's report recommending construction has been submitted to Congress, and annual appropriations for the Corps of Engineers' Continuing Authorities Programs should be distributed by the Corps of Engineers to those projects with the highest degree of design merit and the greatest degree of need, consistent with the applicable criteria established under paragraph (2).

(c) MODERNIZING WATER RESOURCES PLANNING GUIDELINES.—

(1) IN GENERAL.—Not later than 2 years after the date of enactment of this Act, and every 5 years thereafter, the Council, in coordination with the National Academy of Sciences, shall propose revisions to the planning principles and guidelines, regulations, and circulars of the Corps of Engineers to improve the process by which the Corps of Engineers analyzes and evaluates water projects.

(2) PUBLIC PARTICIPATION.—The Council shall solicit public and expert comment and testimony regarding proposed revisions and shall subject proposed revisions to public notice and comment.

(3) REVISIONS.—Revisions proposed by the Council shall improve water resources project planning through, among other things—

(A) focusing Federal dollars on the highest water resources priorities of the United States;

(B) requiring the use of modern economic principles and analytical techniques, credible schedules for project construction, and current discount rates as used by all other Federal agencies;

(C) discouraging any project that induces new development or intensified economic activity in flood prone areas, and eliminating biases and disincentives to providing projects to low-income communities, including fully accounting for the prevention of loss of life as required by section 904 of the Water Resources Development Act of 1986 (33 U.S.C. 2281);

(D) eliminating biases and disincentives that discourage the use of nonstructural approaches to water resources development and management, and fully accounting for the flood protection and other values of healthy natural systems;

(E) utilizing a comprehensive, regional approach to port planning;

(F) promoting environmental restoration projects that reestablish natural processes;

(G) analyzing and incorporating lessons learned from recent studies of Corps of Engineers programs and recent disasters such as Hurricane Katrina and the Great Midwest Flood of 1993; and

(H) ensuring the effective implementation of the National Water Resources Planning and Modernization Policy established by this Act.

(d) REVISION OF PLANNING GUIDELINES.—Not later than 180 days after submission of the proposed revisions required by subsection (b), the Secretary shall implement the recommendations of the Council by incorporating the proposed revisions into the planning principles and guidelines, regulations, and circulars of the Corps of Engineers. These revisions shall be subject to public notice and comment pursuant to subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''). Effective beginning on the date on which the Secretary carries out the first revision under this paragraph, the Corps of Engineers shall not be subject to—

(1) subsections (a) and (b) of section 80 of the Water Resources Development Act of 1974 (42 U.S.C. 1962d–17); and

(2) any provision of the guidelines entitled ''Economic and Environmental Principles and Guidelines for Water and Related Land Resources Implementation Studies'' and dated 1983, to the extent that such a provision conflicts with a guideline revised by the Secretary.

(e) AVAILABILITY.—Each report prepared under this section shall be published in the Federal Register and submitted to the Committees on Environment and Public Works and Appropriations of the Senate and the Committees on Transportation and Infrastructure and Appropriations of the House of Representatives.

(f) WATER RESOURCES COUNCIL.—Section 101 of the Water Resources Planning Act (42 U.S.C. 1962a) is amended in the first sentence by inserting ''the Secretary of Homeland Security, the Chairperson of the Council on Environmental Quality,'' after ''Secretary of Transportation,''.

(g) FUNDING.—In carrying out this section, the Council shall use funds made available for the general operating expenses of the Corps of Engineers.

SEC. 5. EFFECTIVE PROJECT PLANNING.

(a) DEFINITIONS.—In this section:

(1) AFFECTED STATE.—The term ''affected State'' means a State that is located, in whole or in part, within the drainage basin in which a water resources project is carried out and that would be economically or environmentally affected as a result of the project.

(2) DIRECTOR.—The term ''Director'' means the Director of Independent Review appointed under subsection (c).

(3) STUDY.—The term ''study'' means a feasibility report, general reevaluation report,

or environmental impact statement prepared by the Corps of Engineers.

(b) PROJECTS SUBJECT TO INDEPENDENT REVIEW.—

(1) IN GENERAL.—The Secretary shall ensure that each study for each water resources project described in paragraph (2) is subject to review by an independent panel of experts established under this section.

(2) PROJECTS SUBJECT TO REVIEW.—A water resources project shall be subject to review under this section if—

(A) the project has an estimated total cost of more than $25,000,000, including mitigation costs;

(B) the Governor of an affected State requests in writing to the Secretary the establishment of an independent panel of experts for the project;

(C) the head of a Federal agency charged with reviewing the project determines that the project is likely to have a significant adverse impact on cultural, environmental, or other resources under the jurisdiction of the agency, and requests in writing to the Secretary the establishment of an independent panel of experts for the project; or

(D) the Secretary determines that the project is controversial based upon a finding that—

(i) there is a significant dispute regarding the size, nature, or effects of the project;

(ii) there is a significant dispute regarding the economic or environmental costs or benefits of the project; or

(iii) there is a significant dispute regarding the potential benefits to communities affected by the project of a project alternative that was not fully considered in the study.

(3) WRITTEN REQUESTS.—Not later than 30 days after the date on which the Secretary receives a written request of any party, or on the initiative of the Secretary, the Secretary shall determine whether a project is controversial.

(c) DIRECTOR OF INDEPENDENT REVIEW.—

(1) IN GENERAL.—The Inspector General of the Army shall appoint in the Office of the Inspector General of the Army a Director of Independent Review. The term of a Director appointed under this subsection shall be 6 years, and an individual may serve as the Director for not more than 2 nonconsecutive terms.

(2) QUALIFICATIONS.—The Inspector General of the Army shall select the Director from among individuals who are distinguished experts in engineering, hydrology, biology, economics, or another discipline relating to water resources management. The Inspector General of the Army shall not appoint an individual to serve as the Director if the individual has a financial interest in or close professional association with any entity with a financial interest in a water resources project that, on the date of appointment of the Director, is under construction, in the preconstruction engineering and design phase, or under feasibility or reconnaissance study by the Corps of Engineers. The Inspector General of the Army may establish additional criteria if necessary to avoid a conflict of interest between the individual appointed as Director and the projects subject to review.

(3) DUTIES.—The Director shall establish a panel of experts to review each water resources project that is subject to review under subsection (b).

(d) ESTABLISHMENT OF PANELS.—

(1) IN GENERAL.—Not later than 90 days before the release of a draft study subject to review under subsection (b)(2)(A), and not later than 30 days after a determination that a review is necessary under subparagraph (B), (C), or (D) of subsection (b)(2), the Director shall establish a panel of experts to review the draft study. Panels may be convened earlier on the request of the Chief of Engineers.

(2) MEMBERSHIP.—A panel of experts established by the Director for a project shall be composed of not less than 5 nor more than 9 independent experts (including 1 or more engineers, hydrologists, biologists, and economists) who represent a range of areas of expertise.

(3) LIMITATION ON APPOINTMENTS.—The Director shall apply the National Academy of Science's policy for selecting committee members to ensure that members of a review panel have no conflict with the project being reviewed.

(4) CONSULTATION.—The Director shall consult with the National Academy of Sciences in developing lists of individuals to serve on panels of experts under this section.

(5) NOTIFICATION.—To ensure that the Director is able to effectively carry out the duties of the Director under this section, the Secretary shall notify the Director in writing not later than 120 days before the release of a draft study for a project costing more than $25,000,000 or for which a preliminary assessment suggests that a panel of experts may be required.

(6) COMPENSATION.—An individual serving on a panel of experts under this section shall be compensated at a rate of pay to be determined by the Inspector General of the Army.

(7) TRAVEL EXPENSES.—A member of a panel of experts under this section shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the panel.

(e) DUTIES OF PANELS.—A panel of experts established for a water resources project under this section shall—

(1) review each draft study prepared for the project;

(2) assess the adequacy of the economic, scientific, and environmental models used by the Secretary in reviewing the project and assess whether the best available economic and scientific data and methods of analysis have been used;

(3) assess the extent to which the study complies with the National Water Resources Planning and Modernization Policy established by this Act;

(4) evaluate the engineering assumptions and plans for any flood control structure whose failure could result in significant flooding;

(5) receive from the public written and oral comments concerning the project;

(6) submit an Independent Review Report to the Secretary that addresses the economic, engineering, and environmental analyses of the project, including the conclusions of the panel, with particular emphasis on areas of public controversy, with respect to the study; and

(7) submit a Final Assessment Report to the Secretary that briefly provides the views of the panel on the extent to which the final study prepared by the Corps adequately addresses issues or concerns raised by the panel in the Independent Review Report.

(f) DEADLINES FOR PANEL REPORTS.—A panel shall submit its Independent Review Report under subsection (e)(6) to the Secretary not later than 90 days after the close of the public comment period or not later than 180 days after the panel is convened, whichever is later. A panel shall submit its Final Assessment Report under subsection (e)(7) to the Secretary not later than 30 days after release of the final study. The Director may extend these deadlines for good cause shown.

(g) RECOMMENDATIONS OF PANEL.—

(1) CONSIDERATION BY SECRETARY.—If the Secretary receives an Independent Review Report on a water resources project from a panel of experts under subsection (e)(6), the Secretary shall, at least 30 days before releasing a final study for the project, take into consideration any recommendations contained in the report, prepare a written explanation for any recommendations not adopted, and make such written explanations available to the public, including through posting on the Internet.

(2) INCONSISTENT RECOMMENDATIONS AND FINDINGS.—Recommendations and findings of the Secretary that are inconsistent with the recommendations and findings of a panel of experts under this section shall not be entitled to deference in a judicial proceeding.

(3) SUBMISSION TO CONGRESS AND PUBLIC AVAILABILITY.—After receiving an Independent Review Report under subsection (e)(6) or a Final Assessment Report under subsection (e)(7), the Secretary shall immediately make a copy of the report available to the public. The Secretary also shall immediately make available to the public any written response by the Secretary prepared pursuant to paragraph (1). Copies of all independent review panel reports and all written responses by the Secretary also shall be included in any report submitted to Congress concerning the project.

(h) RECORD OF DECISION.—The Secretary shall not issue a record of decision or a report of the Chief of Engineers for a water resources project subject to review under this section until, at the earliest, 14 days after the deadline for submission of the Final Assessment Report required under subsection (e)(7).

(i) PUBLIC ACCESS TO INFORMATION.—The Secretary shall ensure that information relating to the analysis of any water resources project by the Corps of Engineers, including all supporting data, analytical documents, and information that the Corps of Engineers has considered in the justification for and analysis of the project, is made available to the public on the Internet and to an independent review panel, if a panel is established for the project. The Secretary shall not make information available under this paragraph if the Secretary determines that the information is a trade secret of any person that provided the information to the Corps of Engineers.

(j) COSTS OF REVIEW.—

(1) IN GENERAL.—The cost of conducting a review of a water resources project under this section shall not exceed—

(A) $250,000 for a project, if the total cost of the project in current year dollars is less than $50,000,000; and

(B) 0.5 percent of the total cost of the project in current year dollars, if the total cost is $50,000,000 or more.

(2) WAIVER.—The Secretary may waive these cost limitations if the Secretary determines that the waiver is appropriate.

(k) APPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to a panel of experts established under this section.

SEC. 6. MITIGATION.

(a) MITIGATION.—Section 906(d) of the Water Resources Development Act of 1986 (33 U.S.C. 2283(d)) is amended—

(1) in paragraph (1), by striking ''to the Congress'' and inserting ''to Congress, and shall not choose a project alternative in any final record of decision, environmental impact statement, or environmental assessment,'', and by inserting in the second sentence ''and other habitat types'' after ''bottomland hardwood forests''; and

(2) by adding at the end the following:

''(3) MITIGATION REQUIREMENTS.—

''(A) MITIGATION.—To mitigate losses to flood damage reduction capabilities and fish and wildlife resulting from a water resources project, the Secretary shall ensure that mitigation for each water resources project complies fully with the mitigation standards and policies established by each State in which the project is located. Under no circumstances shall the mitigation required for a water resources project be less than would be required of a private party or other entity under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344).

''(B) MITIGATION PLAN.—The specific mitigation plan for a water resources project required under paragraph (1) shall include, at a minimum—

''(i) a detailed plan to monitor mitigation implementation and ecological success, including the designation of the entities that will be responsible for monitoring;

''(ii) specific ecological success criteria by which the mitigation will be evaluated and determined to be successful, prepared in consultation with the Director of the United States Fish and Wildlife Service or the Director of the National Marine Fisheries Service, as appropriate, and each State in which the project is located;

''(iii) a detailed description of the land and interests in land to be acquired for mitigation, and the basis for a determination that land and interests are available for acquisition;

''(iv) sufficient detail regarding the chosen mitigation sites, and types and amount of restoration activities to be conducted, to permit a thorough evaluation of the likelihood of the ecological success and aquatic and terrestrial resource functions and habitat values that will result from the plan; and

''(v) a contingency plan for taking corrective actions if monitoring demonstrates that mitigation efforts are not achieving ecological success as described in the ecological success criteria.

''(4) DETERMINATION OF MITIGATION SUCCESS.—

''(A) IN GENERAL.—Mitigation under this subsection shall be considered to be successful at the time at which monitoring demonstrates that the mitigation has met the ecological success criteria established in the mitigation plan.

''(B) EVALUATION AND REPORTING.—The Secretary shall consult annually with the Director of the United States Fish and Wildlife Service and the Director of the National Marine Fisheries Service, as appropriate, and each State in which the project is located, on each water resources project requiring mitigation to determine whether mitigation monitoring for that project demonstrates that the project is achieving, or has achieved, ecological success. Not later than 60 days after the date of completion of the annual consultation, the Director of the United States Fish and Wildlife Service or the Director of the National Marine Fisheries Service, as appropriate, shall, and each State in which the project is located may, submit to the Secretary a report that describes—

''(i) the ecological success of the mitigation as of the date of the report;

''(ii) the likelihood that the mitigation will achieve ecological success, as defined in the mitigation plan;

''(iii) the projected timeline for achieving that success; and

''(iv) any recommendations for improving the likelihood of success.

The Secretary shall respond in writing to the substance and recommendations contained in such reports not later than 30 days after the date of receipt. Mitigation monitoring shall continue until it has been demonstrated that the mitigation has met the ecological success criteria.''.

(b) MITIGATION TRACKING SYSTEM.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall establish a recordkeeping system to track, for each water resources project constructed, operated, or maintained by the Secretary and for each permit issued under section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344)—

(A) the quantity and type of wetland and other habitat types affected by the project, project operation, or permitted activity;

(B) the quantity and type of mitigation required for the project, project operation, or permitted activity;

(C) the quantity and type of mitigation that has been completed for the project, project operation, or permitted activity; and

(D) the status of monitoring for the mitigation carried out for the project, project operation, or permitted activity.

(2) REQUIRED INFORMATION AND ORGANIZATION.—The recordkeeping system shall—

(A) include information on impacts and mitigation described in paragraph (1) that occur after December 31, 1969; and

(B) be organized by watershed, project, permit application, and zip code.

(3) AVAILABILITY OF INFORMATION.—The Secretary shall make information contained in the recordkeeping system available to the public on the Internet.

SEC. 7. PROJECT ADMINISTRATION.

(a) CHIEF'S REPORTS.—The Chief of Engineers shall not submit a Chief's report to Congress recommending construction of a water resources project until that Chief's report has been reviewed and approved by the Secretary of the Army.

(b) PROJECT TRACKING.—The Secretary shall assign a unique tracking number to each water resources project, to be used by each Federal agency throughout the life of the project.

(c) REPORT REPOSITORY.—The Secretary shall maintain at the Library of Congress a copy of each final feasibility study, final environmental impact statement, final reevaluation report, record of decision, and report to Congress prepared by the Corps of Engineers. These documents shall be made available to the public for review, and electronic copies of those documents shall be permanently available, through the Internet website of the Corps of Engineers.

Mr. MCCAIN. Mr. President, I am pleased to join with Senator FEINGOLD in introducing the Water Resources Planning and Modernization Act of 2006. This legislation is designed to take a post-Katrina approach to Army Corps of Engineers projects. It would provide for a more effective system for selecting and funding Army Corps projects that help to protect our citizens against damage caused by floods, hurricanes and other natural disasters.

Last August this Nation witnessed a horrible national disaster. When Hurricane Katrina hit, it brought with it destruction and tragedy beyond compare; more so than our Nation has seen in decades. Some six months later, the Gulf Coast region is still largely in the early stages of attempting to rebuild and recover and there is a long road ahead. As our Nation continues to dedicate significant resources to the reconstruction effort, we must be vigilant in our oversight obligations and take appropriate actions based on the many lessons learned from this tragedy.

One area that most would agree deserves needed attention concerns the Army Corps system. Funding is distributed in a manner that is not always awarded the most urgent projects. Because of this, citizens can end up paying for unnecessary and irresponsible Army Corps projects with their tax dollars and their safety. It is time for us to take a new approach to how the Army Corps does business. With lessons learned from Katrina, we can and must shepherd in a new era within the Army Corps that prioritizes critical projects and allows the American taxpayers to know that their money is being spent in an effective and efficient manner.

The Water Resources Planning and Modernization Act is the only Corps related measure that has been introduced in the Senate since Katrina tragically struck that truly takes a lessons-learned approach. Any measure acted upon by this Congress regarding the Corps simply must account for the most up to date information available. We owe it to the American public.

Historically, Congress has considered water projects costing many billions of taxpayer dollars as essential expenditures—regardless of the environmental costs or public benefits. That is why the modernization procedures in this bill are designed to achieve more critical and cost-effective expenditures for Corps water projects that will yield more environmental, economic, and social benefits. The need for these changes has been acknowledged by many for some time, but never has the need to spend scarce taxpayer dollars wisely been as crucial as it is now.

The Corps procedures for planning and approving projects, as well as the Congressional system for funding projects, are broken, but they can be fixed. The reforms in our bill are based on thorough program analysis and common sense. I commend Senator FEINGOLD for his efforts to build on and improve upon the legislation we have previously introduced. Corps modernization has been a priority that Senator FEINGOLD and I have shared for years but never before has there been such an appropriate atmosphere and urgent need to move forward on these overdue reforms.

Provisions of the legislation we are introducing today provide for a process to modify and modernize the Corps planning and approval procedures to consider economic, public, and environmental objectives. Independent review of Corps projects and a clear national prioritization of Corps projects would ensure that the most beneficial projects are constructed. Effective measures for mitigation of environmental and other damage caused by projects would be required and monitored.

With support from Taxpayers for Common Sense Action, National Taxpayers Union, Citizens Against Government Waste, American Rivers, National Wildlife Federation, Earthjustice, Environmental Defense,

Republicans for Environmental Protection, Sierra Club, and the World Wildlife Fund, the bill has broad interest and impact.

Water projects that provide economic and environmental benefits to our Nation's citizens—the hardworking American taxpayers—serve the common good and reflect our common interest in fiscal responsibility.

I urge my colleagues to support this legislation.

By Mr. BUNNING:

S. 2289. A bill to amend title XVIII of the Social Security Act to increase the per resident payment floor for direct graduate medical education payments under the Medicare program; to the Committee on Finance.

Mr. BUNNING. Mr. President, today I am introducing important legislation that will have an impact on many of the hospitals in my State, along with hundreds of hospitals in other States. This legislation deals specifically with the Medicare payments for Direct Graduate Medical Education—also known as DGME.

I am pleased that Congressman RON LEWIS from Kentucky's Second District is the lead sponsor of a companion bill already introduced in the House of Representatives.

Medicare pays teaching hospitals for its share of the cost of training new physicians. These payments are known as DGME payments. Teaching hospitals initially reported their direct costs to the Department of Health and Human Services in the mid-1980s. These reported amounts are now the basis for which each teaching hospital is reimbursed.

Unfortunately, there was a disparity in the types of costs each hospital reported, which has lead to large disparities in payments between hospitals. Hospitals are also being reimbursed on data that is 20 years old, at this point.

To help rectify this problem, in 1999 Congress established a floor for calculating Medicare payments for DGME at 70 percent of the national average. In 2001, Congress raised the floor to 85 percent of the national average.

The legislation I am introducing today would bring all of Medicare's DGME hospitals up 100 percent of the national average. This is an important change that would help many teaching hospitals in Kentucky and across the Nation be fairly reimbursed for training our young doctors.

For example, there are 19 hospitals in Kentucky that currently receive reimbursements below the national average. This means that Kentucky hospitals lose more than two million a year because of the lower reimbursement rate. Across the country, there are about 600 hospitals being reimbursed below the national average.

This legislation takes an important step to ensure that Medicare's payment policy for teaching hospitals are fair and that these institutions can continue to do the important work they do. I hope my colleagues will take a close look at the bill and can support it.

By Mr. PRYOR (for himself, Mr. WARNER, and Mr. TALENT):

S. 2290. A bill to provide for affordable natural gas by rebalancing domestic supply and demand and to promote the production of natural gas from domestic resources; to the Committee on Energy and Natural Resources.

Mr. WARNER. Mr. President, I am privileged to rise with the distinguished Senator from Arkansas to introduce a bill today entitled the Reliable and Affordable Natural Gas Energy Reform Act of 2006

In September of 2005, at the time the Senate was examining a number of energy proposals under the distinguished chairmanship of Senator DOMENICI, I introduced a bill at that time quite similar to this one, although it included oil. This measure sticks to gas, and gas only, to enable the several States across our Nation to take such steps under State law, in combination with the Governors and the respective legislatures of the several States that desire to explore and the desire to drill for energy off their shores. That bill as yet is still on the docket.

Since that time I have had the great pleasure of joining my colleague from Arkansas to put this bill in. I am delighted that he indicated he would like to step forward and take the lead. I readily accede to that request.

So much of the concern about drilling offshore is understandably in—and I am not here to criticize—the environmental community. I think my colleague from Arkansas can help me eventually convince the environmental community that the time has come for offshore drilling.

Two things have occurred in the interim between the 1988 moratorium, namely advancement in technology so we can safely, by engineering, put the wells in; and the second is the ever-tightening noose around the citizens of the United States of America with regard to their energy sources. The third thing that is occurring is the growing competition for energy worldwide—India coming on with enormous consumption requirements, and China with even larger consumption requirements.

I think the time has come that the Congress begin to reexamine its old policies with regard to those lands offshore of our several States.

At this time, I yield the floor to my colleague from Arkansas.

The PRESIDING OFFICER. The Senator from Arkansas is recognized.

Mr. PRYOR. Mr. President, as the distinguished Senator from Virginia acknowledged, we have a problem when it comes to the high cost of natural gas. We feel strongly that this bill which we are cosponsoring can be part of the solution.

About one-quarter of all natural gas is used to produce electricity, but the rest is used to manufacture plastics that go into things such as cars, computers, and medical equipment. Fertilizer and pharmaceutical production is highly dependent on natural gas. In fact, for nitrogen fertilizer, a total of 93 percent of the production cost of that fertilizer is the component of natural gas.

The price of natural gas—which, by the way, is one-quarter of the energy of this country—has more than doubled in the past year and it is anticipated that over the next 20 years you will see a 40-percent increase for the usage and need of natural gas in the United States.

Another thing about natural gas that makes it very different than oil is natural gas is not easy to ship across oceans. Certainly there is some liquid natural gas technology out there, but a vast majority—all but a tiny fraction of the natural gas we use in this country—comes from United States wells, or comes out of Canada. We have a great reserve of natural gas, not only in the Continental United States, not only in Alaska, but also off our shores. Most notably, the one that most people are aware of is in the Gulf of Mexico.

Our legislation will allow the Secretary of the Interior to offer natural gas leases as part of the Outer Continental Shelf leasing program.

Let me say this: As Senator WARNER of Virginia said a few moments ago, we are referring only to natural gas. We have been very careful to make sure this bill does not include petroleum or oil.

I hope no one will be confused by an earlier draft because we included some references to oil, but we have very carefully taken all of those out of the bill. I think the bill is very clear on that point now, that this refers only to natural gas supply and exploration.

Mr. WARNER. Mr. President, will the Senator yield for a moment on that point?

Mr. PRYOR. Yes.

Mr. WARNER. Mr. President, we earlier distributed material which referred to oil which was in an earlier draft. I have been in contact with the environmental community, and so forth. It is clear to me at this point in time that we have in this bill just gas. My fervent hope and belief is that the environmental community will see the advancements in technology and the tremendous requirements of this country for natural gas, that we can restrict it to gas.

At a later time, if we are successful in proving that the natural gas can be drawn and is safe, which I am confident we can do, maybe due to world circumstances and domestic circumstances we could go back at that time and revisit the issue of oil.

I thank the Senator.

Mr. PRYOR. I thank the Senator.

Mr. President, another very important point, which is the essence of this legislation, goes to the moratorium on exploration of the Outer Continental Shelf. This bill allows that moratorium

to stay in place until the year 2012. It allows coastal States to, either out of that moratorium, if they so choose, or if after that moratorium expires, to opt into continuing that moratorium. It gives States, legislatures, Governors, State officials, elected officials, et cetera, the ability to control some of the things that are going on on their coastlines.

I think that is a very important point here because this could be a good revenue source for these States. It could be a good economic boom to some of these States. Certainly we have included revenue sharing, which I think is important to make this work.

I am very pleased that Senator WARNER and I have been able to work together and come up with what we think is a very commonsense solution, or at least part of a solution, to a very serious problem our country is facing.

Arkansas farmers—and I am sure it is true with most other States' farmers as well—had a difficult and disastrous year last year when it came to agriculture. One of the main reasons it has been so hard is their costs have gone up—the high cost of fertilizer and fuel. They use a lot of natural gas when it comes to drying grain, et cetera. The high cost of energy is killing our farmers, and it is certainly hurting our manufacturing sector as well.

The high price of natural gas is bad for the economy, but it is also bad for our energy security. That is one thing which I don't think we can overemphasize here today. I think it is critical that we have a high level of energy security for this country. I am proud to join my very distinguished colleague from Virginia to do our very best to offer a solution to help American families and help American businesses.

I yield the floor.

Mr. WARNER. Mr. President, our committee, under the leadership of Senator DOMENICI, is putting forward a proposal. I spoke with him today. This bill does not, in my judgment—and I hope he concurs eventually—conflict in any way with the objectives he is trying to achieve. He is a man who thinks forwardly and is so knowledgeable on the question of energy, the domestic situation here and the worldwide implication, and I think eventually he will be looking at something, and this may be a vehicle on which the Energy Committee will focus as they take the next step and begin to recognize the need to have some offshore drilling.

I thank my colleague on the Energy Committee.

I conclude my remarks by saying I am proud of the State of Virginia and its legislature. In the last session of the Virginia State legislature in the year 2005, both houses passed legislation authorizing precisely what we have here. In other words, let us go out and take a look at the shelf, find out what may or may not be off the coast of Virginia, and determine the accessibility and the feasibility and interest among industry to come and participate in the drilling.

But, unfortunately our former Governor—and I get along very well with Governor Warner—for reasons which he expressed, felt at this time the legislation shouldn't go forward in this session of the Virginia General Assembly. Again, the Senate stepped forward and passed legislation along the lines of what the General Assembly of Virginia did last year. It is my hope the House will do likewise, and that our new Governor, Governor Kaine, will take it under consideration, should both houses act—and hopefully they will act upon it favorably. Virginia is in a key location, and its citizens could benefit enormously if in fact earlier analysis of the shelf off of our State is confirmed as possessing resources of energy, namely natural gas.

I thank my colleague from Arkansas. He is a marvelous working partner. I look forward to working with him.

I yield the floor.

By Mr. KENNEDY (for himself, Mr. DODD, Mr. HARKIN, and Mr. BINGAMAN):

S. 2291. A bill to provide for the establishment of a biodefense injury compensation program and to provide indemnification for producers of countermeasures; to the Committee on Health, Education, Labor, and Pensions.

Mr. DODD. Mr. President, I rise today to join Senator KENNEDY in introducing a bill, the Responsible Public Readiness and Emergency Preparedness Act, that will correct a grievous mistake made by some of my Republican colleagues. Our legislation will take responsible steps to protect the American people from one of the greatest threats facing our nation—a pandemic flu, bioterror attack or infectious disease outbreak.

Congress should have no higher priority than protecting the safety, security, and health of the American people. Public health experts have warned that a severe avian flu epidemic could lead to worldwide panic, cost millions of lives, and result in untold economic damage.

In order to prevent these dire projections from becoming a reality, we have no choice but to be prepared for such an event. One of the indispensable components of a biodefense plan is the availability of safe and effective vaccines and medicines. To achieve this goal, a biodefense plan must have two critical components. First, it must encourage drug companies to develop and manufacture effective medicines to counteract a disease or flu. Second, it must encourage first responders, health care workers, and ordinary citizens to take those medicines before, during, or after an attack or outbreak.

In December of last year, some of my Republican colleagues inserted language that contained neither of these critical components into the Department of Defense Appropriations conference report. This was done at the last minute, in the middle of the night, without the opportunity for discussion and debate, and without the knowledge or consent of many of the conferees.

Unfortunately, this Republican plan will do nothing to protect the American people. Rather than encouraging companies to make safe and effective medicines, it will provide a perverse incentive by protecting those companies that make ineffective or harmful products. And rather than encouraging Americans to be vaccinated or take a needed medication, it will discourage them from doing so by failing to provide guaranteed care for the few who will inevitably be injured by these products. Make no mistake about it; this plan will fail to protect our Nation.

I say this with confidence because we have been down this path before. Three years ago, the Bush administration launched a program to inoculate millions of first responders against smallpox. Ignoring public health experts, the administration failed to establish a compensation program to provide help to those injured by the vaccine. Doctors, nurses, firefighters and other first responders who would be on the front lines in the event of a smallpox attack by terrorists were not willing to roll the dice and risk the future of their families without compensation for their losses if they were injured, disabled, or even killed by its side effects. Most refused to participate, and the program was a failure.

On November 9 of last year, while testifying before the Senate Foreign Relations Committee, Dr. Julie Gerberding, the Director of the Centers for Disease Control and Prevention (CDC), was asked about the expected success of a biodefense plan that does not include fair compensation to people injured by the very medicines they thought would help them. She responded: ''Well, I certainly feel that from the standpoint of the smallpox vaccination program, that the absence of a compensation program that was acceptable to the people we were hoping to vaccinate was a major barrier—and I think we've learned some lessons from that.''

On November 20 of last year, while appearing on NBC's Meet the Press, Secretary of Health and Human Services Mike Leavitt said that along with limits on liability, ''adequate compensation . . . needs to be made for those who are hurt.''

Many groups representing the public health community and first responders, including the American Public Health Association, the American Nurses Association, and the American Federation of State, County, and Municipal Employees, have been outspoken about the need for a compensation program.

Yet despite our past experience, despite the position taken by those at high levels in the administration, and despite the warnings of those who would be on the front lines in the event of an outbreak, the Republican leadership in Congress included language in

the Defense Appropriations conference report that repeats the mistakes of the past, and endangers American lives. If and when we have a vaccine to protect against a pandemic flu, we must provide first responders with a reasonable assurance that it will be as safe as can reasonably be expected, and that they and their families will be taken care of should they be injured. This plan does not provide that assurance, and once again, first responders will refuse to participate.

Those who inserted this provision into the Conference Report during late night backroom negotiations claim that it includes compensation. But make no mistake—there is no guaranteed compensation in this bill. There is a provision to set up a compensation fund, but there is absolutely no guarantee that this fund will ever see a penny. The authors of this provision are claiming to take care of the injured, without providing any guarantee that it will ever happen. They are making an empty promise.

Not only will this plan fail to compensate those first responders and ordinary citizens injured or even killed by a vaccine, but it will also protect manufacturers even when they act with disregard for the safety of their products. This is an incredibly dangerous and inappropriate incentive. We should be encouraging manufacturers to make safe products, not protecting them when they make products that harm the American people.

Let me make it perfectly clear that I am not against the idea of providing limited liability protection for manufacturers in order to encourage the development of vaccines and medicines to protect the American people in the event of an outbreak or bioterror attack. But such liability protection must adhere to certain principles. First, it must not protect manufacturers that act with careless disregard for the safety and effectiveness of their product. And second, because even the safest vaccine will harm a small percentage of the people who take it, liability protection must be coupled with an adequate compensation program so that injured patients are properly cared for and not left destitute.

The legislation that Senator KENNEDY and I are introducing today adheres to these principles. It repeals the Republican provision passed in December, and replaces it with tried-and-true solutions that will encourage the production of vaccines and drugs without leaving patients to fend for themselves if they are injured. Our legislation will ensure that the reputable and responsible manufacturers of needed medicines—and the doctors, nurses, and hospitals who administer them in good faith—will be protected from frivolous lawsuits that might deter them from making and administering such medicines. But those injured by these medicines will be justly compensated for their injuries.

Congress has adopted this type of solution in the past. The compensation program established by our bill is modeled on one of those past successes—the Vaccine Injury Compensation Program (VICP). The VICP has successfully incentivized the manufacturers of recommended childhood vaccines, encouraged families to have their children vaccinated, and compensated those who are injured.

Senator KENNEDY and I spent several months last year negotiating with Senator ENZI, Senator BURR, Senator GREGG, Senator FRIST, and others on the Health, Education, Labor, and Pensions Committee to try to reach a bipartisan compromise on this issue. We made several proposals, modeled on past Congressional action, to protect manufacturers from frivolous lawsuits while providing fair and adequate compensation to those who are injured.

Unfortunately, the decision was made to forego this bipartisan process. Instead, a non-germane provision was inserted into a massive appropriations bill in the final hours of last session of Congress. Furthermore, it is my understanding that this language was inserted after members had signed the Conference Report, some doing so with the understanding that this language was not included. I am disturbed and disappointed by this blatant abuse of power and disregard for Senate procedures. I can only assume that the supporters of this provision used this tactic because they knew that their plan would not stand up to public scrutiny and Senate debate.

I am confident that if the Senate were to consider this issue carefully, we would choose to reject the failed policies of the past, and enact a policy that really protects the American people—a biodefense program that encourages manufacturers to make safe and effective vaccines and medicines, and provides compensation to those individuals who are injured by those vaccines and medicines.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2291

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 ''Responsible Public Readiness and Emergency Preparedness Act''.

SEC. 2. REPEAL.

The Public Readiness and Emergency Preparedness Act (division C of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148)) is repealed.

SEC. 3. NATIONAL BIODEFENSE INJURY COMPENSATION PROGRAM.

(a) ESTABLISHMENT.—Section 224 of the Public Health Service Act (42 U.S.C. 233) is amended by adding at the end the following:

''(q) BIODEFENSE INJURY COMPENSATION PROGRAM.—

''(1) ESTABLISHMENT.—There is established the Biodefense Injury Compensation Program (referred to in this subsection as the 'Compensation Program') under which compensation may be paid for death or any injury, illness, disability, or condition that is likely (based on best available evidence) to have been caused by the administration of a covered countermeasure to an individual pursuant to a declaration under subsection (p)(2).

''(2) ADMINISTRATION AND INTERPRETATION.—The statutory provisions governing the Compensation Program shall be administered and interpreted in consideration of the program goals described in paragraph (4)(B)(iii).

''(3) PROCEDURES AND STANDARDS.—The Secretary shall by regulation establish procedures and standards applicable to the Compensation Program that follow the procedures and standards applicable under the National Vaccine Injury Compensation Program established under section 2110, except that the regulations promulgated under this paragraph shall permit a person claiming injury or death related to the administration of any covered countermeasure to file either—

''(A) a civil action for relief under subsection (p); or

''(B) a petition for compensation under this subsection.

''(4) INJURY TABLE.—

''(A) INCLUSION.—For purposes of receiving compensation under the Compensation Program with respect to a countermeasure that is the subject of a declaration under subsection (p)(2), the Vaccine Injury Table under section 2114 shall be deemed to include death and the injuries, disabilities, illnesses, and conditions specified by the Secretary under subparagraph (B)(ii).

''(B) INJURIES, DISABILITIES, ILLNESSES, AND CONDITIONS.—

''(i) INSTITUTE OF MEDICINE.—Not later than 30 days after making a declaration described in subsection (p)(2), the Secretary shall enter into a contract with the Institute of Medicine, under which the Institute shall, within 180 days of the date on which the contract is entered into, and periodically thereafter as new information, including information derived from the monitoring of those who were administered the countermeasure, becomes available, provide its expert recommendations on the injuries, disabilities, illnesses, and conditions whose occurrence in one or more individuals are likely (based on best available evidence) to have been caused by the administration of a countermeasure that is the subject of the declaration.

''(ii) SPECIFICATION BY SECRETARY.—Not later than 30 days after the receipt of the expert recommendations described in clause (i), the Secretary shall, based on such recommendations, specify those injuries, disabilities, illnesses, and conditions deemed to be included in the Vaccine Injury Table under section 2114 for the purposes described in subparagraph (A).

''(iii) PROGRAM GOALS.—The Institute of Medicine, under the contract under clause (i), shall make such recommendations, the Secretary shall specify, under clause (ii), such injuries, disabilities, illnesses, and conditions, and claims under the Compensation Program under this subsection shall be processed and decided taking into account the following goals of such program:

''(I) To encourage persons to develop, manufacture, and distribute countermeasures, and to administer covered countermeasures to individuals, by limiting such persons' liability for damages related to death and such injuries, disabilities, illnesses, and conditions.

''(II) To encourage individuals to consent to the administration of a covered countermeasure by providing adequate and just compensation for damages related to death and such injuries, disabilities, illnesses, or conditions.

''(III) To provide individuals seeking compensation for damages related to the administration of a countermeasure with a non-adversarial administrative process for obtaining adequate and just compensation.

''(iv) USE OF BEST AVAILABLE EVIDENCE.—The Institute of Medicine, under the contract under clause (i), shall make such recommendations, the Secretary shall specify, under clause (ii), such injuries, disabilities, illnesses, and conditions, and claims under the Compensation Program under this subsection shall be processed and decided using the best available evidence, including information from adverse event reporting or other monitoring of those individuals who were administered the countermeasure, whether evidence from clinical trials or other scientific studies in humans is available.

''(v) APPLICATION OF SECTION 2115.—With respect to section 2115(a)(2) as applied for purposes of this subsection, an award for the estate of the deceased shall be—

''(I) if the deceased was under the age of 18, an amount equal to the amount that may be paid to a survivor or survivors as death benefits under the Public Safety Officers' Benefits Program under subpart 1 of part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.); or

''(II) if the deceased was 18 years of age or older, the greater of—

''(aa) the amount described in subclause (I); or

''(bb) the projected loss of employment income, except that the amount under this item may not exceed an amount equal to 400 percent of the amount that applies under item (aa).

''(vi) APPLICATION OF SECTION 2116.—Section 2116(b) shall apply to injuries, disabilities, illnesses, and conditions initially specified or revised by the Secretary under clause (ii), except that the exceptions contained in paragraphs (1) and (2) of such section shall not apply.

''(C) RULE OF CONSTRUCTION.—Section 13632 (a)(3) of Public Law 103–66 (107 Stat. 646) (making revisions by Secretary to the Vaccine Injury Table effective on the effective date of a corresponding tax) shall not be construed to apply to any revision to the Vaccine Injury Table made under regulations under this paragraph.

''(5) APPLICATION.—The Compensation Program applies to any death or injury, illness, disability, or condition that is likely (based on best available evidence) to have been caused by the administration of a covered countermeasure to an individual pursuant to a declaration under subsection (p)(2).

''(6) SPECIAL MASTERS.—

''(A) HIRING.—In accordance with section 2112, the judges of the United States Claims Court shall appoint a sufficient number of special masters to address claims for compensation under this subsection.

''(B) BUDGET AUTHORITY.—There are appropriated to carry out this subsection such sums as may be necessary for fiscal year 2006 and each fiscal year thereafter. This subparagraph constitutes budget authority in advance of appropriations and represents the obligation of the Federal Government.

''(7) COVERED COUNTERMEASURE.—For purposes of this subsection, the term 'covered countermeasure' has the meaning given to such term in subsection (p)(7)(A).

''(8) FUNDING.—Compensation made under the Compensation Program shall be made from the same source of funds as payments made under subsection (p).''.

(b) EFFECTIVE DATE.—This section shall take effect as of November 25, 2002 (the date of enactment of the Homeland Security Act of 2002 (Pub. L. 107–296; 116 Stat. 2135)).

SEC. 4. INDEMNIFICATION FOR MANUFACTURERS AND HEALTH CARE PROFESSIONALS WHO ADMINISTER MEDICAL PRODUCTS NEEDED FOR BIODEFENSE.

Section 224(p) of the Public Health Service Act (42 U.S.C. 233(p)) is amended—

(1) in the subsection heading by striking ''SMALLPOX'';

(2) in paragraph (1), by striking ''against smallpox'';

(3) in paragraph (2)—

(A) in the paragraph heading, by striking ''AGAINST SMALLPOX''; and

(B) in subparagraph (B), by striking clause (ii);

(4) by striking paragraph (3) and inserting the following:

''(3) EXCLUSIVITY; OFFSET.—

''(A) EXCLUSIVITY.—With respect to an individual to which this subsection applies, such individual may bring a claim for relief under—

''(i) this subsection;

''(ii) subsection (q); or

''(iii) part C.

''(B) ELECTION OF ALTERNATIVES.—An individual may only pursue one remedy under subparagraph (A) at any one time based on the same incident or series of incidents. An individual who elects to pursue the remedy under subsection (q) or part C may decline any compensation awarded with respect to such remedy and subsequently pursue the remedy provided for under this subsection. An individual who elects to pursue the remedy provided for under this subsection may not subsequently pursue the remedy provided for under subsection (q) or part C.

''(C) STATUTE OF LIMITATIONS.—For purposes of determining how much time has lapsed when applying statute of limitations requirements relating to remedies under subparagraph (A), any limitation of time for commencing an action, or filing an application, petition, or claim for such remedies, shall be deemed to have been suspended for the periods during which an individual pursues a remedy under such subparagraph.

''(D) OFFSET.—The value of all compensation and benefits provided under subsection (q) or part C of this title for an incident or series of incidents shall be offset against the amount of an award, compromise, or settlement of money damages in a claim or suit under this subsection based on the same incident or series of incidents.'';

(5) in paragraph (6)—

(A) in subparagraph (A), by inserting ''or under subsection (q) or part C'' after ''under this subsection''; and

(B) by redesignating subparagraph (B) as subparagraph (C);

(C) by inserting after subparagraph (A), the following:

''(B) GROSSLY NEGLIGENT, RECKLESS, OR ILLEGAL CONDUCT AND WILLFUL MISCONDUCT.—For purposes of subparagraph (A), grossly negligent, reckless, or illegal conduct or willful misconduct shall include the administration by a qualified person of a covered countermeasure to an individual who was not within a category of individuals covered by a declaration under subsection (p)(2) with respect to such countermeasure where the qualified person fails to have had reasonable grounds to believe such individual was within such a category.''; and

(D) by adding at the end the following:

''(D) LIABILITY OF THE UNITED STATES.—The United States shall be liable under this subsection with respect to a claim arising out of the manufacture, distribution, or administration of a covered countermeasure regardless of whether—

''(i) the cause of action seeking compensation is alleged as negligence, strict liability, breach of warranty, failure to warn, or other action; or

''(ii) the covered countermeasure is designated as a qualified anti-terrorism technology under the SAFETY Act (6 U.S.C. 441 et seq.).

''(E) GOVERNING LAW.—Notwithstanding the provisions of section 1346(b)(1) and chapter 171 of title 28, United States Code, as they relate to governing law, the liability of the United States as provided in this subsection shall be in accordance with the law of the place of injury.

''(F) MILITARY PERSONNEL AND UNITED STATES CITIZENS OVERSEAS.—

''(i) MILITARY PERSONNEL.—The liability of the United States as provided in this subsection shall extend to claims brought by United States military personnel.

''(ii) CLAIMS ARISING IN A FOREIGN COUNTRY.—Notwithstanding the provisions of section 2680(k) of title 28, United States Code, the liability of the United States as provided for in the subsection shall extend to claims based on injuries arising in a foreign country where the injured party is a member of the United States military, is the spouse or child of a member of the United States military, or is a United States citizen.

''(iii) GOVERNING LAW.—With regard to all claims brought under clause (ii), and notwithstanding the provisions of section 1346(b)(1) and chapter 171 of title 28, United States Code, and of subparagraph (C), as they relate to governing law, the liability of the United States as provided in this subsection shall be in accordance with the law of the claimant's domicile in the United States or most recent domicile with the United States.''; and

(6) in paragraph (7)—

(A) by striking subparagraph (A) and inserting the following:

''(A) COVERED COUNTERMEASURE.—The term 'covered countermeasure', means—

''(i) a substance that is—

''(I)(aa) used to prevent or treat smallpox (including the vaccinia or another vaccine); or

''(bb) vaccinia immune globulin used to control or treat the adverse effects of vaccinia inoculation; and

''(II) specified in a declaration under paragraph (2); or

''(ii) a drug (as such term is defined in section 201(g)(1) of the Federal Food, Drug, and Cosmetic Act), biological product (as such term is defined in section 351(i) of this Act), or device (as such term is defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act) that—

''(I) the Secretary determines to be a priority (consistent with sections 302(2) and 304(a) of the Homeland Security Act of 2002) to treat, identify, or prevent harm from any biological, chemical, radiological, or nuclear agent identified as a material threat under section 319F–2(c)(2)(A)(ii), or to treat, identify, or prevent harm from a condition that may result in adverse health consequences or death and may be caused by administering a drug, biological product, or device against such an agent;

''(II) is—

''(aa) authorized for emergency use under section 564 of the Federal Food, Drug, and Cosmetic Act, so long as the manufacturer of such drug, biological product, or device has—

''(AA) made all reasonable efforts to obtain applicable approval, clearance, or licensure; and

''(BB) cooperated fully with the requirements of the Secretary under such section 564; or

''(bb) approved or licensed solely pursuant to the regulations under subpart I of part 314 or under subpart H of part 601 of title 21, Code of Federal Regulations (as in effect on the date of enactment of the National Biodefense Act of 2005); and

''(III) is specified in a declaration under paragraph (2).''; and

(B) in subparagraph (B)—

(i) by striking clause (ii), and inserting the following:

''(ii) a health care entity, a State, or a political subdivision of a State under whose auspices such countermeasure was administered;'' and

(vi) in clause (viii), by inserting before the period ''if such individual performs a function for which a person described in clause (i), (ii), or (iv) is a covered person''.

By Mr. SPECTER (for himself, Mr. LEAHY, Mr. CORNYN, Mr. CHAMBLISS, and Mrs. FEINSTEIN):

S. 2292. A bill to provide relief for the Federal judiciary from excessive rent charges; to the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I seek recognition to speak in support of legislation, cosponsored by Senators LEAHY, CORNYN, CHAMBLISS, and FEINSTEIN, which I am introducing today to address a major problem affecting the Federal judiciary, specifically excessive rental charges by the General Services Administration for courthouses and other space occupied by the courts across the country. This legislation would prohibit the GSA from charging the Federal judiciary rent in excess of the actual costs incurred by GSA to maintain and operate Federal court buildings and related costs.

Unlike many other elements of the Federal Government, the judiciary is required to pay a large and ever-increasing portion of its budget as rent to another branch of government, the GSA. In fiscal terms, since 1986, the Federal courts' rental payments to GSA have increased from $133 million to $926 million in fiscal year 2005. This rental payment represents an increasing slice of the judiciary's relatively small overall budget. The percentage of the judiciary's operating budget devoted to rent payments has escalated from 15.7 percent in fiscal year 1986 to 22 percent in fiscal year 2005. By contrast, only three percent of the Department of Justice budget goes toward GSA rent, and the Executive Branch as a whole spends less than two-tenths of one percent of its budget on GSA rent.

In his 2005 Year-End report on the Federal Judiciary, Chief Justice John Roberts cited escalating GSA rents as one of the two serious threats to the independence of the Federal judiciary, the other being judges' pay. The increased rents, coupled with across-the-board cuts imposed during fiscal years 2004 and 2005, resulted in a reduction of approximately 1,500 judicial branch employees as of mid-December when compared to October 2003, and a 24-month moratorium on courthouse construction has been imposed.

On May 13, 2005, a bipartisan group of 11 Senators on the Judiciary Committee wrote to Stephen A. Perry, Administrator of GSA, to exercise his statutory authority to exempt the judiciary from rental payments in excess of those required to operating and maintaining Federal court buildings and related costs. On May 31, 2005, Mr. Perry wrote back and denied this sensible request. Mr. Perry referred to the judiciary as ''one of our largest and most valued tenants,'' but a more apt description would have been one of its most valued profit centers.

The judiciary paid $926 million to GSA in fiscal year 2005, but GSA's actual cost of providing space to the judiciary was only $426 million, a difference of $500 million. The judiciary in essence is being used as a profit center by GSA, which accomplishes this by charging for such fictitious costs as real estate tax which GSA does not in fact pay and forcing the judiciary to pay for buildings that have been fully amortized, not only once but several times.

This legislation provides a relatively modest and simple fix to this near crisis in the Federal judiciary, and I urge my colleagues to support it.

By Mr. ALLEN:

S.J. Res. 31. A joint resolution proposing an amendment to the Constitution of the United States relative to require a balancing of the budget; to the Committee on the Judiciary.

Mr. ALLEN. Madam President, I rise to speak on a resolution regarding a constitutional amendment I am introducing today. It is the third part of my three-point plan to restore fiscal accountability and common sense to Washington. It is a resolution, in particular, to amend the Constitution to require a balanced Federal budget.

The continued growth in Government, coupled with our enormous deficit, make a balanced budget amendment a vital tool for bringing this fiscal house back in order and restraining the growing appetite of the Federal Government to take more money from the people in taxes, and this is money that is coming from families, working people, from men and women who run their own small businesses; and also when the Federal Government is taking more money, it means they can be meddling in more things that are best left to the people or the States—if Government needs to be involved at all.

The Federal Government ought to be paying attention and be focused on its key reasons for being created in the first place by the people in the States, and that is national defense—making sure the military is strong and that they have the most advanced equipment and armament for our men and women in uniform as they secure our freedom. We need a national missile defense system. Those are the sorts of things that are the primary responsibility of the Federal Government, as well as key research areas, whether it is in nanotechnology, aeronautics, or in other areas working with not just Federal agencies but the private sector and our colleges and universities.

As this Senate gets to work on the fiscal year 2007 budget, our country's fiscal discipline and accountability must be improved. We have a budget deficit not because the Federal Government has a revenue problem; it is because the Federal Government has a spending problem. The Government doesn't tax too little, it spends too much. We must focus our efforts on spending the people's money much smarter, not taking more of their money because it is convenient or expedient.

Now, to control spending, I have revived a pair of ideas that Ronald Reagan advocated when he was President. In Ronald Reagan's farewell address to the American people, he said there were two things he wished he had accomplished as President, and what he wanted future Presidents, both Republican and Democrat, to have. They were the line-item veto and a constitutional amendment to balance the budget.

As always, and so often, Ronald Reagan was right. That is why I have made the line-item veto and the balanced budget amendment the first two points of my three-point plan to bring fiscal accountability and responsibility to Washington.

Let's start first with the line-item veto. When I was honored by the people of Virginia as Governor of the Commonwealth of Virginia, I had the power of the line-item veto. I used it 17 times. I saw how useful a tool that was as Governor to knock out undesirable, nonessential spending, or untoward or undesirable policies. It is a power—the line-item veto—or an authority that actually 46 Governors in the U.S. enjoy. It is a very powerful tool to cut wasteful spending and undesirable programs. In fact, after you use it a few times, you don't have to use it as much, because the legislative branch understands that, gosh, he actually is going to use that power, and when it comes to the final budget or appropriations bills, the undesirable or wasteful programs or spending are not in it.

The President of the United States, in my view, should have the same power I had as Governor of Virginia, and that is the line-item veto. Together with Senator JIM TALENT of Missouri, last September we introduced a constitutional amendment to provide the President with line-item veto authority. It is high time for that. The reason we need a constitutional amendment is that there were times when we were trying do it statutorily. I would be in favor of statutory methods, rather than an amendment, but the Supreme Court struck down the last effort. I think the President, as well as the Congress, ought to be accountable for some of these spending items that create such controversy and are absurd or wasteful. By the way, we need to vote on this. If this goes to the States, I have no question that the States will

quickly ratify such a constitutional amendment because, after all, they give their Governors such power.

Secondly, we need a balanced budget amendment. This is something many States have, the Commonwealth of Virginia, and virtually the rest of the States. One of the best ways, in my view, to eliminate the Federal deficit and limit the size and scope of the Government is to wrestle it down with the chains of the Constitution.

I would also add that balancing the budget is not just a matter of making sure that expenditures are equal to revenue; it is about making sure the Federal Government fulfills its proper, focused, constitutional role—and not expanding into everything that is not necessarily a Federal prerogative, but best left to the people or the States. We all know that a big, bloated Federal Government stifles innovation, saps initiative, and reduces personal responsibility.

The third part of my plan is a proposal I offered last week, which I know won't be all that popular in this Chamber, but I think it will be much appreciated and understood by real people in the real world.

I have proposed legislation that provides a powerful incentive for Senators and Congressmen to perform their jobs on time, as people do in the private sector. We have a full-time legislature here and we go into session on January 3. One of our prime responsibilities is to pass appropriations bills before the next fiscal year, which is October 1. But it is, to me, deplorable that full-time legislators cannot get their job done on time by October 1. Then, of course, we end up with continuing resolutions, and several months later, some time after Thanksgiving but before Christmas, all kinds of unknown, unscrutinized spending occurs. It gets passed in the dead of night, thinking nobody will notice what is in all these appropriations bills—and actually a lot of people don't know what is in those appropriations bills.

That is why I want to impose on Congress what I call the ''paycheck penalty.'' The paycheck penalty says to Members of Congress, if you fail to pass all your appropriations measures by the start of the fiscal year, October 1, which is your job, what you are paid to do, your paychecks will be withheld until you complete your job.

Now, taken together, these three measures will eliminate the need to raise taxes to eliminate the deficit. The tax reductions enacted in the last 5 years have helped our country get out of recession. It has incented more investment, created many new jobs—in fact, 4.5 million new jobs—in the private sector; thereby, from all this economic growth and prosperity and more people working in businesses, large, medium, and small doing better, tax receipts to the Government have increased. To illustrate the point, from 2004 to 2005, tax receipts to the Federal Government grew at a rate of 14.5 percent, or $274 billion. This growth is more than twice the rate of economic growth. So the economic growth is strong, but the tax revenues are twice as much to the Federal Government. To further this point, the President's budget forecasts that tax revenues will grow an additional 6.1 percent, or $132 billion, from 2005 to 2006.

From the tax cuts of the Reagan administration to the tax cuts we passed in this new century, the fact is that lower taxes stimulate economic growth, stimulate job creation, and stimulate expansion, which in turn increases revenues to the Federal Government. More important, low taxes make this country more competitive for investment and jobs here, rather than people going to invest in places such as China or elsewhere in the world. When people are able to keep more of what they earn, they spend it, save it, invest it, they may expand their business, and they may get more innovative capital equipment, and the fact is lower taxes make this country more competitive and people more prosperous.

The opportunity created by Americans spending the fruits of their own labor, as opposed to the Government, is the path to bringing fiscal sanity to the Federal budget. So to avoid future pressure for counterproductive, harmful tax increases, and to achieve a balanced budget, we must make these dramatic changes in how the Federal Government spends the taxpayers' money: the line-item veto, balanced budget amendment, and the paycheck penalty for Members of Congress who have not done their jobs on time.

As we closed 2005, Madam President, the Federal Government was responsible for a gross Federal debt of $8.2 trillion. One must ask, how did we get here? Consider these statistics from the last 5 years: Federal spending has increased 33 percent. In 2005, the per-household spending by our Government has grown to $21,878 per year. That figure is compared to the per-household tax, on average, of $19,062 per year, leaving an annual per-household deficit of about $2,800. The macro result is an annual budget deficit in the hundreds of billions of dollars.

We are in a time of war, this war on terror, and enormous national disasters have also befallen our country in Louisiana, Alabama, Texas, and in Florida, in the past year. That is why I am introducing this resolution. Even when those occur, this amendment does require the Federal Government to achieve a balanced budget within 5 years of ratification by the States. Each year, the budget deficit would be reduced by 20 percent, until the Federal budget is balanced. This is a phased-in approach, which is realistic and provides needed time for Congress to amend the budget and appropriations processes to provide for a balanced budget. I fully understand that national and global events can significantly affect our country's budgetary needs. Thus, I have included a provision that allows for a waiver in the event of war. However, to ensure deficits resulting from a war do not continue in perpetuity, the provision provides for a 5-year window following the end of the conflict to reduce any deficits that may have accumulated.

Domestic catastrophes can also wreak havoc on the Federal Government's budget, as well as those of the States in Louisiana, Mississippi and, to some extent Florida, which we have recently seen devastated by hurricanes. To address such circumstances, the resolution also includes a provision that would allow expenditures in excess of revenues, provided three-fifths of each House of Congress approves, which I think Congress would have done in these situations if this were in effect last year and presently.

Now the risks of budget deficits and national debt are well known: the collapse of the dollar, a significant reduction in national savings, and the inability to fund programs vital to the Nation's security and well-being. It also means if you are putting in more and more tax revenues to finance the debt, there is less money there for key areas such as national defense, homeland security, education, research in science, and also engineering. So to prevent these events, we need an institutional mechanism to get this overspending under control.

Based on past performance, it will take, of course, a change in the Constitution. To paraphrase Thomas Jefferson, we need to bind the Congress with a change in the Constitution to prevent present Congresses from burdening future generations with perpetual debt.

I believe all of us, if we look at it seriously and responsibly, recognize and grasp the seriousness of this problem. I am hopeful that this Senate will be able to make the difficult choices to make sure that the next generation of Americans is not burdened with overwhelming debt or higher taxes from a burdensome, large Federal Government. A balanced budget amendment to the Constitution, I sincerely believe from my experiences as Governor of the Commonwealth of Virginia, will be a very valuable, useful, and effective tool in making that goal a reality. The same applies to the line-item veto authority for the President. I also believe very strongly that this Senate and the other body, the House, can get the appropriations bills done on time by October 1. If not, I think paychecks ought to be withheld until it is done.

So I hope that my colleagues recognize the seriousness, the importance, and the urgency of these responsible measures, these ideas. These measures include getting our fiscal house in order, protecting the taxpayers from tax increases in the future, and making sure this country is the world capital of innovation. These measures include investment by the private sector, more competitiveness compared to other

countries because of lower taxes, Federal regulatory policies, sound energy policy with more development and exploration here at home, as well as using clean coal and advanced nuclear and biofuels and new technologies. We also must make sure our fiscal house is in order for Americans to compete and succeed in the future.

I urge my colleagues to consider this resolution and join me in this effort for America's future.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2889. Mr. FRIST (for Mr. SPECTER) proposed an amendment to the bill H.R. 32, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks.

SA 2890. Mr. FRIST (for Ms. COLLINS) proposed an amendment to the bill S. 1777, to provide relief for the victims of Hurricane Katrina.

TEXT OF AMENDMENTS

SA 2889. Mr. FRIST (for Mr. SPECTER) proposed an amendment to the bill H.R. 32, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. TRAFFICKING IN COUNTERFEIT MARKS.

(a) SHORT TITLE; FINDINGS.—

(1) SHORT TITLE.—This section may be cited as the ''Stop Counterfeiting in Manufactured Goods Act''.

(2) FINDINGS.—The Congress finds that—

(A) the United States economy is losing millions of dollars in tax revenue and tens of thousands of jobs because of the manufacture, distribution, and sale of counterfeit goods;

(B) the Bureau of Customs and Border Protection estimates that counterfeiting costs the United States $200 billion annually;

(C) counterfeit automobile parts, including brake pads, cost the auto industry alone billions of dollars in lost sales each year;

(D) counterfeit products have invaded numerous industries, including those producing auto parts, electrical appliances, medicines, tools, toys, office equipment, clothing, and many other products;

(E) ties have been established between counterfeiting and terrorist organizations that use the sale of counterfeit goods to raise and launder money;

(F) ongoing counterfeiting of manufactured goods poses a widespread threat to public health and safety; and

(G) strong domestic criminal remedies against counterfeiting will permit the United States to seek stronger anticounterfeiting provisions in bilateral and international agreements with trading partners.

(b) TRAFFICKING IN COUNTERFEIT MARKS.—Section 2320 of title 18, United States Code, is amended as follows:

(1) Subsection (a) is amended by inserting after ''such goods or services'' the following: '', or intentionally traffics or attempts to traffic in labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature, knowing that a counterfeit mark has been applied thereto, the use of which is likely to cause confusion, to cause mistake, or to deceive,''.

(2) Subsection (b) is amended to read as follows:

''(b)(1) The following property shall be subject to forfeiture to the United States and no property right shall exist in such property:

''(A) Any article bearing or consisting of a counterfeit mark used in committing a violation of subsection (a).

''(B) Any property used, in any manner or part, to commit or to facilitate the commission of a violation of subsection (a).

''(2) The provisions of chapter 46 of this title relating to civil forfeitures, including section 983 of this title, shall extend to any seizure or civil forfeiture under this section. At the conclusion of the forfeiture proceedings, the court, unless otherwise requested by an agency of the United States, shall order that any forfeited article bearing or consisting of a counterfeit mark be destroyed or otherwise disposed of according to law.

''(3)(A) The court, in imposing sentence on a person convicted of an offense under this section, shall order, in addition to any other sentence imposed, that the person forfeit to the United States—

''(i) any property constituting or derived from any proceeds the person obtained, directly or indirectly, as the result of the offense;

''(ii) any of the person's property used, or intended to be used, in any manner or part, to commit, facilitate, aid, or abet the commission of the offense; and

''(iii) any article that bears or consists of a counterfeit mark used in committing the offense.

''(B) The forfeiture of property under subparagraph (A), including any seizure and disposition of the property and any related judicial or administrative proceeding, shall be governed by the procedures set forth in section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), other than subsection (d) of that section. Notwithstanding section 413(h) of that Act, at the conclusion of the forfeiture proceedings, the court shall order that any forfeited article or component of an article bearing or consisting of a counterfeit mark be destroyed.

''(4) When a person is convicted of an offense under this section, the court, pursuant to sections 3556, 3663A, and 3664, shall order the person to pay restitution to the owner of the mark and any other victim of the offense as an offense against property referred to in section 3663A(c)(1)(A)(ii).

''(5) The term 'victim', as used in paragraph (4), has the meaning given that term in section 3663A(a)(2).''.

(3) Subsection (e)(1) is amended—

(A) by striking subparagraph (A) and inserting the following:

''(A) a spurious mark—

''(i) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

''(ii) that is identical with, or substantially indistinguishable from, a mark registered on the principal register in the United States Patent and Trademark Office and in use, whether or not the defendant knew such mark was so registered;

''(iii) that is applied to or used in connection with the goods or services for which the mark is registered with the United States Patent and Trademark Office, or is applied to or consists of a label, patch, sticker, wrapper, badge, emblem, medallion, charm, box, container, can, case, hangtag, documentation, or packaging of any type or nature that is designed, marketed, or otherwise intended to be used on or in connection with the goods or services for which the mark is registered in the United States Patent and Trademark Office; and

''(iv) the use of which is likely to cause confusion, to cause mistake, or to deceive; or''; and

(B) by amending the matter following subparagraph (B) to read as follows:

''but such term does not include any mark or designation used in connection with goods or services, or a mark or designation applied to labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature used in connection with such goods or services, of which the manufacturer or producer was, at the time of the manufacture or production in question, authorized to use the mark or designation for the type of goods or services so manufactured or produced, by the holder of the right to use such mark or designation.''.

(4) Section 2320 is further amended—

(A) by redesignating subsection (f) as subsection (g); and

(B) by inserting after subsection (e) the following:

''(f) Nothing in this section shall entitle the United States to bring a criminal cause of action under this section for the repackaging of genuine goods or services not intended to deceive or confuse.''.

(c) SENTENCING GUIDELINES.—

(1) REVIEW AND AMENDMENT.—Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this subsection, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 2318 or 2320 of title 18, United States Code.

(2) AUTHORIZATION.—The United States Sentencing Commission may amend the Federal sentencing guidelines in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that section had not expired.

(3) RESPONSIBILITIES OF UNITED STATES SENTENCING COMMISSION.—In carrying out this subsection, the United States Sentencing Commission shall determine whether the definition of ''infringement amount'' set forth in application note 2 of section 2B5.3 of the Federal sentencing guidelines is adequate to address situations in which the defendant has been convicted of one of the offenses listed in paragraph (1) and the item in which the defendant trafficked was not an infringing item but rather was intended to facilitate infringement, such as an anti-circumvention device, or the item in which the defendant trafficked was infringing and also was intended to facilitate infringement in another good or service, such as a counterfeit label, documentation, or packaging, taking into account cases such as U.S. v. Sung, 87 F.3d 194 (7th Cir. 1996).

SEC. 2. TRAFFICKING DEFINED.

(a) SHORT TITLE.—This section may be cited as the ''Protecting American Goods and Services Act of 2005''.

(b) COUNTERFEIT GOODS OR SERVICES.—Section 2320(e) of title 18, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) the term 'traffic' means to transport, transfer, or otherwise dispose of, to another,

for purposes of commercial advantage or private financial gain, or to make, import, export, obtain control of, or possess, with intent to so transport, transfer, or otherwise dispose of;'';

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following:

''(3) the term 'financial gain' includes the receipt, or expected receipt, of anything of value; and''.

(c) CONFORMING AMENDMENTS.—

(1) SOUND RECORDINGS AND MUSIC VIDEOS OF LIVE MUSICAL PERFORMANCES.—Section 2319A(e) of title 18, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) the term 'traffic' has the same meaning as in section 2320(e) of this title.''.

(2) COUNTERFEIT LABELS FOR PHONORECORDS, COMPUTER PROGRAMS, ETC.—Section 2318(b) of title 18, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) the term 'traffic' has the same meaning as in section 2320(e) of this title;''.

(3) ANTI-BOOTLEGGING.—Section 1101 of title 17, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) DEFINITION.—In this section, the term 'traffic' has the same meaning as in section 2320(e) of title 18.''.

SA 2890. Mr. FRIST (for Ms. COLLINS) proposed an amendment to the bill S. 1777, to provide relief for the victims of Hurricane Katrina; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Katrina Emergency Assistance Act of 2005''.

SEC. 2. UNEMPLOYMENT ASSISTANCE.

(a) IN GENERAL.—Notwithstanding section 410 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177), in providing assistance under that section to individuals unemployed as a result of Hurricane Katrina—

(1) the President shall accept applications for assistance during—

(A) the 90-day period beginning on the date on which the applicable major disaster was declared; or

(B) such longer period as may be established by the President; and

(2) subject to subsection (b), the President shall provide assistance to any unemployed individual, to the extent the individual is not entitled to unemployment compensation under any Federal or State law, until that individual is reemployed in a suitable position.

(b) LIMITATION FOR PERIOD OF ASSISTANCE.—The total amount of assistance payable to an individual under subsection (a) may not exceed payments based on a 39-week period of unemployment.

SEC. 3. REIMBURSEMENT FOR PURCHASES.

(a) DEFINITIONS.—In this section:

(1) DISASTER PERIOD.—The term ''disaster period'' means, with respect to any State that includes an area for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) as a result of Hurricane Katrina or Hurricane Rita, the period beginning on the earliest date on which any area of the State was so declared and ending on the latest date for which any such declaration of an area of the State terminates.

(2) KATRINA OR RITA SURVIVOR.—The term ''Katrina or Rita Survivor'' means an individual who—

(A) resides in an area for which a major disaster has been declared in accordance with 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) as a result of Hurricane Katrina or Hurricane Rita; or

(B) resided in an area described in subparagraph (A) during the 7 days immediately preceding the date of declaration of a major disaster described in subparagraph (A).

(3) MAJOR DISASTER.—The term ''major disaster'' has the meaning given the term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(b) REIMBURSEMENT.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the President may reimburse a community for each purchase of supplies (such as food, personal hygiene products, linens, and clothing) distributed to Katrina or Rita Survivors.

(2) ELIGIBLE PURCHASES.—Reimbursement under paragraph (1) shall be available only with respect to supplies that—

(A) are purchased with taxpayer dollars; and

(B) would otherwise be eligible for reimbursement if purchased by a Katrina or Rita Survivor.

(c) PERIOD OF APPLICABILITY.—This section and the authority provided by this section apply only to a community assisting Katrina or Rita Survivors from a State during the disaster period of the State.

SEC. 4. INTERNATIONAL STUDENTS DISPLACED BY KATRINA.

It is the sense of Congress that the Bureau of Immigration and Customs Enforcement within the Department of Homeland Security should suspend or refrain from initiating removal proceedings for international students and scholars who are deportable solely due to their inability to fulfill the terms of their visas as a result of a national disaster, such as Hurricane Katrina.

SEC. 5. CONTRACTING AUTHORITY.

Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary for Emergency Preparedness, shall propose new inspection guidelines that prohibit an inspector from entering into a contract with any individual or entity for whom the inspector performs an inspection for purposes of determining eligibility for assistance from the Federal Emergency Management Agency.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. DOMENICI. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources.

The hearing will he held on Wednesday, February 28, 2006, at 10 a.m. in Room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the proposed fiscal year 2007 Forest Service budget.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send two copies of their testimony to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150.

For further information, please contact Frank Gladics (202–224–2878), Elizabeth Abrams (202–224–0537) or Sara Zecher (202–224–8276) of the Committee staff.

AUTHORITIES FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on February 15, 2006, at 9:30 a.m., in open session to consider the following nominations: Honorable Preston M. Geren to be Under Secretary of the Army; Honorable Michael L. Dominguez to be Deputy Under Secretary of Defense for Personnel and Readiness; Mr. James I. Finley to be Deputy Under Secretary of Defense for Acquisition and Technology; and Mr. Thomas P. D'Agostino to be Deputy Administrator for Defense Programs, National Nuclear Security Administration.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on February 15, 2006, at 10 a.m., to conduct a hearing on ''Rebuilding Needs in Katrina-Impacted Areas.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, February 15, 2006, at 10 a.m., on Video Franchising.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Wednesday, February 15, 2006, at 2:30 p.m., on Nanotechnology.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Wednesday, February 15 at 10:30 a.m. The purpose of this hearing is to receive testimony regarding S. 2197 to improve the global competitiveness of the United States in science and energy technology, to strengthen basic research programs at the Department of Energy, and to provide support for mathematics and science education at all levels through the resources available

through the Department of Energy, including at the national laboratories.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to hold a business meeting on February 15, 2006 at 9:30 a.m. to consider the following agenda:

Agenda

Nominations: Terrence L. Bracy—Nominee to a position on the Board of Trustees at the Morris K. Udall Scholarship and Excellence in National Environmental Foundation and the following 6 to Members of the Board of Directors of the Tennessee Valley Authority: Dennis C. Bottorff, Robert M. Duncan, Susan Richardson Williams, William B. Sansom, Howard A. Thrailkill, and Donald R. DePriest.

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to hold a hearing on February 15, 2006 at 9:35 a.m. to receive testimony on EPA's proposed Budget for FY 2007.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, February 15, 2006, at 9:45 a.m. to hold a hearing on the President's Budget for Foreign Affairs and a business meeting.

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

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet on Wednesday, February 15, 2006, at 11:15 a.m. for a hearing titled, ''Hurricane Katrina: The Homeland Security Department's Preparation and Response.

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

COMMITTEE ON THE JUDICIARY

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Judicial Nominations'' on Wednesday, February 15, 2006 at 10 a.m. in the Dirksen Senate Office Building Room 226.

Witness

Panel I: Members of Congress, TBA.

Panel II: Stephen G. Larson to be United States District Judge for the Central District of California; Jack Zouhary to be United States District Judge for the Northern District of Ohio; and John F. Clark to be Director of the United States Marshals Service.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on February 15, 2006 at 2:30 p.m. to hold a closed briefing.

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

SUBCOMMITTEE ON EMPLOYMENT AND WORKPLACE SAFETY

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Subcommittee on Employment and Workplace Safety, be authorized to hold a hearing during the session of the Senate on Wednesday, February 15 at 10 a.m. in SD–430.

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

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. SUNUNU. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate on Wednesday, February 15 at 2:30 p.m. The purpose of the hearing is to review the progress made on the development of interim and long-term plans for use of fire retardant aircraft in Federal wildfire suppression operations.

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

PRIVILEGES OF THE FLOOR

Mr. FEINGOLD. Mr. President, I ask unanimous consent that floor privileges be granted, during the consideration of S. 2271, H.R. 3199, to Bob Schiff, Lara Flynt, Paul Weinberger, Mary Irvine, and Sumner Slichter.

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

STOP COUNTERFEITING IN MANUFACTURED GOODS ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 32 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the bill by title.

The bill clerk read as follows:

A bill (H.R. 32) to amend title 18 United States Code, to provide criminal penalties for trafficking in counterfeit marks.

There being no objection, the Senate proceeded to consider the bill.

Mr. SPECTER. Mr. President, I want to take a moment to speak about H.R. 32, the Stop Counterfeiting in Manufactured Goods Act of 2005, sponsored by Representative KNOLLENBERG and 59 House cosponsors. The counterfeiting of goods bearing American held trademarks is an important problem that I am committed to fighting, as reflected by my sponsoring S. 1699, the Senate companion bill to H.R. 32, earlier this year with Senator LEAHY and Senators ALEXANDER, BAYH, BROWNBACK, COBURN, CORNYN, DEWINE, DURBIN, FEINGOLD, FEINSTEIN, HATCH, KYL, LEVIN, REED, STABENOW, and VOINOVICH.

H.R. 32, the Stop Counterfeiting in Manufactured Goods Act of 2005 addresses a problem that has reached epidemic proportions as a result of a loophole in our criminal code: the trafficking in counterfeit labels. Criminal law currently prohibits the trafficking in counterfeit trademarks ''on or in connection with goods or services.'' However, it does not prohibit the trafficking in the counterfeit marks themselves. As such, there is nothing in current law to prohibit an individual from selling counterfeit labels bearing otherwise protected trademarks within the United States.

This loophole was exposed by the Tenth Circuit Court of Appeals in *United States* v. *Giles*, 213 F.3d 1247 (10th Cir. 2000). In this case, the United States prosecuted the defendant for manufacturing and selling counterfeit Dooney & Bourke labels that third parties could later affix to generic purses. Examining title 18, section 2320, of the United States Code, the Tenth Circuit held that persons who sell counterfeit trademarks that are not actually attached to any ''goods or services'' do not violate the Federal criminal trademark infringement statute. Since the defendant did not attach counterfeit marks to ''goods or services,'' the court found that the defendant did not run afoul of the criminal statute as a matter of law. Thus, someone caught redhanded with counterfeit trademarks walked free.

H.R. 32 closes this loophole by amending title 18, section 2320 of the United States Code to criminally prohibit the trafficking, or attempt to traffic, in ''labels, patches, stickers'' and generally any item to which a counterfeit mark has been applied. In so doing, H.R. 32 provides U.S. Department of Justice prosecutors with the means not only to prosecute individuals trafficking in counterfeit goods or services, but also individuals trafficking in labels, patches, and the like that are later applied to goods.

Congress must act expeditiously to protect U.S. held trademarks to the fullest extent of the law. The recent 10-count indictment of four Massachusetts residents of conspiracy to traffic in approximately $1.4 million of counterfeit luxury goods in the case of U.S. v. Luong et al., 2005 D. Mass. underscores the need for this legislation. According to the indictment, law enforcement officers raided self-storage units earlier this year and found the units to hold approximately 12,231 counterfeit handbags; 7,651 counterfeit wallets; more than 17,000 generic handbags and wallets; and enough counterfeit labels and medallions to turn more than

50,000 generic handbags and wallets into counterfeits. Although the U.S. Attorneys Office was able to pursue charges of trafficking and attempting to traffic in counterfeit handbags and wallets, they were not able to bring charges for trafficking and attempting to traffic in the more than 50,000 counterfeit labels and medallions. As such, these defendants will escape prosecution that would have otherwise been illegal if they had only been attached to an otherwise generic bag. This simply does not make sense. Had the Stop Counterfeiting in Manufactured Goods Act of 2005 been in effect at the time of indictment, U.S. prosecutors would have been able to bring charges against the defendants for trafficking and attempting to traffic in not only counterfeit goods, but also counterfeit labels.

As Assistant Attorney General Alice Fisher said:

> Those who manufacture and sell counterfeit goods steal business from honest merchants, confuse or defraud honest consumers, and illegally profit on the backs of honest American workers and entrepreneurs.

This point is underscored by the Bureau of Customs and Border Protection estimate that trafficking in counterfeit goods costs the United States approximately $200 to $250 million annually. With each passing year, the United States loses millions of dollars in tax revenues to the sale of counterfeit goods. Further, each counterfeit item that is manufactured overseas and distributed in the United States costs American workers tens of thousands of jobs. With counterfeit goods making up a growing 5 to 7 percent of world trade, this is a problem that we can no longer ignore.

To be sure, counterfeiting is not limited to the popular designer goods that we have all seen sold on corners of just about every major metropolitan city in the United States. Counterfeiting has a devastating impact on a broad range of industries. In fact, for almost every legitimate product manufactured and sold within the United States, there is a parallel counterfeit product being sold for no more than half the price. These counterfeit products range from children's toys to clothing to Christmas tree lights. More frightening are the thousands of counterfeit automobile parts, batteries, and electrical equipment that are being manufactured and placed into the stream of commerce with each passing day. I am told that the level of sophistication in counterfeiting has reached the point that you can no longer distinguish between the real and the counterfeit good or label with the naked eye. However, just because these products look the same does not mean that they have the same quality characteristics. The counterfeit products are not subject to the same quality controls of legitimate products, resulting in items that are lower in quality and likely to fall apart. In fact, counterfeit products could potentially kill unsuspecting American consumers.

In addition to closing the ''counterfeit label loophole,'' the Stop Counterfeiting in Manufactured Goods Act strengthens the criminal code and provides heightened penalties for those trafficking in counterfeit marks. Current law does not provide for the seizure and forfeiture of counterfeit trademarks, whether they are attached to goods or not. Therefore, many times such counterfeit goods are seized one day, only to be returned and sold to an unsuspecting public. To ensure that individuals engaging in the practice of trafficking in counterfeit marks cannot reopen their doors, H.R. 32 establishes procedures for the mandatory seizure, forfeiture, and destruction of counterfeit marks prior to a conviction. Further, it provides for procedures for the mandatory forfeiture and destruction of property derived from or used to engage in the trafficking of counterfeit marks.

When this legislation was sent over to the Senate from the House, concerns were raised to Senator LEAHY and myself about the language in Section 2(bbb)(1)(B) of this bill pertaining to the forfeiture authority of the U.S. Department of Justice. In focusing our attention to this section, we discussed the scope of the facilitation language, which parallels the drug and money laundering forfeiture language in 21 U.S.C. 853 and 18 U.S.C. 982, respectively, and how it might relate to Internet marketplace companies, search engines, and ISPs. Specifically, we were aware of concerns regarding the potential misapplication of the facilitation language in Section 2(b)(1)(B) to pursue forfeiture and seizure proceedings against responsible Internet marketplace companies that serve as third-party intermediaries to online transactions.

Mr. LEAHY. Mr. President, Section 2(b)(1)(B) authorizes U.S. Attorneys to pursue civil in rem forfeiture proceedings against ''any property used, in any manner or part, to commit or to facilitate the commission of a violation of subsection (a).'' The intent of this language is to provide attorneys and prosecutors with the authority to bring a civil forfeiture action against the property of bad actors who are facilitating trafficking or attempts to traffic in counterfeit marks. The forfeiture authority in Section 2(b)(1)(B) cannot be used to pursue forfeiture and seizure proceedings against the computer equipment, website or network of responsible Internet marketplace companies, who serve solely as a third party to transactions and do not tailor their services or their facilities to the furtherance of trafficking or attempts to traffic in counterfeit marks. However, these Internet marketplace companies must make demonstrable good-faith efforts to combat the use of their systems and services to traffic in counterfeit marks. Companies must establish and implement procedures to take down postings that contain or offer to sell goods, services, labels, and the like in violation of this act upon being made aware of the illegal nature of these items or services.

It is the irresponsible culprits that must be held accountable. Those who profit from another's innovation have proved their creativity only at escaping responsibility for their actions. As legislators it is important that we provide law enforcement with the tools needed to capture these thieves.

I say to Senator SPECTER, it is also my understanding that the U.S. Sentencing Commission recently promulgated new Federal sentencing guidelines to account for the changes in how intellectual property crimes are committed. Could the Senator clarify for the record why we have authorized the U.S. Sentencing Commission to further amend the Federal sentencing guidelines and policy statements for crimes committed in violation of title 18, section 2318 or 2320, of the United States Code?

Mr. SPECTER. I say to Senator LEAHY, as the Senator is aware, periodically Congress directs the Sentencing Commission to update the Federal sentencing guidelines upon the periodic directive of Congress to reflect and account for changes in the manner in which intellectual property offenses are committed. The recent amendments to which you refer were promulgated by the Sentencing Commission pursuant to the authorization in the Family Entertainment and Copyright Act of 2005, also known as FECA. These amendments to the Federal sentencing guidelines, which took effect on October 24, 2005, address changes in penalties and definitions for intellectual property rights crimes, particularly those involving copyrighted pre-release works and issues surrounding ''uploading.'' For example, these guidelines provide for a 25 percent increase in sentences for offenses involving pre-release works. In addition, the Commission revised its definition of ''uploading'' to ensure that the guidelines are keeping up with technological advances in this area.

I would like to make it clear for the record that the directive to the Sentencing Commission in section 3 of H.R. 32 is not meant as disapproval of the Commission's recent actions in response to FECA. Rather, section 3 covers other intellectual property rights crimes that Congress believes it is time for the Commission to revisit. Specifically, section 3 directs the Commission to review the guidelines, and particularly the definition of ''infringement amount,'' to ensure that offenses involving low-cost items like labels, patches, medallions, or packaging that are used to make counterfeit goods that are much more expensive, are properly punished. It also directs the Commission to ensure that the penalty provisions for offenses involving all counterfeit goods or services, or devices used to facilitate counterfeiting, are properly addressed by the guidelines. As it did in response to the No

Electronic Theft Act of 1997 and FECA, I am confident that the Commission will ensure that the Federal sentencing guidelines provide adequate punishment and deterrence for these very serious offenses and I look forward to the Commission's response to this directive.

Mr. LEAHY. I say to Senator SPECTER, thank you for that clarification. As you are aware, there has been overwhelming support for this legislation. It has been very heartening to see such overwhelming support for this important bill. Counterfeiting is a threat to America. It wreaks real harm on our economy, our workers, and our consumers. This bill is a tough bill that will give law enforcement improved tools to fight this form of theft. The bill is short and straightforward, but its impact should be profound and far reaching.

Mr. SPECTER. At this point, I would like to take this opportunity to thank Representative JIM SENSENBRENNER, chairman of the House Judiciary Committee, and Representative JOE KNOLLENBERG for their leadership in the House with regard to H.R. 32. In January of 2005, Representative KNOLLENBERG introduced H.R. 32 in the House. When the bill was in committee, he fostered negotiations between the Department of Justice, the U.S. Chamber of Commerce, and the International Trademark Association to ensure that it passed the House. I would also like to thank my colleague Senator LEAHY, ranking member of the Senate Judiciary Committee, and Senators ALEXANDER, BAYH, BROWNBACK, COBURN, CORNYN, DEWINE, DURBIN, FEINGOLD, FEINSTEIN, HATCH, KYL, LEVIN, REED, STABENOW, and VOINOVICH for their cosponsorship of S. 1699, the companion legislation to H.R. 32. It is through the hard work of all of these Members that we were able to achieve truly bipartisan support for language that will ensure the protection of American-held trademarks.

Mr. LEAHY. Some of our most important legislation is produced not only when we reach across the aisle in the name of bipartisanship, but when we work across Chambers and reach true consensus. I would also like to thank Senators ALEXANDER, BAYH, BROWNBACK, COBURN, CORNYN, DEWINE, DURBIN, FEINGOLD, FEINSTEIN, HATCH, KYL, LEVIN, REED, STABENOW, and VOINOVICH for their cosponsorship of the Senate companion legislation. Counterfeiting is a serious problem that does not lend itself to a quick and easy solution. This legislation is an important step towards fighting counterfeiting. I hope we can build on the success of this law.

Mr. LEAHY. Mr. President, I am pleased to join with Senator CORNYN in another of our bipartisan efforts to improve the lives of Americans through effective and efficient Government. The Protecting American Goods and Services Act of 2005, which was passed unanimously out of the Senate last November as S. 1095, is now part of a package that includes the Stop Counterfeiting in Manufactured Goods Act, which I co-sponsored with Senator SPECTER as S. 1699. The Protecting American Goods and Services Act strengthens our ability to combat the escalating problem of counterfeiting worldwide. In order to effectively fight intellectual property theft, we need stiff penalties for counterfeiters and those who are caught with counterfeit goods with the intent to traffic their false wares. Ours is a short bill—indeed, it is only two pages long—but it will have global implications in the fight against piracy.

Counterfeiting is a growing problem that costs our economy hundreds of billions of dollars every year and has been linked to organized crime, including terrorist organizations. According to the International Anti-Counterfeiting Coalition, counterfeit parts have been discovered in helicopters sold to NATO, in jet engines, bridge joints, brake pads, and fasteners in equipment designed to prevent nuclear reactor meltdowns. The World Health Organization estimates that the market for counterfeit drugs is about $32 billion each year.

Several years ago, Senator HATCH joined me in sponsoring the Anti-Counterfeiting Consumer Protection Act of 1996, which addressed counterfeiting by amending several sections of our criminal and tariff codes. That law made important changes, particularly by expanding RICO, the Federal antiracketeering law, to cover crimes involving counterfeiting and copyright and trademark infringement: Then, as now, trafficking in counterfeit goods hurts purchasers, State and Federal Governments, and economies at every level.

Perhaps most disturbingly, the U.S. Customs Service reports that terrorists have used transnational counterfeiting operations to fund their activities: The sale of counterfeit and pirated music, movies, software, T-shirts, clothing, and fake drugs ''accounts for much of the money the international terrorist network depends on to feed its operations.''

Last year, as in years past, I worked with Senator ALLEN on an amendment to the Foreign Operations bill that provides the State Department with vital resources to combat piracy of U.S. goods abroad. The bill we ultimately passed included $3 million for this important purpose. Yet more work both at home and abroad remains. When you consider that the economic impact of tangible piracy in counterfeit goods is estimated to be roughly $350 billion a year and to constitute between 5 percent and 7 percent of worldwide trade, a few million dollars is a worthwhile investment.

We have certainly seen how this form of theft touches the lives of hard-working Vermonters. Burton Snowboards is a small company, whose innovation has made it an industry leader in snowboarding equipment and apparel. Unfortunately, knock-off products carrying Burton's name have been found across the globe. Vanessa Price, a representative of Burton, testified about counterfeiting at the Judiciary Committee's March 23, 2004, hearing on this topic. In addition to learning about the economic costs of counterfeiting, I asked her after the hearing about the risks posed to consumers by these goods. Her answer was chilling:

> In the weeks since my Senate testimony, I discovered a shipment of counterfeit Burton boots for sale through a discount sports outfit . . . After examining the poor quality of the counterfeit boots, we determined that anyone using the boots for snowboarding risks injury due to a lack of reinforcement and support in the product's construction.

Customers and businesses lose out to counterfeiters in other ways, too. SB Electronics in Barre, VT, has seen its capacitors reverse engineered and its customers lost to inferior copycat models. Vermont Tubbs, a furniture manufacturer in Rutland, has seen its designs copied, produced offshore with inferior craftsmanship and materials, and then reimported, so that the company is competing against cheaper versions of its own products. And Hubbardton Forge in Castleton, VT, has seen its beautiful and original lamps counterfeited and then sold within the United States at prices—and quality—far below their own. This is wrong. It is unfair to consumers who deserve the high quality goods they think they are paying for, and it is unfair to innovators who play by the rules and deserve to profit from their labor.

This bill helps to combat this growing scourge.

S. 1095 criminalizes the possession of counterfeit goods with the intent to sell or traffic in those goods, and it expands the definition of ''traffic'' to include any distribution of counterfeits with the expectation of gaining something of value—criminals should not be able to skirt the law simply because they barter illegal goods and services in exchange for their illicit wares. Finally, the bill will criminalize the importation and exportation of counterfeit goods, as well as of bootleg copies of copyrighted works into and out of the United States.

By tying off these loopholes and improving U.S. laws on counterfeiting, we are sending a powerful message to the criminals who belong in jail, and to our innovators.

Mr. FRIST. Mr. President, I ask unanimous consent that the Specter substitute at the desk be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid on the table, and that any statements thereon be printed in the RECORD.

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

The amendment (No. 2889) was agreed to, as follows:

(Purpose: To amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks, clarify the prohibition on the trafficking in goods or services, and for other purposes)

Strike all after the enacting clause and insert the following:

SECTION 1. TRAFFICKING IN COUNTERFEIT MARKS.

(a) SHORT TITLE; FINDINGS.—

(1) SHORT TITLE.—This section may be cited as the ''Stop Counterfeiting in Manufactured Goods Act''.

(2) FINDINGS.—The Congress finds that—

(A) the United States economy is losing millions of dollars in tax revenue and tens of thousands of jobs because of the manufacture, distribution, and sale of counterfeit goods;

(B) the Bureau of Customs and Border Protection estimates that counterfeiting costs the United States $200 billion annually;

(C) counterfeit automobile parts, including brake pads, cost the auto industry alone billions of dollars in lost sales each year;

(D) counterfeit products have invaded numerous industries, including those producing auto parts, electrical appliances, medicines, tools, toys, office equipment, clothing, and many other products;

(E) ties have been established between counterfeiting and terrorist organizations that use the sale of counterfeit goods to raise and launder money;

(F) ongoing counterfeiting of manufactured goods poses a widespread threat to public health and safety; and

(G) strong domestic criminal remedies against counterfeiting will permit the United States to seek stronger anticounterfeiting provisions in bilateral and international agreements with trading partners.

(b) TRAFFICKING IN COUNTERFEIT MARKS.—Section 2320 of title 18, United States Code, is amended as follows:

(1) Subsection (a) is amended by inserting after ''such goods or services'' the following: '', or intentionally traffics or attempts to traffic in labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature, knowing that a counterfeit mark has been applied thereto, the use of which is likely to cause confusion, to cause mistake, or to deceive,''.

(2) Subsection (b) is amended to read as follows:

''(b)(1) The following property shall be subject to forfeiture to the United States and no property right shall exist in such property:

''(A) Any article bearing or consisting of a counterfeit mark used in committing a violation of subsection (a).

''(B) Any property used, in any manner or part, to commit or to facilitate the commission of a violation of subsection (a).

''(2) The provisions of chapter 46 of this title relating to civil forfeitures, including section 983 of this title, shall extend to any seizure or civil forfeiture under this section. At the conclusion of the forfeiture proceedings, the court, unless otherwise requested by an agency of the United States, shall order that any forfeited article bearing or consisting of a counterfeit mark be destroyed or otherwise disposed of according to law.

''(3)(A) The court, in imposing sentence on a person convicted of an offense under this section, shall order, in addition to any other sentence imposed, that the person forfeit to the United States—

''(i) any property constituting or derived from any proceeds the person obtained, directly or indirectly, as the result of the offense;

''(ii) any of the person's property used, or intended to be used, in any manner or part, to commit, facilitate, aid, or abet the commission of the offense; and

''(iii) any article that bears or consists of a counterfeit mark used in committing the offense.

''(B) The forfeiture of property under subparagraph (A), including any seizure and disposition of the property and any related judicial or administrative proceeding, shall be governed by the procedures set forth in section 413 of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 853), other than subsection (d) of that section. Notwithstanding section 413(h) of that Act, at the conclusion of the forfeiture proceedings, the court shall order that any forfeited article or component of an article bearing or consisting of a counterfeit mark be destroyed.

''(4) When a person is convicted of an offense under this section, the court, pursuant to sections 3556, 3663A, and 3664, shall order the person to pay restitution to the owner of the mark and any other victim of the offense as an offense against property referred to in section 3663A(c)(1)(A)(ii).

''(5) The term 'victim', as used in paragraph (4), has the meaning given that term in section 3663A(a)(2).''.

(3) Subsection (e)(1) is amended—

(A) by striking subparagraph (A) and inserting the following:

''(A) a spurious mark—

''(i) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

''(ii) that is identical with, or substantially indistinguishable from, a mark registered on the principal register in the United States Patent and Trademark Office and in use, whether or not the defendant knew such mark was so registered;

''(iii) that is applied to or used in connection with the goods or services for which the mark is registered with the United States Patent and Trademark Office, or is applied to or consists of a label, patch, sticker, wrapper, badge, emblem, medallion, charm, box, container, can, case, hangtag, documentation, or packaging of any type or nature that is designed, marketed, or otherwise intended to be used on or in connection with the goods or services for which the mark is registered in the United States Patent and Trademark Office; and

''(iv) the use of which is likely to cause confusion, to cause mistake, or to deceive; or''; and

(B) by amending the matter following subparagraph (B) to read as follows:

''but such term does not include any mark or designation used in connection with goods or services, or a mark or designation applied to labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature used in connection with such goods or services, of which the manufacturer or producer was, at the time of the manufacture or production in question, authorized to use the mark or designation for the type of goods or services so manufactured or produced, by the holder of the right to use such mark or designation.''.

(4) Section 2320 is further amended—

(A) by redesignating subsection (f) as subsection (g); and

(B) by inserting after subsection (e) the following:

''(f) Nothing in this section shall entitle the United States to bring a criminal cause of action under this section for the repackaging of genuine goods or services not intended to deceive or confuse.''.

(c) SENTENCING GUIDELINES.—

(1) REVIEW AND AMENDMENT.—Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this subsection, shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 2318 or 2320 of title 18, United States Code.

(2) AUTHORIZATION.—The United States Sentencing Commission may amend the Federal sentencing guidelines in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that section had not expired.

(3) RESPONSIBILITIES OF UNITED STATES SENTENCING COMMISSION.—In carrying out this subsection, the United States Sentencing Commission shall determine whether the definition of ''infringement amount'' set forth in application note 2 of section 2B5.3 of the Federal sentencing guidelines is adequate to address situations in which the defendant has been convicted of one of the offenses listed in paragraph (1) and the item in which the defendant trafficked was not an infringing item but rather was intended to facilitate infringement, such as an anti-circumvention device, or the item in which the defendant trafficked was infringing and also was intended to facilitate infringement in another good or service, such as a counterfeit label, documentation, or packaging, taking into account cases such as U.S. v. Sung, 87 F.3d 194 (7th Cir. 1996).

SEC. 2. TRAFFICKING DEFINED.

(a) SHORT TITLE.—This section may be cited as the ''Protecting American Goods and Services Act of 2005''.

(b) COUNTERFEIT GOODS OR SERVICES.—Section 2320(e) of title 18, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) the term 'traffic' means to transport, transfer, or otherwise dispose of, to another, for purposes of commercial advantage or private financial gain, or to make, import, export, obtain control of, or possess, with intent to so transport, transfer, or otherwise dispose of;'';

(2) by redesignating paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following:

''(3) the term 'financial gain' includes the receipt, or expected receipt, of anything of value; and''.

(c) CONFORMING AMENDMENTS.—

(1) SOUND RECORDINGS AND MUSIC VIDEOS OF LIVE MUSICAL PERFORMANCES.—Section 2319A(e) of title 18, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) the term 'traffic' has the same meaning as in section 2320(e) of this title.''.

(2) COUNTERFEIT LABELS FOR PHONORECORDS, COMPUTER PROGRAMS, ETC.—Section 2318(b) of title 18, United States Code, is amended by striking paragraph (2) and inserting the following:

''(2) the term 'traffic' has the same meaning as in section 2320(e) of this title;''.

(3) ANTI-BOOTLEGGING.—Section 1101 of title 17, United States Code, is amended by striking subsection (b) and inserting the following:

''(b) DEFINITION.—In this section, the term 'traffic' has the same meaning as in section 2320(e) of title 18.''.

The bill (H.R. 32), as amended, was read the third time and passed.

KATRINA EMERGENCY ASSISTANCE ACT OF 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of calendar No. 229, S. 1777.

The PRESIDING OFFICER. The clerk will report the bill by title.

A bill (S. 1777) to provide relief for the victims of Hurricane Katrina.

There being no objection, the Senate proceeded to consider the bill.

Mr. LEIBERMAN. Mr. President, I have been pleased to work with Senator COLLINS to draft and reach agreement on this legislation to provide relief for the victims of Hurricane Katrina.

The package that the Senate is passing today does not contain everything that I would like, but I think the provisions of this bill will make a real difference for the families and their communities.

The challenges facing our country in the aftermath of Hurricane Katrina are like nothing we have faced in modern times—if ever.

This legislation has four parts.

First, this measure will provides an additional 13 weeks of Federal Disaster Unemployment Assistance for those who lost their jobs because of Hurricane Katrina, thereby extending the duration of benefits from the current 26 weeks to 39 weeks. More than 46,000 gulf coast workers were left jobless as a result of Hurricane Katrina, and this legislation is urgently needed, as these workers will run out of their 26 weeks of Federal assistance starting March 4.

Those who qualify for Disaster Unemployment Assistance, or DUA, generally do not qualify for regular unemployment benefits. They mostly include the self-employed, like fisherman and small business owners, who make up a vital sector of the economy in the gulf coast. Their weekly DUA assistance, which corresponds to the amounts provided in regular unemployment benefits in the States, is modest, at best. In Louisiana, for example, the weekly DUA benefit averages just $100 a week.

The version of this legislation that I proposed on the Senate floor on September 15, 2005, would have also increased the minimum DUA benefit to $135 a week, or half the national average unemployment benefit, and that was retained in our bill reported out of the Homeland Security and Governmental Affairs committee; the compromise amendment now before the Senate leaves the benefit levels under current statute unchanged.

The fact that so many families remain unemployed almost 6 months after the storm is a grave reminder that we as a Nation still have far to go to realize our promise of hope to the proud people of New Orleans and rest of the gulf coast who suffered the worst natural disaster this Nation has ever known. Extending these limited benefits by 13 weeks, just as we did for the families left jobless after the events of September 11, is the least we can do to allow these displaced families some measure of security as they look for work while facing mounting expenses and countless other challenges in rebuilding their lives and their communities.

In the current amendment, we added language in section 2(a)(2) clarifying what we understand to be the current law regulating the DUA program—that an individual is not eligible to collect DUA at any given time if the individual is, at the same time, eligible to receive any other unemployment benefits available under Federal or State law. Individuals whose regular unemployment benefits expire may then be eligible to receive DUA if no other Federal or State jobless benefits are available. However, under no circumstances can they collect more than the 39 weeks in total benefits. This provision is consistent with current DUA law as applied by the U.S. Department of Labor. We are simply extending the benefit period from 26 weeks under current law to 39 weeks.

Two, the second provision in the bill would allow communities to be reimbursed for buying certain supplies in bulk—such as linens, cots, or toiletries—and giving them out to individual victims of either Hurricane Katrina or Hurricane Rita.

Third, the bill expresses the sense of Congress that international students should not be deported solely due to their inability to fulfill the terms of their visas as a result of a national disaster such as Katrina.

Fourth and finally, the legislation requires that the Secretary of Homeland Security must establish new inspection guidelines saying that inspectors who determine eligibility for FEMA assistance may not enter into contracts with those for whom they perform inspections.

This bill does not make all of the changes to disaster assistance programs that I would have liked. But that is the nature of compromise. In my opinion, the Disaster Unemployment Assistance program, in particular, needs further strengthening. I hope there may be an opportunity in the future to consider further improvements. But I am very pleased that we have been able to make very meaningful improvements that will help families weather this terrible storm.

Mr. FRIST. Mr. President, I ask unanimous consent that the amendment at the desk be agreed to, the bill, as amended, be read the third time and passed, the motions to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The amendment (No. 2890) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Katrina Emergency Assistance Act of 2005''.

SEC. 2. UNEMPLOYMENT ASSISTANCE.

(a) IN GENERAL.—Notwithstanding section 410 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177), in providing assistance under that section to individuals unemployed as a result of Hurricane Katrina—

(1) the President shall accept applications for assistance during—

(A) the 90-day period beginning on the date on which the applicable major disaster was declared; or

(B) such longer period as may be established by the President; and

(2) subject to subsection (b), the President shall provide assistance to any unemployed individual, to the extent the individual is not entitled to unemployment compensation under any Federal or State law, until that individual is reemployed in a suitable position.

(b) LIMITATION FOR PERIOD OF ASSISTANCE.—The total amount of assistance payable to an individual under subsection (a) may not exceed payments based on a 39-week period of unemployment.

SEC. 3. REIMBURSEMENT FOR PURCHASES.

(a) DEFINITIONS.—In this section:

(1) DISASTER PERIOD.—The term ''disaster period'' means, with respect to any State that includes an area for which a major disaster has been declared in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) as a result of Hurricane Katrina or Hurricane Rita, the period beginning on the earliest date on which any area of the State was so declared and ending on the latest date for which any such declaration of an area of the State terminates.

(2) KATRINA OR RITA SURVIVOR.—The term ''Katrina or Rita Survivor'' means an individual who—

(A) resides in an area for which a major disaster has been declared in accordance with 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) as a result of Hurricane Katrina or Hurricane Rita; or

(B) resided in an area described in subparagraph (A) during the 7 days immediately preceding the date of declaration of a major disaster described in subparagraph (A).

(3) MAJOR DISASTER.—The term ''major disaster'' has the meaning given the term in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122).

(b) REIMBURSEMENT.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the President may reimburse a community for each purchase of supplies (such as food, personal hygiene products, linens, and clothing) distributed to Katrina or Rita Survivors.

(2) ELIGIBLE PURCHASES.—Reimbursement under paragraph (1) shall be available only with respect to supplies that—

(A) are purchased with taxpayer dollars; and

(B) would otherwise be eligible for reimbursement if purchased by a Katrina or Rita Survivor.

(c) PERIOD OF APPLICABILITY.—This section and the authority provided by this section apply only to a community assisting Katrina or Rita Survivors from a State during the disaster period of the State.

SEC. 4. INTERNATIONAL STUDENTS DISPLACED BY KATRINA.

It is the sense of Congress that the Bureau of Immigration and Customs Enforcement within the Department of Homeland Security should suspend or refrain from initiating removal proceedings for international students and scholars who are deportable solely due to their inability to fulfill the

terms of their visas as a result of a national disaster, such as Hurricane Katrina.

SEC. 5. CONTRACTING AUTHORITY.

Not later than 90 days after the date of enactment of this Act, the Secretary of Homeland Security, acting through the Under Secretary for Emergency Preparedness, shall propose new inspection guidelines that prohibit an inspector from entering into a contract with any individual or entity for whom the inspector performs an inspection for purposes of determining eligibility for assistance from the Federal Emergency Management Agency.

The bill (S. 1777), as amended, was read the third time and passed.

ORDERS FOR THURSDAY, FEBRUARY 16, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Thursday, February 16. I further ask that following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of the proceedings be approved to date, the time for the two leaders be reserved, and the Senate then begin a period of morning business for up to 30 minutes, with the first 15 minutes under the control of the Democratic leader or his designee, and the second 15 minutes under the control of the majority leader or his designee; provided further, that following morning business, the Senate resume consideration of the motion to proceed to S. 2271, as under the previous order. I further ask that the time until the cloture vote at 10:30 a.m. be equally divided between the two leaders or their designees.

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

Mr. DURBIN. Mr. President, if the majority leader will withhold completing business for a moment, I wish to have a few minutes to respond.

Mr. FRIST. Let me finish my comments before we close.

Mr. DURBIN. Of course.

PROGRAM

Mr. FRIST. Mr. President, tomorrow—to explain what we did—following morning business, the Senate will resume debate on the motion to proceed to the PATRIOT Act amendments act. The cloture vote on that motion to proceed will occur at 10:30 in the morning. Under the agreement, once cloture has been invoked on the motion to proceed, we will proceed immediately to the bill, and a cloture vote on the bill itself will occur at 2:30 p.m. on Tuesday, February 28, with a vote on final passage at 10 a.m. on Wednesday, March 1.

Mr. DURBIN. I thank the leader.

Mr. President, I will respond to some comments he made a few minutes ago. First, about the asbestos bill, I think the record speaks for itself. A 393-page bill came to the floor of the Senate. It was a fairly complicated bill, which would have affected hundreds of thousands, maybe millions, of Americans over the next 50 years, and created a $140 billion trust fund. It involved payments of billions of dollars into that trust fund by American businesses from a list that was never publicly disclosed. Then as the bill arrived on the floor, as we expected, the chairman of the Senate Judiciary Committee filed a substitute to the bill, wiping away the 393-page bill, replacing it with a 392-page bill, and then we proceeded to debate.

One amendment was called by the Senator from Texas, Mr. CORNYN. Objection was made on the floor to Senator CORNYN's amendment, and a motion to table and stop debate on his amendment was passed. At that point, we went into a question about whether that bill would satisfy the requirements of the Budget Act. Then, without another amendment being offered, the majority leader announced the Republican side was going to file a cloture motion to close down debate and amendments on this bill.

To suggest that somehow we are inundating this body with amendments and debate is to overlook the obvious: One amendment was offered by a Republican Senator from Texas, and as we were waiting for the budget point of order, the majority leader suggested that we would close down debate on the bill, and that was the end of the story.

So this argument that somehow we are dragging our feet here and somehow miring down the process with amendments—the record speaks for itself. That was not the case on the asbestos bill. Last night, when the budget point of order was called, it was sustained. That means, in common terms, that the bill was returned to committee because it was not written properly.

It was not written in a way to comply with our Budget Act. So that is the state of affairs on the asbestos bill.

Now comes the PATRIOT Act. If there is any suggestion in the majority leader's remarks that anything that has happened on the floor of the Senate yesterday or today in any way endangers America, I think the record speaks for itself. That is not a fact. The current PATRIOT Act, as written, continues to protect America until March 10. We could continue debating right here on the floor of the Senate up until March 9 and even on March 10, and we would never have a gap in coverage of the PATRIOT Act as a law. So there is no endangerment of America, no lessening of our defense against terrorism by the possibility that the Senate might stop, reflect, consider, and even debate the PATRIOT Act.

I am sorry that my colleague, Senator FEINGOLD of Wisconsin, is not here to speak for himself, but he has been an extraordinary leader on this issue. He has taken a position which I think is nothing short of politically bold, if not courageous, in standing up and saying, even in the midst of terrorism, we need to take the time and debate the core values and issues involved in the PATRIOT Act.

What has Senator FEINGOLD asked for? He has asked for an opportunity to offer perhaps four amendments, four amendments, and he has gone on to say that he doesn't want days or long periods of time to debate them. He will agree to limited debate on each amendment. Nothing could be more reasonable. What he said is the Senate needs to face reality. This is an important bill. It involves our constitutional rights. And whether I would agree or disagree with any of Senator FEINGOLD's amendments, I would fight, as long as I had the breath in my body and the strength to stand, that he have the right to express his point of view and bring this matter to a vote in the Senate. That is not unreasonable, nor is Senator FEINGOLD unreasonable in his position. And for the suggestion to be made on the floor that somehow we have dragged this out for a lengthy period of time overlooks the obvious.

The offer was made for two votes tomorrow on Senator FEINGOLD's amendment and then a cloture vote tomorrow on the bill and, if cloture were invoked, pass the bill tomorrow. That offer was rejected by the Republican majority. Why? Not because of fear of terrorism but fear of debate. Not because of fear of threats to America but fear of threats that some amendment may be adopted, somehow upsetting an apple cart. Well, that is unfortunate. But this Democratic process is an open process—at least I hope it is—and we should protect the rights of Members on both sides of the aisle to offer amendments with reasonable periods of debate. We should have actual debate on the floor and then make a decision.

One of my favorite friends and colleagues from the House was a fellow named Congressman Mike Synar of Oklahoma. He passed away about 10 years ago. I liked Mike so much. He was a close personal friend. He used to lament that so many of his colleagues in the House of Representatives were loathe to even engage in a debate on a controversial issue. He would listen to Members of the House of Representatives whining and crying about having to face a vote on a controversial issue, and Mike Synar used to say: If you don't want to fight a fire, don't be a fireman. If you don't want to vote on tough issues, don't be a Member of the U.S. House of Representatives.

Well, the Mike Synar rule applies here. If you don't want to face the reality of the debate on critical constitutional and legal issues, I don't know why one would run for the Senate.

What Senator RUSS FEINGOLD of Wisconsin has asked us to do is to consider amendments to the PATRIOT Act. What is wrong with that? That is as basic as it gets. That is why we are here. And whether I would vote for or against those amendments, I would defend his right to offer them, and I hope that the record will reflect what I have just said. He was ready to stand, offer

the amendments with limited debate, and then move this bill to a cloture vote tomorrow, which, if it were invoked, would see the passage of the bill as soon as tomorrow. That offer by Senator FEINGOLD was rejected.

So to say that we are foot-dragging on this side of the aisle or that any Democratic Senator such as Senator FEINGOLD is not trying to cooperate does not accurately state what we have been through to this moment on the PATRIOT Act.

I will close by saying that despite partisan differences, there is partisan cooperation in this Chamber, and I wish to say as I close these remarks that I want to salute Senator JOHN SUNUNU on the Republican side of the aisle; he has worked night and day over the last several months to come up with what I consider to be a reasonable way to end the current debate on the PATRIOT Act.

We stood together, we worked together, we brought the issue to the floor. I don't think it is unreasonable to give Senator FEINGOLD his moment to offer amendments with limited debate, bring them to a vote, put the Senate on the record, and move forward. To suggest otherwise does not reflect an accurate presentation of the facts as they occurred.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, I find my colleague's comments in response to my statement that the problem is that we are seeing this whole pattern of obstruction and postponement—it is not just one bill, it is this whole series of bills—I find his comments responsive to several of the things I said but not really responsive to this pattern. I really just want to make that a comment and not get into a long debate about it. But I do want to point out that pattern of the things that I mentioned, like the PATRIOT Act as my colleague pointed out, it is time to bring this to a close.

This thing is going to pass overwhelmingly, and that is exactly right. I rejected options to continue to amend this forever. The problem, in part, that got us to this point is every time we come to an agreement which is a bill that, as written, will have overwhelming support in this body, somebody will come forward and say: One more amendment, one more amendment, one more amendment.

It is exactly right. It is time to bring this to a close. This will pass with overwhelming support—not today, as it should have, or tomorrow or Monday or Tuesday, but on Wednesday morning. It is going to pass with overwhelming support.

My point is this whole delay, this postponement, is stopping the Nation's business as we have to address other important issues—whether it is our budgetary issues, whether issues on health care or education or LIHEAP, flood insurance or lobbying reform. All these issues get put off another 4 or 5 days—yes, using the rights we have on this floor. I respect that. But to no avail. It is hurting the American people, not helping the American people.

Asbestos—this is a complicated bill. It is a bill many of us have been working on for 3 years. We started the bill, not Tuesday or Monday of this week and not Friday of last week or Thursday or Tuesday, but I think it was Monday morning that we said: Let's talk about this bill, let's debate this bill and have unlimited debate. As I pointed out, they said: No, we are not going to go to the bill. We are not going to go to a bill which is an important bill which has to be addressed.

We have 700,000 individuals who have filed claims for their illnesses, and 300,000 of those claims are still pending in the courts. Tragically, as I mentioned earlier, some of the most ill among those are among the worst served because of the delay in having the cases considered, and then, once considered, even if they get compensation for every dollar that is spent, 60 cents goes to the system and the trial lawyers and only 40 cents goes to the patient.

Yet, because of this mentality of Democrats, obstructing—they say you are not going to go to the bill. You are going to have to file a motion to proceed and cloture on that motion to proceed to the bill, which is a waste of 2 days. Then the vote was either 98 to 2 or 98 to 1. So once we got to the vote, they said: We will be with you, let's go ahead and consider it. And then to hear my colleagues say: We didn't have an opportunity to debate, when it was a request from your side of the aisle that we take a whole day, that we not have amendments but just to talk about it again—I am not sure why—but then to complain that we did not have time to offer amendments when it came to that first day—I think it was Wednesday; no amendments today—it is a little bit disingenuous, especially as it fits this larger pattern I laid out of the tax relief bill just to get to conference requiring three separate considerations on this floor, 17 rollcall votes for the first 20-hour limitation, the second 20-hour limitation requiring seven more rollcall votes, motions to instruct here all yesterday morning, nonbinding motions.

The pensions bill, I still do not fully understand why there is delay in getting the pensions bill to conference, when the first request was made in December and the second one earlier this year, and then now, on an important bill, when people are out there saying we have to address the pension bill—it passed the Senate, passed the House of Representatives—we have to get it to conference so we can come up with a final product for the President to sign.

Instead of arguing each of these individual bills, I just wanted to make the point that it is a pattern that we cannot continue. We have to work together in the Nation's interest, in the interests of the American people. Unless things are changed, we are not going to be delivering what we are responsible to do.

Anyway, that is a little bit out of my frustration with the other side of the aisle in terms of the way they have conducted business, and I believe we can work together in a civil way to address these important issues in the coming days.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:50 p.m., adjourned until Thursday, February 16, 2006, at 9:30 a.m.

EXTENSIONS OF REMARKS

TRIBUTE TO ALICE HOEPPNER

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. SKELTON. Mr. Speaker, it has come to my attention that a long and exceptionally distinguished career has come to an end. Mrs. Alice Hoeppner, of Lexington, MO, retired on December 31, 2005, from her position as deputy county clerk for Lafayette County.

Mrs. Hoeppner first entered public service while she was attending Lexington High School, Lexington, MO. On July 12, 1948, she began working for the probate court in the Lafayette County Courthouse. Later she joined the County Clerk's office on a part-time basis.

In 1950, Alice married Bennie Hoeppner, and in 1951, she resigned her job to raise her children, Patricia, Steve and Tony.

In September 1974, then-Lafayette County Clerk Edgar Oetting asked her to work for him full-time as the deputy county clerk. She remained full-time, also serving under County Clerk Linda Nolting and under the current County Clerk, Linda Niendick.

Mr. Speaker, Mrs. Alice Hoeppner has dedicated herself to serving Lafayette County. I know the Members of the House will join me in wishing her all the best as she moves on to the next step in her life.

HONORING SERGEANT JEREMIAH BOEHMER

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Ms. HERSETH. Mr. Speaker, I want to take this opportunity to honor the life of SGT Jeremiah Boehmer, who died February 5, 2006, while serving in Iraq.

Every Member of the House of Representatives has taken a solemn oath to defend the Constitution against all enemies, foreign and domestic. While we certainly understand the gravity of the issues facing this legislative body, SGT Jeremiah Boehmer lived that commitment to our country. Today, we remember and honor his noble service to the United States and the ultimate sacrifice he has paid with his life to defend our freedoms and foster liberty for others.

The lives of countless people were enormously enhanced by Jeremiah's compassion and service. Jeremiah, who represented the best of the United States, South Dakota, and the military continues to inspire all those who knew him and many who did not. Our Nation and the State of South Dakota are far better places because of his service, and the best way to honor him is to emulate his devotion to our country.

I join with all South Dakotans in expressing my sympathies to the family of SGT Jeremiah Boehmer. His commitment to and sacrifice for our Nation will never be forgotten.

TRIBUTE TO ODELL BARRY

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. UDALL of Colorado. Mr. Speaker, I am pleased to recognize a Coloradan who has made a substantial impact on our State while serving as a role model for achievement in the African-American community. I am proud to acknowledge the accomplishments of Mr. Odell Barry and to congratulate him on his recent election to the Ford-Warren Library's ''Blacks in Colorado'' Hall of Fame. It is a well-bestowed honor, and befitting the life and works of a wonderful man.

Originally from Ohio, Odell Barry began his Colorado experience in a way that ensures the admiration and affection of many of our residents—as a Denver Bronco. Playing in 1964 and 1965, he still holds a place in the Broncos' record books with the second-most kickoff return yards in a season. Mr. Barry's athletic accomplishments are the envy of many, and I am sure he will not mind my saying that I am old enough to recall them.

After his retirement from professional football, Odell involved himself heavily in the civic affairs of Northglenn, CO, a community in my district. He built a successful business with his wife, Glenda, and raised his family. These years were a preamble to his historic 1980 election as the first African-American mayor of Northglenn and the second African-American mayor of a major metropolitan city—after Mayor Penfield Tate of Boulder—in Colorado. As mayor of Northglenn, Odell Barry helped to steer the city through major commercial and economic growth at a difficult time in the history of Colorado's economy. His open and warm-hearted style won many admirers and he was particularly committed to improving recreational opportunities for young people. He was instrumental in advocating transportation improvements, including construction of the new Denver International Airport.

Odell was the first African-American citizen to become a charter member of Rotary International, the first African-American citizen to become president of the Colorado Civil Defense Association, the chair of the Colorado Economic Development Commission, and a crucial advocate for building, and bringing a professional baseball team, the Colorado Rockies, to Colorado.

I have no doubt that Odell and Glenda will continue to accomplish great things, serving as role models for Americans of all ages and colors. In recognition of his latest achievement and for his already secure place in Colorado history, I ask my colleagues to join me in recognizing Odell Barry and congratulating him on becoming the newest addition to the Ford-Warren Library's esteemed ''Blacks in Colorado'' Hall of Fame.

RECALLING THE TRAGIC DAY OF FEBRUARY 24, 1996

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on February 24th the Cuban people commemorate a glorious and tragic date in the history of Cuba. The 1895 war of independence began exactly 111 years ago; the Cry of Baire constitutes one of the most heroic acts of the Cuban people. Intimately connected with this date is the heroism of Marti, Gomez, Maceo, Banderas, and the thousands of freedom fighters known as mambises who shall forever ennoble the Cuban nationality.

Tragically, February 24th will also be forever connected with the murders which took place on that date ten years ago. The Cuban tyrant, ultimately insulted by the courage demonstrated by the Brothers to the Rescue when they dropped pamphlets and other pieces of paper over Havana with pro-democracy slogans and copies of the Universal Declaration of Human Rights, ordered the murder of the men and women who were going to fly on February 24th in civilian planes carrying out humanitarian missions for Brothers to the Rescue.

The Cuban tyrant prepared his murders well. An agent of his by the name of Roque, who had occasionally flown for the Brothers to the Rescue organization, was ordered to return the day before to Cuba. Roque was going to publicly declare after the murders of February 24th that he was a survivor from the mission and that the humanitarian group's planes were taking arms to ''Concilio Cubano'', a coalition of dissident organizations inside Cuba which had announced its intention to host a public meeting in Havana on February 24th and whose membership was brutally repressed by the dictatorship. Roque would also announce that the planes had been shot down over Cuban waters.

We all know that Pablo Morales, Armando Alejandre Jr., Mario de la Peña, and Carlos Costa were brutally murdered on February 24, 1996. I am sure that those four martyrs of freedom, peace, and patriotism will be duly memorialized in the democratic Cuba of tomorrow, as they are in South Florida today.

The intervention of destiny saved the third Brothers to the Rescue plane which flew on February 24, 1996. That intervention of the imponderable made it possible for the world and for history to know that the planes were shot down over international waters, while engaged in a peaceful and humanitarian mission.

Mr. Speaker, let us remember the four martyrs from the Brothers to the Rescue, let us remember all the political prisoners, and let us remember the countless men and women who have given their best years, and often their lives, for the freedom of Cuba. My colleagues, this February 24th, we must recommit ourselves to the cause of freedom and liberty for

all who languish in the darkness of totalitarianism. My Colleagues, we must recommit ourselves to hastening the dawn of a free and democratic Cuba.

IN MEMORY OF THE MOST REVEREND BISHOP MICHAEL F. MCAULIFFE

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. SKELTON. Mr. Speaker, it is with deep sadness that I inform the House of the death of the Most Reverend Bishop Michael F. McAuliffe of Jefferson City, MO.

McAuliffe was born on November 22, 1920, in Kansas City, Kansas, son of John and Bridget McAuliffe. His education included the St. John High School Seminary in Kansas City, St Louis' Preparatory Seminary and the Theological College of Catholic University of America in Washington, DC. On May 31, 1945, he was ordained a priest. In 1954, he earned a doctorate in Sacred Theology.

He served many parishes and education assignments. One of these assignments was superintendent of the diocesan schools in the Kansas City area. On July 2, 1969, Pope Paul VI appointed McAuliffe as the second Bishop of Jefferson City. He served in this position for 28 years. During his tenure, he had an active interest in parochial education. Approximately 13 years ago, he started the Diocesan Excellence in Education Fund.

McAuliffe retired in 1995, at age 75, but remained the bishop until Pope John Paul II appointed the current bishop in 1997.

Mr. Speaker, the Most Reverend Bishop Michael McAuliffe was a valuable leader in both the church and his community. I know the members of the House will join me in extending heartfelt condolences to his friends and family.

HONORING SPECIALIST ALLEN KOKESH, JR.

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Ms. HERSETH. Mr. Speaker, I want to take this opportunity to honor the life of SPC Allen Kokesh Jr., who died February 7, 2006, from wounds suffered while serving in Iraq.

Every member of the House of Representatives has taken a solemn oath to defend the constitution against all enemies, foreign and domestic. While we certainly understand the gravity of the issues facing this legislative body, SPC Allen Kokesh Jr., lived that commitment to our Country. Today, we remember and honor his noble service to the United States and the ultimate sacrifice he has paid with his life to defend our freedoms and foster liberty for others.

The lives of countless people were enormously enhanced by Allen's compassion and service. Allen, who represented the best of the United States, South Dakota, and the military continues to inspire all those who knew him and many who did not. Our Nation and the State of South Dakota are far better places because of his service, and the best way to honor him is to emulate his devotion to our Country.

I join with all South Dakotans in expressing my sympathies to the family of SPC Allen Kokesh Jr. His commitment to and sacrifice for our Nation will never be forgotten.

A TRIBUTE TO CAL FRAZIER

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. UDALL of Colorado. Mr. Speaker, I rise today to recognize and honor the life of Mr. Cal Frazier, a great Coloradan who passed away on January 30, 2006, at his home in Lakewood, CO. He will be missed by friends and loved ones, and his leadership in civic affairs and education will be missed as well.

Orphaned as a teenager, Cal Frazier studied at Palmer High School in Colorado Springs and earned a scholarship to the University of Puget Sound in Tacoma, WA. There he met his future wife, Jean H. Frazier, and upon graduation became an elementary school teacher. This was the beginning of a long and illustrious career in the education system. While still in Washington, Cal taught high school, became a principal, a special education director, and earned his masters and doctoral degrees in education.

After his stint in Washington, Colorado was fortunate to have him back. Cal began to teach in yet another capacity at the University of Colorado–Boulder, giving him experience in virtually all levels of our education system. In 1973, with all of his hard-earned expertise and credibility, he was appointed to serve as the commissioner of the Colorado Department of Education, beginning a 15-year term of service. Even after his official retirement, Cal continued to serve on boards and commissions devoting his life toward improving the education system.

Those who knew Cal Frazier have fond memories of his remarkable impact on the education system. He was a role model and a leader on many levels. Beyond his many accomplishments in life, Cal Frazier taught Coloradans through his deeds as well as his words. He will be remembered as someone who did not need to be in the front of a classroom to be a teacher.

I had the opportunity to work with Cal briefly on the ''Education to Elevate Colorado's Economy (E3) Summit'' last fall. I was struck immediately by his thoughtfulness, wisdom and humor. Given the critical importance of addressing the needs of our Colorado education community, I was heartened to know that people like Cal were at the helm.

If the measure of a life well-led is the impact that a person has on others, then Cal's impact is broad and deep. We all owe him a debt of gratitude and respect, and I ask my colleagues to join me in celebrating and remembering a life of service while expressing our deepest sympathies for his family's loss.

COUNCIL OF KHALISTAN SENDS NEW YEAR GREETINGS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. TOWNS. Mr. Speaker, last month the Council of Khalistan sent out New Year's greetings to the Sikh Nation. In the letter the Council noted that the flame of freedom still burns brightly in Punjab, Khalistan, despite India's ongoing effort to stamp out the freedom movement. In both January and June of 2005, Sikhs were arrested for making speeches in support of freedom Khalistan, the Sikh homeland, and raising the Khalistani flag. When did making speeches and hoisting a flag become crimes in a democracy?

The letter took note of Prime Minister Manmohan Singh's apology to the Sikh Nation for the massacres of November 1984 that killed over 20,000 Sikhs. This clearly admits India's culpability for this horrible massacre. While that apology is a positive step and we applaud it, it was not accompanied by any compensation to the victims' families. Nor was it accompanied by an apology for the military attack on the Golden Temple or any other Indian government atrocity against the Sikhs. Nevertheless, it shows India's awareness of the rising tide of freedom in Punjab, Khalistan.

Last month, the Indian government bulldozed the homes of Sikh farmers in Uttaranchal Pradesh, farms they had worked all their lives for, and expelled them from the state. This is the height of discrimination against the Sikhs. No Sikhs are allowed to own land in Rajasthan and in Himachal Pradesh, but outsiders are allowed to buy land in Punjab. The government encourages Hindus to buy land in Punjab. Is this secularism in action? Is this democracy at work?

Mr. Speaker, these are just the latest acts against the legitimate freedom movement in Punjab, Khalistan. The repression has been ongoing. The Indian government has murdered over 250,000 Sikhs, according to figures compiled by the Punjab State Magistracy and human-rights groups. In addition, the Movement Against State Repression, MASR—an organization that should be unnecessary in a democratic state—reported in one of its studies that the Indian government admitted to holding 52,268 Sikh political prisoners. Some have been held since 1984! These are in addition to tens of thousands of other political prisoners, according to Amnesty International. And the Indian government has killed over 90,000 Kashmiri Muslims, over 300,000 Christians in Nagaland, tens of thousands of Christians and Muslims throughout the country, and tens of thousands of Assamese, Bodos, Dalits, Manipuris, Tamils, and other minorities. And the repression continues, not only in Punjab, Khalistan, but throughout the country.

We can and must do something about it. We can stop our aid and trade with India until it respects full human rights for all people living within its borders. And we can and should declare our support for self-determination in Punjab, Khalistan, in Kashmir, as promised to the UN in 1948, in Nagalim, and wherever the people are seeking freedom. India claims to be democratic and the essence of democracy is the right to self-determination. Democracies also respect the human rights of the minority.

Why is India afraid to put this simple question to a free and fair vote? Where is its commitment to democratic principles, Mr. Speaker?

Mr. Speaker, I would like to place the Council of Khalistan's open letter in the RECORD at this time.

COUNCIL OF KHALISTAN,
Washington, DC, January 23, 2006.

MAY GURU BLESS THE KHALSA PANTH IN 2006 WITH FREEDOM, HAPPINESS, UNITY, AND PROSPERITY

DEAR KHALSA JI: Waheguru Ji Ka Khalsa, Waherguru Ji Ki Fateh!

Happy New Year to you and your family and the Khalsa Panth. May 2006 be your best year ever. I wish you health, joy, and prosperity in the new year.

The flame of freedom continues to burn brightly in the heart of the Sikh Nation. No force can suppress it. The arrests of Sikh activists, mostly from Dal Khalsa, last January and again in June merely for raising the Khalistani flag and making pro-Khalistan speeches shows that the movement to free our homeland is on the rise. It has gotten the attention of the world.

The Indian government is reacting to the rising tide of freedom for the Sikh Nation. Prime Minister Manmohan Singh apologized to the Sikh Nation for the Delhi massacres of November 1984 that killed over 20,000 Sikhs. It is good that he apologized and it clearly shows India's responsibility, but what good does it do the Sikh Nation? Where are the apologies for the golden Temple attack and the other atrocities? Where is the compensation for the victims' families?

Earlier this month, Sikh farmers were expelled from Uttaranchal Pradesh and their land was seized. They were beaten up by the police. Their homes were bulldozed by paratroopers. Their homes in many cases were built using their life savings and by their own hands. We condemn this act of state terrorism by the government of Uttaranchal Pradesh. As you know, Sikhs are prohibited from buying land in Rajasthan and Himachal Pradesh. Now Uttaranchal Pradesh joins that list. Yet there are no restrictions on land ownership in Punjab by non-Sikhs. People from anywhere can buy land in Punjab, including people from Rajasthan and Himachal Pradesh. India is trying to subvert Khalistan's independence by overrunning Punjab with non-Sikhs while keeping Sikhs from escaping the brutal repression in Punjab. We must redouble our efforts to free our homeland, Punjab, Khalistan. That is the only way to keep these atrocities from continuing and to protect the Sikh Nation. This is a direct challenge to the Sikh leadership, irrespective of their party affiliation.

Any organization that sincerely supports Khalistan deserves the support of the Sikh Nation. However, the Sikh Nation needs leadership that is honest, sincere, consistent, and dedicated to the cause of Sikh freedom. But we should only support sincere, dedicated, honest leaders. We must be careful if we are to continue to move the cause of freedom for Khalistan forward in 2006 as we did in 2005.

The Akali Dal conspired with the Indian government in 1984 to invade the Golden Temple to murder Sant Bhindranwale and 20,000 other Sikh during June 1984 in Punjab. If Sikhs will not even protect the sanctity of the Golden Temple, how can the Sikh Nation survive as a nation?

The Akali Dal has lost all its credibility. The Badal government was so corrupt openly and no Akali leader would come forward and tell Badal and his wife to stop this unparalleled corruption. Now Badal and his son have accused Chief Minister Amarinder Singh of being tied in with Khalistanis. If this were true, what would be wrong with it? The Akali leaders also walked out when I predicted at a seminar around the celebration of Guru Nanak's birthday that Khalistan will soon be free, a prediction that was greeted with multiple enthusiastic shouts of ''Khalistan Zindabad.'' How will these Akalis, including Badal and his son, account for themselves? Remember the words of former Jathedar of the Akal Takht Professor Darshan Singh: ''If a Sikh is not a Khalistani, he is not a Sikh.'' Badal and his son are not Sikhs.

The corruption of the Badal government was just part of a pattern of corruption in India. Jobs are sold, legislative seats are rigged, judges preside over cases being tried by their family members, and so many other forms of corruption occur. As Dr. M.S. Rahi has pointed out in his excellent new paper on the corruption, this kind of corruption leads to the kind of atrocities that have unfortunately become so routine in India.

The Council of Khalistan has stood strongly and consistently for liberating our homeland, Khalistan, from Indian occupation. For over 18 years we have led this fight while others were trying to divert the resources and the attention of the Sikh Nation away from the issue of freedom in a sovereign, independent Khalistan. Yet Khalistan is the only way that Sikhs will be able to live in freedom, peace, prosperity, and dignity. It is time to start a Shantmai Morcha to liberate Khalistan from Indian occupation.

Never forget that the Akal Takht Sahib and Darbar Sahib are under the control of the Indian government, the same Indian government that has murdered over a quarter of a million Sikhs in the past twenty years. These institutions will remain under the control of the Indian regime until we free the Sikh homeland, Punjab, Khalistan, from Indian occupation and oppression and sever our relations with the New Delhi government.

The Sikhs in Punjab have suffered enormous repression at the hands of the Indian regime in the last 25 years. Over 50,000 Sikh youth were picked up from their houses, tortured, murdered in police custody, then secretly cremated as ''unidentified bodies.'' Their remains were never even given to their families! More than a quarter of a million Sikhs have been murdered at the hands of the Indian government. Another 52,268 are being held as political prisoners. Some have been in illegal custody since 1984! Even now, the capital of Punjab, Chandigarh, has not been handed over to Punjab, but remains a Union Territory. How can Sikhs have any freedom living under a government that would do these things?

Sikhs will never get any justice from Delhi. Ever since independence, India has mistreated the Sikh Nation, starting with Patel's memo labelling Sikhs ''a criminal tribe.'' What a shame for Home Minister Patel and the Indian government to issue this memorandum when the Sikh Nation gave over 80 percent of the sacrifices to free India.

How can Sikhs continue to live in such a country? There is no place for Sikhs in supposedly secular, supposedly democratic India. Let us work to make certain that 2006 is the Sikh Nation's most blessed year by making sure it is the year that we shake ourselves loose from the yoke of Indian oppression and liberate our homeland, Khalistan, so that all Sikhs may live lives of prosperity, freedom, and dignity.

Sincerely,

DR. GURMIT SINGH AULAKH,
President, Council of Khalistan.

FREEDOM FOR RENE GÓMEZ MANZANO

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to remind my colleagues about Rene Gómez Manzano, a heroic political prisoner in totalitarian Cuba.

Mr. Gómez Manzano is a lawyer and a distinguished member of the pro-democracy opposition in Cuba. Along with fellow Cuban patriots Martha Beatriz Roque and Felix Bonne Carcasses, he is a leader of the Assembly to Promote Civil Society. The Assembly is an umbrella organization of over 300 groups of Cubans who have asserted their independence from the totalitarian state. On May 20, 2005, the Assembly carried out a meeting of approximately 200 Cubans who publicly demonstrated their rejection of totalitarianism and their support for democracy and the rule of law in Havana. Mr. Gómez Manzano was one of the primary architects of that historic, admirable accomplishment. Accordingly, he has been the constant target of Castro's machinery of repression. He has been harassed by the tyrant's thugs and, now, unjustly incarcerated as a political prisoner for his peaceful activities.

Almost a decade earlier, in 1997, after coauthoring the important and historic work ''La Patria es de Todos''—''The Homeland Belongs to All''—with Martha Beatriz Roque, Felix Bonne Carcasses and another Cuban patriot, Vladimiro Roca, Mr. Gómez Manzano was arrested by the dictatorship and sentenced to various years in the gulag. During his unjust imprisonment, and after being released, Mr. Gómez Manzano never wavered in his commitment to bring freedom, democracy and human rights to the Cuban people. Unfortunately, in an additional act of extreme and despicable repression by the dictatorship, Mr. Gómez Manzano, along with dozens of others, was arrested once again on July 22, 2005, before he could attend a peaceful demonstration in front of the French Embassy in Havana to protest the resumption of the European Union's policy of so-called engagement with the terrorist regime in Havana.

I have never had the honor of personally meeting Mr. Gómez Manzano, but I can certainly say that I know him quite well. I have spoken to him by telephone during various congressional hearings and other public events dedicated to highlighting the suffering and oppression of the Cuban people. He is a great patriot, a man of the law, a man of peace, and an apostle of freedom for Cuba.

Mr. Speaker, it is completely unacceptable that, while the world stands by in silence and acquiescence, Mr. Gómez Manzano languishes in the gulag because of his belief in freedom, democracy, human rights and the rule of law. We cannot permit the brutal treatment of a man of peace like Mr. Gómez Manzano by a demented and murderous tyrant for simply supporting freedom for his people. My colleagues, we must never forget those who are locked in gulags because of their desire for freedom for their countries. My colleagues, we must demand the immediate and unconditional release of Rene Gómez Manzano and every political prisoner in totalitarian Cuba.

TRIBUTE TO FRED SIEMS

HON. IKE SKELTON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. SKELTON. Mr. Speaker, it has come to my attention that a long and exceptionally distinguished career in public service has come to a close. Mr. Fred Siems has retired from his position as Blue Springs city administrator.

In 1978, Siems became the first professional city administrator in Blue Springs. He served in this position for 27 years, overseeing the city's growth from approximately 10,000 to almost 52,000 people. He retired at the end of December 2005 as Missouri's longest-serving city administrator in one city.

During his tenure, he was honored with the Mid-America Regional Council leadership award. The International City/County Management Association recognized him as its outstanding city administrator.

Mr. Fred Siems has distinguished himself as a community leader. I am certain that my colleagues will join me in wishing Fred and his family all the best in the days to come.

HONORING SPECIALIST PATRICK HERRIED

HON. STEPHANIE HERSETH

OF SOUTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Ms. HERSETH. Mr. Speaker, I want to take this opportunity to honor the life of SPC Patrick Herried, who died February 6, 2006, while serving in Iraq.

Every member of the House of Representatives has taken a solemn oath to defend the Constitution against all enemies, foreign and domestic. While we certainly understand the gravity of the issues facing this legislative body, SPC Patrick Herried lived that commitment to our country. Today, we remember and honor his noble service to the United States and the ultimate sacrifice he has paid with his life to defend our freedoms and foster liberty for others.

The lives of countless people were enormously enhanced by Patrick's compassion and service. Patrick, who represented the best of the United States, South Dakota, and the military continues to inspire all those who knew him and many who did not. Our Nation and the State of South Dakota are far better places because of his service, and the best way to honor him is to emulate his devotion to our country.

I join with all South Dakotans in expressing my sympathies to the family of SPC Patrick Herried. His commitment to and sacrifice for our Nation will never be forgotten.

HONORING CHICAGO'S 2006 WINTER OLYMPIANS

HON. RAHM EMANUEL

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. EMANUEL. Mr. Speaker, I rise today to recognize and honor the Chicago area athletes competing this month in the Winter Olympics in Turin, Italy.

The Olympic Games bring the world together in celebration of the best that every nation has to offer. I am proud that five Chicagoans are joining the world's best at the 2006 Winter Olympics.

Chris Chelios is serving as the captain of the men's hockey team for the third consecutive Olympics. At 44 years old, Chelios is the oldest Olympic hockey player since 1928, but is still expected to be a driving force for the Americans. After attending Mount Carmel High School, Chelios represented his hometown as a blueliner for the Blackhawks throughout most of the 1990s.

Nineteen-year-old Northwestern University student Margaret Crowley has several opportunities to represent her country in speed skating, competing in the 3,000 meter and Team Pursuit events. She was the U.S. junior champion in 2004 and the runner-up in 2005. In addition to her extensive training schedule, Crowley has found the time to study economics, French and literature.

Shani Davis is the first African-American to qualify for the U.S. Olympic speed skating team. Shani grew up on Chicago's South Side and was inspired by fellow Illinois native Bonnie Blair. Davis also competed in the 2002 Salt Lake City Games and was the 2005 World All-Around Speedskating Champion.

Ben Agosto is a native Chicagoan who has paired with Tanith Belbin to compete in ice dancing in Turin. They are favored to win a medal, which would be only the second ever for an American team, and the first in 30 years. The pair combines salsa, rhumba and cha cha as part of their original dance routines on the ice.

Chicago native Evan Lysacek is competing in his first Games as a figure skater. After graduating from Neuqua Valley High School in Naperville, he overcame a serious hip injury to land a spot on the U.S. team headed to Turin.

Mr. Speaker, it is with great pride that I honor these five Olympians that are representing the U.S. in Turin. On behalf of my fellow Chicagoans and Americans, I wish these elite athletes and all of their teammates the best of luck in their respective events, and I thank them for representing the United States at the 2006 Winter Olympics.

HONORING THOSE WHO SERVED IN THE UNITED STATES COLORED TROOPS DURING THE CIVIL WAR

HON. JIM COOPER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. COOPER. Mr. Speaker, I make remarks today to honor 2000 heroic men—men who fought for freedom and justice and a stronger, united America. These men made the ultimate sacrifice for our country. They gave their lives so that their children and grandchildren and generations to come would know an America where hopes for a better life would be a dream for all to share.

The 2000 men I honor today were members of the United States Colored Troops during the Civil War. They are buried at the rear of the Nashville National Cemetery, their service and their sacrifice too often overlooked by visitors to that hallowed ground.

This weekend, Tennessee will take an important step in saluting, and thanking, African-American soldiers for their important service during the Civil War. Tennessee will become the first state in the U.S. to erect a statue to recognize the bravery of these 2000 men, and all of the 180,000 African-American soldiers who fought in the Civil War. The statue is more than an historic monument. It will be a permanent and powerful reminder for all Americans and the world that the strength of our great Nation comes from the belief laid down by our founding fathers that "all men are created equal. . . ."

It was a desire to transform that belief into reality that these men took up arms. They believed in a new vision of America and they knew it was an America worth fighting for. And now, during Black History Month, we come together to unveil this statue and to offer the praise and appreciation that has been so long overdue.

The life-size bronze is the result of years of hard work on the part of many. The African American Cultural Alliance and its founder and executive director, Kwame Leo Lillard, led this effort. But many individuals and organizations throughout the community also dedicated themselves to the task. Creative Artists of Tennessee, the Black Veterans Association, the 13th U.S.C.T. Regiment, the Tennessee Historical Commission, Tennessee State University Department of History, and One Point Solutions, along with federal, state and local governments have all been involved in this campaign.

I am proud and honored that Nashville will be home to this important memorial to all those who served in the U.S. Colored Troops during the Civil War. Unlike the battle in so many other cities, the Battle of Nashville did not take place on one battlefield. It was fought in the city itself and at locations scattered around the edges of town. No portion of the city has been preserved as a park to commemorate those who fought and died in this battle. They are quietly honored at the Nashville National Cemetery. And now, with the addition of this statue, all of the troops who sacrificed so much to preserve our great Nation, will receive the special recognition they deserve.

IN RECOGNITION OF THE CONTRIBUTIONS AND SERVICE OF POLICE COMMANDER OF THE EL CERRITO POLICE DEPARTMENT KENNETH S. MOSBY

HON. ELLEN O. TAUSCHER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mrs. TAUSCHER. Mr. Speaker rise to recognize the exceptional value of Commander Kenneth S. Mosby's long and notable career. Kenneth has served Contra Costa County and the City of El Cerrito with great distinction and in retiring from his position as a Police Commander brings to close a career with local Law Enforcement Agencies Department that spans 29 years.

Kenneth S. Mosby began his law enforcement career with the Richmond Unified School District as a security officer in 1976. Four years later Kenneth joined the El Cerrito police

department where he has served with distinction. During his tenure, he married Cheryl and together they are raising their son, Kevin.

While with the El Cerrito Police department Kenneth served in a number of different roles. He worked as a Major Crime Scene Evidence Technician; a Field Training Officer and a Forgery Detective. He also served as a Narcotics/Intelligence Officer where he notably participated in the state wide marijuana eradication programs in the summers of 1984 and 1985. Having performed these duties with great technical competence, efficiency and distinction, Kenneth was promoted to the rank of Sergeant in 1991 and to Detective Sergeant in 1995.

After his many years of dedicated service, Kenneth was promoted to the rank of Commander in 1997. As Police Commander of the El Cerrito Police Department, Kenneth has served his community with great dedication and pride and upon the occasion of his retirement is deserving of special recognition and the highest commendation.

Mr. Speaker, I take great pride and pleasure in drawing special public attention to Commander Kenneth S. Mosby and extend to him sincere best wishes for continued success in his future endeavors.

EMERGENCY FUNDING IN H.R. 4745

HON. JERRY LEWIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. LEWIS of California. Mr. Speaker, section 402 of House Concurrent Resolution 95, the congressional budget resolution for fiscal year 2006, requires a statement to be published in the CONGRESSIONAL RECORD explaining how the funding contained in H.R. 4745, (making supplemental appropriations for fiscal year 2006 for the Small Business Administration's disaster loan program, which will be considered in the House today, meets the criteria of emergency funding specified in such section.

Funding for the Small Business Administration's disaster loan program is provided in response to essential, urgent, and compelling needs resulting from the extreme natural disasters that occurred in the Gulf of Mexico region in calendar year 2005. Hurricanes Katrina, Rita, and Wilma resulted in the most expensive natural disasters ever to strike the U.S., and their scope and cost were completely unforeseen. The emergency funds provided in H.R. 4745 are justified under the criteria outlined in H. Con. Res. 95.

PERSONAL EXPLANATION

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Ms. WOOLSEY. Mr. Speaker, I was unavoidably detained yesterday and missed Roll Call votes No. 8 and No. 9. Had I been present, I would have voted "aye" on rollcall vote No. 8 and "aye" on Roll Call vote No. 9.

PERSONAL EXPLANATION

HON. JIM GIBBONS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. GIBBONS. Mr. Speaker, I rise today to explain how I would have voted on February 14, 2006 during Rollcall votes No. 8 and No. 9 during the second session of the 109th Congress. The first vote was for H. Con. Res. 322—Expressing the sense of Congress regarding the contribution of the USO to the morale and welfare of our servicemen and women of our armed forces and their families, the second was S. 1989—Holly A. Charette Post Office Designation Act.

If I had been present, I would have voted "yea" on these rollcall votes.

IN SUPPORT OF THE CANINE VOLUNTEER PROTECTION ACT OF 2006

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. SIMMONS. Mr. Speaker, I rise today to introduce the Canine Volunteer Protection Act of 2006. I do so because I am an advocate of protecting our service animals while they perform their duties.

In the aftermath of Hurricane Katrina, there were reports of first responders having difficulty working with local authorities. In some instances their dogs were threatened and their handlers were harassed as these first responders bravely carried out their duties. It was because of these reports, Mr. Speaker, that a constituent of mine, Ms. Amy Stegal of Stafford Springs, CT, contacted me and asked that we provide protection for these invaluable canine rescuers.

Ms. Stegal is affiliated with Connecticut Canine Search and Rescue, CCSAR. This important organization was incorporated in 1994 as a volunteer, nonprofit organization dedicated to providing a professional team response to all emergency service agency requests for lost, missing or drowned persons; advancing education in search and rescue procedures; and offering support for families of lost and missing persons.

Mr. Speaker, these dogs and their handlers heroically volunteer their time and expertise in times of natural disaster, yet they are not protected by Federal law. The Canine Volunteer Protection Act would give members of volunteer canine search and rescue teams, such as CCSAR members, the same protections current law gives other law enforcement animals. This includes both a monetary fine and/or imprisonment of those persons who willfully and maliciously harm any search and rescue dog.

I urge my colleagues to support this measure to protect search and rescue teams as they selflessly perform their rescue missions. I thank Ms. Stegal of Stafford Springs for bringing this important issue to my attention.

PERSONAL EXPLANATION

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. BLUMENAUER. Mr. Speaker, had I been present for the votes on Wednesday, February 8, 2006, I would have voted as follows:

Rollcall Vote 7: I would have voted in favor of the motion to instruct conferees on H.R. 4297, the Tax Relief Extension Reconciliation Act. I strongly support the extension of the "patch" for the Alternative Minimum Tax, AMT, which helps middle income taxpayers who are being unfairly drawn into paying higher taxes.

Rollcall Vote 6: I would have voted in favor of H. Res 657, honoring the contributions of Catholic schools.

Rollcall Vote 5: I would have voted in favor of H. Res. 670, congratulating the National Football League champion Pittsburgh Steelers for winning Super Bowl XL.

Had I been present for the votes on Wednesday, February 1, 2006, I would have voted as follows:

Rollcall Vote 4: I would have voted against H. Res. 653, providing for consideration of the budget reconciliation bill for fiscal year 2006, S. 1932. I strongly oppose the Republican budget reconciliation.

Rollcall Vote 3: I would have voted in favor of H. Res. 648, to eliminate floor privileges and access to Member exercise facilities for registered lobbyists who are former Members of officers of the House.

Rollcall Vote 2: I would have voted against the ruling of the chair on the McDermott point of order stating that the provisions of H. Res. 653 violate the Congressional Budget Act of 1974 by imposing an unfunded mandate.

TRIBUTE TO SHEPARD KING

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. MEEK of Florida. Mr. Speaker, I rise to pay tribute to the late Shepard King, a remarkable man with tremendous talent, energy and generosity whose many contributions to our entire South Florida community comprise an enduring and lasting legacy that will be with us for many years to come.

Shepard King was a doer and an achiever. He was co-chair of the National Tax, Trusts & Estates Practice at the law firm of Greenberg Traurig, LLP, one of Florida's most successful and influential firms. He served as a President of the Miami Chapter of the American Jewish Committee, AJC, and strongly believed in its mission. Additionally, Shep served as a Director of the Miami-Dade County Bar Association; an Adjunct Faculty Member in the Masters in Taxation Program of the UM School of Law; a Member of the American College of Tax Counsel; the Executive Council, Tax Section of The Florida Bar; the Law Revision Council of Florida; the Board of Directors, the Greater Miami Jewish Federation; co-founder, the Family Business Institute at Florida International University and Hands Across the Campus; and Chairman, South Florida Conference on Soviet Jewry.

Through the work of Ms. Bernita M. King, Mr. Russell L. King and the American Jewish Committee, however, Shephard King's legacy will is alive and well because of the Shep King Endowment Fund, which was established in 2004, one year after Shep King passed away. Throughout his life, he had a profound appreciation for the insights and opportunities that his education had provided him, and he always encouraged his own children and others to get as much education as possible.

Because he believed so strongly in the power of education, the Shep King Endowment Fund is dedicated to providing scholarships to underprivileged children in South Florida. The Endowment aims to identify recipients while they are still in elementary school and to provide hands-on guidance, as well as financial support, to aid children and offset private school educational expenses during junior high school, high school and college. Although the scholarship is established through the United Jewish Philanthropies, the recipients are students of any race, religion, or ethnicity. Currently, the first Shep King Scholar is studying at a private junior high school in Miami, and an additional student is anticipated to be added this fall.

My hope is that over the years, the Shep King Endowment Fund can bring the opportunities that come through education to many others and that Shep's legacy will continue to live on through their accomplishments.

IN HONOR AND RECOGNITION OF DICK GODDARD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of my friend, Dick Goddard, for his life-long activism and advocacy in promoting and protecting the welfare of animals, especially humankind's best friends, our dogs and cats.

Mr. Goddard has served as WJW TV8's, FOX8 News, Chief Meteorologist for 40 years. His interesting intellectual insights and quick wit reflect in every forecast and have endeared him to thousands of daily, faithful viewers. For decades, Mr. Goddard has channeled his celebrity profile, both, on and off camera, to promote and support programs that benefit the animal companions of our community. From neuter and spay programs, to featuring dog and cat adoptions twice weekly during the 6 o'clock news broadcast, Mr. Goddard's unwavering and compassionate focus has provided safe and secure homes for hundreds of unwanted pets.

Mr. Goddard has built strong connections with area animal shelters and volunteers his time and talents in raising tens of thousands of dollars for more than 60 animal welfare organizations throughout Ohio. He regularly attends and promotes animal welfare events and is the point person in our community regarding animal-related concerns. Mr. Goddard's commitment and compassion is equaled and supported by many volunteers, including Patti Fisher and Mary Pennington, who've worked behind-the-scenes with Mr. Goddard for nearly 20 years.

Mr. Speaker and Colleagues, please join me in honor and recognition of Mr. Dick Goddard, whose personal and professional integrity, affable nature, and deep concern for our community lends a voice of protection, rescue, warmth and shelter for stray and abandoned dogs and cats throughout our region. I also wish my friend a very happy birthday and a lifelong forecast of peace, health and happiness, under blue and sunny skies.

ON THE OCCASION OF THE 18TH ANNIVERSARY OF THE NAGORNO KARABAKH FREEDOM MOVEMENT

HON. MICHAEL R. McNULTY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. McNULTY. Mr. Speaker, I join today with many of my colleagues in extending my congratulations to the people of Nagorno Karabakh on the anniversary of the Nagorno Karabakh Freedom Movement.

On February 20, 1988, the people of Nagorno Karabakh officially petitioned the Soviet government to reunite with Armenia and reverse the injustice perpetrated by the Soviet dictator, Joseph Stalin.

This peaceful and legal request was met with violent reaction by the Soviet and Azerbaijani leadership, and escalated into full military aggression against Nagorno Karabakh. The people of Nagorno Karabakh bravely defended their right to live in freedom on their ancestral land.

Today, Nagorno Karabakh continues to strengthen its statehood with a democratically elected government, a capable defense force, and an independent foreign policy.

I stand with the people of Nagorno Karabakh in celebrating their continuing freedom and democracy.

HONORING VINCE YOUNG AND HIS 2005 ROSE BOWL VICTORY

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. GREEN of Texas. Mr. Speaker, today I congratulate Vince Young on leading the University of Texas Longhorns to their 2005 Rose Bowl Victory.

Vince is a fellow Houstonian who has successfully overcome numerous obstacles to the success that he now enjoys. As a young child, he was hurt in a horrible accident that left his body battered and bruised. Vince worked tirelessly to recuperate with a tenacity not often demonstrated by 7-seven-year old children and, with the help of his mother and his grandmother, he recovered. Under the guidance of his family, Vince also fought his way through the difficulties and temptations that so many young people must face in today's world.

As a student at James Madison High School in Houston, Vince demonstrated a natural athletic prowess. His stellar performance as a high school quarterback earned him the attention of universities nationwide. Vince chose to attend the University of Texas at Austin, an institution known for academic excellence and a tradition of athletic achievement. There, he triumphed as a student-athlete. In 2003, he became the starting quarterback for the Longhorns and began a college football career that was certainly meant for the record books. As a starter, Vince garnered the best win record in the University of Texas' history, which consists of 29 wins and only 2 losses, the sixth best winning percentage in NCAA history.

During the 2005 season, Vince's strength, accuracy, agility, and speed led the Longhorns to an undefeated season and a Big 12 Championship. His outstanding performance earned him nationwide accolades and culminated in a stunning victory over the USC Trojans at the 2005 NCAA Championship game. Under Vince's leadership, the talented team earned the University of Texas its first national title since 1970.

Vince's trademark is his versatility, which is expressed both on and off the football field. Throughout his college career, he was heavily involved in community service activities. His particular interest in assisting youth has been demonstrated through his mentorship of elementary and middle school students, his performance as a student-teacher and mentor for middle school math and science students through the LEAP, Learn, Enjoy and Play, Program, and his volunteer activities at the Austin YMCA. Vince has also served as a speaker at several youth organizations in Austin and is active in community service projects through his church.

In a State where football players at all levels are often treated as royalty and who, at times, come to expect indulgences that others are denied, Vince has consistently demonstrated a depth of character to which all young people should aspire. He is a charismatic leader who has set a tremendous example for all of us and who has shown that hard-work, dedication, and heart are a recipe for success.

I wish to extend my sincere congratulations to Vince for his victorious Rose Bowl performance. But more importantly, I would like to express my thanks to him for representing the city of Houston with such class. I wish him continued success as he grows both as a football player and a man.

PAYING TRIBUTE TO CARLOTTA WALLS LANIER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Carlotta Walls LaNier for her contributions to the American human rights movement and her continued service as a role model and educator for the youth of this country.

Carlotta is truly a woman of living history. She was born on December 18, 1942, in Little Rock, Arkansas, and was one of the nine African American teenagers who integrated Little Rock Arkansas' Central High School in 1957, following the U.S. Supreme Courts' ruling in Brown v. Board of Education. Implementing such a ruling required a presidential order to provide troops to protect Carlotta and the other students breaking through the racial barrier. Despite threats on her and her family's life, and countless other incidents of intimidation and prejudice, Carlotta graduated in 1960.

History would later call these brave Americans the "Little Rock Nine."

Inspired by Rosa Parks, Carlotta had the desire to get the best education available, Carlotta enrolled at Michigan State University. She attended Michigan State for 2 years before moving with her family to Denver. In 1968, she earned a B.S. from Colorado State College (now the University of Northern Colorado) and began working at the YWCA as a program administrator for teens.

Carlotta was awarded the prestigious Spingarn Medal by the NAACP in 1958. She has been a member of the Colorado Aids Project, Jack and Jill of America, the Urban League and the NAACP, as well as the president of the Little Rock Nine Foundation, a scholarship organization dedicated to ensuring equal access to education for African Americans. She has also served as a trustee for the Iliff School of Theology. In 1999 at the White House, members of Congress and the President bestowed upon Carlotta and the other members of the Little Rock Nine the nations' highest civilian award, the Congressional Gold Medal, for their sacrifice and contribution to the cause of equality.

Mr. Speaker, Carlotta Wells LaNier continues to spread her influence by speaking today, to the students of Cornerstone Christian Academy in Henderson, Nevada, as part of a Black History Month Celebration. I am honored to recognize this great woman.

TRIBUTE TO THE DELAWARE RIVER POWER SQUADRON

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to congratulate the Delaware River Power Squadron on the occasion of its 90th anniversary.

Delaware River Power Squadron is dedicated to boating safety through education and civic activities in several locations in Philadelphia while also serving the boating public throughout southern Pennsylvania, the Delaware River, and the Chesapeake Bay.

First organized in 1915, it was not until May of 1916 that the Delaware River Power Squadron was formally recognized as a unit. Since then members of the Delaware River Power Squadron have formed an additional 20 squadrons in the District 5 region of United States Power Squadrons including eastern Pennsylvania, southern New Jersey, Delaware, Maryland, Virginia, and the District of Columbia.

Delaware River Power Squadron has worked with the armed forces of the United States in time of war to provide training materials and patrol teams, and continues to work in partnership with government agencies such as the Coast Guard, the Army Corps of Engineers, the National Oceanic and Atmospheric Administration, the National Ocean Service, the National Safe Boating Council, and others to provide safe boating education, reliable waterway charts, vessel safety examinations, environmental support, and homeland security.

Delaware River Power Squadron is a constituent of the United States Power Squadron, which is comprised of over 49,000 members in 448 squadrons and divided geographically into 33 districts. Membership is open to all interested persons 18 and older without regard to race, religion, gender, or any other characteristic protected by the non-discrimination laws of the United States.

I ask that you and my distinguished colleagues join me in congratulating the Delaware River Power Squadron for the past 90 years of service and dedicated commitment to the community.

PERSONAL EXPLANATION

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. COSTA. Mr. Speaker, on rollcall No. 5, H.R. 670 and rollcall No. 6, H.R. 657 on February 8, 2006, had I been present, I would have voted "yea".

THE FACE OF POVERTY IN AMERICA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. RANGEL. Mr. Speaker, the devastation of Hurricane Katrina exposed what America did not want to see. Beyond the tragedy of this natural disaster, Katrina shined a spotlight on America's poor and disadvantaged. The convenience of disregarding the plight of the poor came to an abrupt halt as a result of Katrina and its aftermath. Katrina pulled the cover off of what prior reports by the U.S. Census Bureau found, which stated for the past four years, the poverty rate has steadily increased; which is a reverse trend from 1993 to 2000.

Katrina also exposed the gross disparities relating to poverty in America. According to the Census Bureau 2004 report, the Black poverty rate of 24.7 percent is almost twice that of the general population. This translates to about 9.4 million African Americans, almost one in-four living below the poverty line. Consequently, those affected by the Katrina devastation were disproportionately Black and poor. Despite the rhetoric of conservative pundits who claim that poverty in the Black community is due to irresponsibility, statistics show that individuals living below the poverty line are hard working citizens who go to work everyday. It should be underscored that poverty is a result of a lack of income. Americans fall into poverty simply because they do not have enough financial resources. So it is plausible that even when people are working in the market place they can still fall into poverty. Statistics show that one-in-ten African Americans above 16 who were poor worked full-time jobs.

Furthermore, 37 million Americans are living in poverty. Statistics in 2004 indicate that 13 million American children lived below the poverty line, translating into three-in-seventeen. This was an increase of roughly 200,000 from 2003, which means 3,000 children were falling into poverty each week. Moreover, African American children under the age of 18 consist of 43 percent of all poor African Americans. Senior citizens, those 65 and older, have a poverty rate of 23.8 percent. In comparison with other counterparts, statistics show that more African Americans and Hispanics are in poverty at a higher rate than whites and other racial classifications. African American children represent 17 percent of American children, but they make up 31 percent of all poor children in America.

Conservatives are quick to attribute poverty to dysfunctional family structures. However, renowned economist such as William Springs suggests that this is a gross over simplification. He contends that poverty is the "result of economy-wide forces and public policy." Mr. Speaker, I share this analysis, hence, it places the onus on policy makers to enact legislation centered on relieving the burden poverty. After the passage of the Civil Rights Act of 1964, the Economic Opportunity Act of 1964 and the Voting Rights Act of 1965 the Black poverty rate decreased to 32.2 percent. During the years of 1993 to 2000 which were marked by strong fiscal policy the poverty rate for African Americans dropped annually.

Katrina exposed America's weakness, not only in the Federal Government's delinquent response, but also relative to our inability to address poverty particularly in the minority community. As we consider the 2007 fiscal budget, we must see the opportunity to provide provisions that alleviate poverty in the Gulf Coast and urban communities across the Nation. Tax cuts for the wealthy and the slashing of social programs will not suffice.

Mr. Speaker, a recent article in the "The Crisis", entitled Poverty in America: The Poor are getting Poorer, by William E. Spriggs captures the statistical data and reports that highlight the issue of poverty in America, especially the disparities as to race.

HONORING KJELL BERGH ON THE OCCASION OF HIS 60TH BIRTHDAY

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise to honor Mr. Kjell Bergh on the occasion of his 60th birthday. Mr. Bergh is a respected Minnesota business leader and a true citizen of the world, working extensively with civic and business organizations and governments around the globe. Mr. Bergh will be celebrating his birthday with his family and friends in Minnesota on February 18.

Born in Kristiansund, Norway, Mr. Bergh was educated at the University of Oslo and Macalester College in St. Paul, Minnesota, earning his B.A. in International Relations there in 1970. In 2004, Mr. Bergh received his masters degree from the Fletcher School of Law and Diplomacy at Tufts University.

Mr. Bergh is well known as the owner of several major automotive dealerships in Minnesota. In addition, he owns travel agencies specializing in tours and adventure travel in Scandinavia and Africa. Along with his business connections, he has fostered an impressive commitment to our community here in Minnesota, earning numerous awards for his work and serving on many boards of prominent businesses, academic institutions and non-profit organizations. His international links

have inspired a similarly strong commitment to communities around the world, particularly in Africa.

In 2000, Bergh was named Honorary Consul to the United Republic of Tanzania by President Benjamin Mkapa, lending his expertise on trade, education and tourism. He is highly respected for his dedicated service to environmental and community issues such as anti-poaching and building hospitals and schools. He has been a valued resource to me and my office on the many issues facing Africa.

Among Bergh's many distinctions and awards for his service, perhaps he has the best reason to be proud of the royal decorations from his native Norway. He was bestowed Knight First Class, Royal Order of Merit by King Harald V and the prestigious St. Olav medal by the late King Olav V. In addition, he received the Royal order of the Polar Star from the Sweden's King Carl Gustaf.

Mr. Speaker, please join me in honoring Mr. Kjell Bergh on his 60th birthday. Amid his busy life and his many accomplishments and awards, I know that he is looking forward to spending this special day with the most important people in his life—his family and friends.

HONORING THE SERVICE OF CARL PAPA, JR.

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. DUNCAN. Mr. Speaker, I rise today to pay tribute to a great Tennessean, Carl Papa, Jr. After 33 years of dedicated service to East Tennessee, Mr. Papa has retired as the Chief Pretrial Services Officer for the United States District Court for the Eastern Tennessee District.

Carl Papa, Jr. was born on June 29, 1949, in Camden, New Jersey. He graduated from Collingswood High School in Collingswood, New Jersey, in 1968. He attended Milligan College in East Tennessee, graduating in August 1972 with a Bachelor of Arts in Psychology and Sociology.

Carl was hired by the Tennessee Department of Corrections in October 1972 as a Probation and Parole Officer. On January 5, 1976, he was appointed as the U.S. Probation Officer in the Eastern District of Tennessee by the Honorable Robert Love Taylor. Meanwhile, Carl attended the University of Tennessee, my alma mater, where he earned a Masters of Science in 1982.

He served as the U.S. Probation Officer for East Tennessee until April 19, 1993, when he was appointed the Chief Pretrial Services Officer for the Eastern Tennessee District. He retired from his position on the federal court on January 20, 2006. After 30 years of serving the community in federal court, and 33 years of public service to the citizens of East Tennessee, Mr. Papa has begun a well-earned retirement.

Carl has two children. Carl's son, Benjamin C. Papa, resides in Nashville with his children, Eli and Ella. His daughter, Bethany Burnette, lives in Knoxville. Carl has been married to Donna C. Crumpton since May 28, 2004.

I wish to express my gratitude on behalf of my fellow residents of East Tennessee for the dedication Mr. Papa has shown over the past 33 years. I wish him and his family all the best as he begins the next stage of his life. I urge all of my colleagues to join me in thanking Mr. Papa for his service to our community.

TRIBUTE TO ILEEN GREEN

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Ileen Green, daughter to Marilyn and Harry Griver, a sister, a teacher, a mother, a peace activist, and most recently, a grandmother.

Ileen Green has spent the majority of her adult life giving to others in many special ways. Her dedication to Philadelphia students is the easiest to pinpoint. She has been a dedicated teacher in middle school and elementary school for over 20 years. Shortly after she started her career in teaching she taught one of the first desegregation classes here. She fought for everyone to have a fair opportunity for and good education. She was an activist. She became pregnant a few years later, having to leave her job as a school teacher, temporarily. She named her daughter Kelly, after an African American male student who was in her first desegregation class. "He was very gifted and special," she always said.

As a single mom and, without any outside support, Ileen raised her family, at the time women lacked many equal rights. She was unable to even sign a lease for an apartment unless a man signed it as well. There were limited opportunities for women in business and childcare was an expense she couldn't afford. Ileen worked from home, telemarketing, and made just enough to pay the bills. Her family struggled over the years. Ileen decided this wasn't enough. Ileen decided to go into business for herself and became a very successful saleswoman. This however required many travel obligations that separated her from her daughter. Ileen wanted to keep her family close and so she decided to return to teaching, where she has stayed.

Her loving daughter Kelly describes her as "the type of mother all my friends wanted. She never hesitated to give advice, support, and hugs. Several times my mother took on the extended responsibilities of becoming a foster mom. All the while, active in women's rights groups, focused on her work, and yet always finding time to be her daughter's best friend and greatest supporter."

Ileen has found herself in poor health for the last decade but through it all she returns to work finding strength in doing what she loves most, making a difference in the lives of children. Even now, in kidney failure, and facing serious decline in her health she still will not give up. She returns to the classroom, and provides the love, kindness, and education today's children desperately need. She teaches because she loves what she does and she does it well.

Ileen Green has been through her fair share of struggles. Single motherhood, survival of domestic abuse, and financial hardships have not been able to stifle her spirit. Through it all, she has continued to be a kind, loving, generous, and sincere woman and mother. The kind that her daughter, as a recent mother herself, hopes to be. In recognition of her years of service to her community I ask that you and my other distinguished colleagues rise to honor her.

PERSONAL EXPLANATION

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. COSTA. Mr. Speaker, on rollcall No. 7, H.R. 4297, had I been present, I would have voted "yea".

IN RECOGNITION OF AFRICARE'S 35TH ANNIVERSARY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. RANGEL. Mr. Speaker, I rise today to recognize the 35th anniversary of the founding of the Africare organization. Africare is the oldest and largest African-American led organization committed to providing direct aid to the African continent—a leader in the fields of long-term sustainable development and health care, especially with regard to HIV/AIDS treatment and prevention.

The thousands of African families who have benefited through Africare's humanitarianism stand as a testament to the power of the organization's selfless mission. I am proud to offer my congratulations to Africare for many years of service embodying one of our Nation's most commendable ideal—extending our hand and heart to our fellow brothers and sisters throughout the world.

Africare helps Africa. Over the course of its history, Africare has become a pioneer among private, charitable U.S. organizations assisting Africa. The organization has supported hundreds of grassroots projects in Africa that have changed the lives of families living on the continent. Africare's programs address needs in the principal areas of food security and agriculture as well as health and HIV/AIDS. Africare also supports water resource development, environmental management, basic education, microenterprise development, governance initiatives and emergency humanitarian aid. Africare reaches families and communities in 26 countries in every major region of Sub-Saharan Africa, from Mali to South Africa and from Senegal to Mozambique.

The founders of Africare had a vision—to transform the lives of Africans and infuse into the often-forgotten and deprived continent much needed sustenance. In 1970, West Africa was suffering through one of the most severe droughts in its history which threatened the livelihood of livestock and crops. Villagers were fleeing their homes in search of water. Millions of human lives held in the balance.

Among those providing help—medical aid in Niger—were 17 American volunteers, led by Dr. William Kirker, and his wife Barbara. Together they named their group "Africare." The Kirkers themselves had been working in Africa, to improve African health care, since 1966. Although the work by the Kirkers was invaluable, more was needed to be done to stifle the

crisis sweeping through the area. Diori Hamani, then president of the Republic of Niger, sought more support from the U.S., in particular from the African-American community. C. Payne Lucas, then director of the Peace Corps Office of Returned Volunteers in Washington was one individual who answered the call. He went on to become the first president of Africare, spending 30 years at the organization. He brought a unique blend of passion and steadfast commitment during his 40-year career in African development.

Under the leadership of the Kirkers and Lucas, Africare flourished and continued to make valuable contributions towards the development of the African continent. At the annual Africare dinner last October the 13th, the founders of Africare were recognized in remarks made by Africare vice president Jeannine Scott. The event was attended by notable individuals including that year's Africare Distinguished Humanitarian Service Award recipient, General Colin Powell, the former U.S. Secretary of State, Mr. Alphonso Jackson, Secretary of Housing and Urban Development, Dr. Dorothy Height, president emeritus of the National Council of Negro Women, and my colleagues Representatives WILLIAM JEFFERSON of Louisiana and BARBARA LEE of Texas, as well as other civil and business leaders.

At the anniversary dinner, Africare vice president Jeannine Scott introduced the founders of Africare and recounted the story of how the organization was founded. I thought it would be useful for you to understand the history of the organization and I therefore ask that the text of her speech be entered into the RECORD.

PRESENTATION OF THE FOUNDERS OF AFRICARE

(By Jeannine B. Scott)

Dr. Kirker and his wife Barbara are here with us tonight and we are honored to pay tribute to them and the vision they had to found an organization to initially respond to the many health care needs of our brothers and sisters in Africa.

In addition to these founders, we have with us some of the first volunteers who served with them. They are:

James Sattler, an attorney in Hawaii who donated his services at the very beginning of Africare's life;

Joan Victoria Saccardi—a volunteer on Africare's very first trip to Africa, and who faced her own bouts of illness while carrying out the work she believed in;

And Cosco Carlbom was also one of the dedicated volunteers on the very first trip, providing vital technical expertise and was one of only a handful of volunteers to complete the entire two-year mission.

Please join me in welcoming these very first Africare pioneers.

Another early Africare supporter, Myra Takaski, was not able to join us here tonight. Through the Savings and Loan she headed, Ms. Takaski provided Africare with all the clerical and support services the young organization needed. Our thoughts are with her this evening.

Out of the looming dilemma that Africa was facing, His Excellency Ambassador Oumarou Youssoufou, the First Secretary at the Niger Embassy, contacted his old friend C. Payne Lucas who had been Peace Corps director in Niger, beseeching him on the part of then president Hamani Diori to lend his expertise and leadership to the organization.

Ambassador Youssoufou and Mr. Lucas discussed the idea. Mr. Lucas was then working at the Peace Corps headquarters in Washington and was interested in new ways to improve the quality of life in Africa. C. Payne also remembered a question that had been posed to him years earlier by President Diori: ''Why don't black Americans, whose ancestors came from the continent, respond to the needs in Africa?''

Mr. Lucas agreed to assume the leadership of the organization, insisting on two important conditions. The first was to expand Africare's focus to include not only health, but water and agriculture as well. His second condition was to ensure that the organization would be rooted in the African-American community and would serve to educate all Americans about Africa—its human, spiritual, historical, and material wealth.

With these objectives on the table, Mr. Lucas became the first executive director of Africare. He reincorporated the organization in Washington, D.C. and recruited another Peace Corps staff member Dr. Joseph C. Kennedy to serve as his deputy.

With an interest-free loan of $30,000 and a second-hand 4x4 vehicle turned over to the program in Niger after a cross-Saharan trek—both provided by a dedicated benefactor, the late Mrs. Lorraine Aimes Watriss—the ''reborn'' Africare was on its way.

For the next year, the only paid employee of Africare was a secretary. C. Payne himself accepted no salary and donated the basement of his house as Africare's first office. In addition to grants, Africare collected donations from ordinary people, often just a few dollars, or nickels and dimes and Mr. Lucas would say, at a time. Seeing the value of organization, the Nigerian Embassy then agreed to house Africare, volunteering the first floor of its Chancery near Dupont Circle.

It was surely not easy. But the vision and sincerest of commitments were its impetus to succeed. And succeed, I am sure ladies and gentlemen you will agree they did!

It is from these humble beginnings that the Africare you see, know and support today emerged and grew under the guidance of Mr. Lucas and Dr. Kennedy.

Thanks to their 30+ years of efforts, energy, sacrifice, risking their careers and more, a solid foundation was laid:

Enabling the original vision to become a true and tangible reality;

Fostering a legacy that has led to the transfer of over half a billion dollars for more than 2,000 economic and humanitarian assistance projects to some 36 countries throughout Africa;

Touching over 2 million lives directly on the continent;

Training and mentoring hundreds, if not thousands of young Africans and Americans to follow in their footsteps;

Constructing Africare House—home to many whose convictions and activities embrace Africa;

Educating the American people of the greatness that is Africa!

In honoring our founders this evening I would like to ask Dr. and Mrs. Kirker, along with the first Africare volunteers present here tonight, Mr. Sattler, Ms. Saccardi, and Mr. Carlbom, to join me here on the stage.

I would also like to acknowledge His Excellency Ambassador Oumarou Youssoufou. He could not be with us tonight, but is ably represented by his daughter Zouera Youssoufou. I would like to invite her onto the stage in her father's place.

I would also like to call a teacher, colleague, my professor and friend, Dr. Joseph C. Kennedy to join us here on stage.

And finally, I have the distinct honor to call a visionary leader and guide, and my mentor, Mr. C. Payne Lucas.

It is truly an honor for us to pay tribute to all of you here tonight. Please join me, ladies and gentlemen, in welcoming Africare's earliest pioneers and leaders: Dr. William Kirker and Mrs. Barbara Kirker, Mr. Sattler, Ms. Saccardi, and Mr. Calbom, Dr. Joseph C. Kennedy and Mr. C. Payne Lucas—the people who made tonight's 35th anniversary possible.

I ask that the text of a statement by Africare president Julius E. Coles which outlines Africare's work today also be entered into the RECORD.

Although Africare's initial focus was on providing medical care to the needy of Africa, the methods used to raise the standard of living in Africa soon grew more diverse.

When C. Payne Lucas took the helm of Africare in 1972, he saw that in order to make a meaningful difference in the lives of Africans, the organization had to do more than provide occasional medical care. In order to change the situation in Africa, Africare would also have to assist Africans in gaining access to the tools necessary to take control of their own lives.

Following in Lucas's vision, Africare has focused on three main areas: health and HIV/AIDS, humanitarian relief, and food security. Over the years, we have developed close working relationships with African governments.

By working in tandem with governments at the national and local levels, as well as with countless communities and villages throughout Africa, we have shown ourselves to be trustworthy partners in development.

In response to Africa's need for additional medical care, we have committed ourselves to addressing the health issues that adversely affect the families we serve. Africare's programs have a strong HIV/AIDS component that tackles an entire spectrum of issues related to the disease. HIV/AIDS awareness and education programs focusing on concrete behavior change given the people we work with the knowledge they need to keep themselves safe from infection. Africare also works to address the needs of people living with AIDS and provide care for children orphaned by the disease.

Africare has also taken steps to encourage stable, long-term increases in the standard of living. Africare's Food For Development staff members in countries across Africa help locals to achieve food security by delivering food supplies and providing technical assistance to local farmers. Using food resources and funds ftom the U.S. government, Africare administers both emergency food distribution as well as Food For Work programs in which food supplies are exchanged for community service. Africare staff also helps locals to maximize the productivity of their land through modern farming techniques. By planting new crops and using innovative farming methods, African families can increase their annual yield and better withstand otherwise disastrous events like droughts and famines.

Africare also provides humanitarian relief services to victims of natural and manmade disasters across Africa. Our current programs distribute Title II food supplies to victims of famine and drought. Africare also works intensively with refugees to ensure that people forced to flee their homelands are provided not only with the supplies they need to survive, but the skills and resources to rebuild damaged societies.

In addition to the three pillars of health and HIV/AIDS, food security, and emergency relief, Africare works through a variety of means to facilitate positive changes in the daily life of Africa. By building wells and springs, Africare develops resources from which entire communities can draw safe, clean drinking water. Through education initiatives, children and adults gain the literacy skills necessary for long-term success

and access to practical health and nutrition information. Our environmental programs have planted thousands of trees which enrich ecosystems and will reduce soil erosion, benefiting future generations. Africare's focus on stable societies includes initiatives to foster civil society and responsive governance. Africare supports indigenous nongovernmental organizations and encourages peaceful transitions in changing societies.

Microfinance programs encourage women to start small businesses which help communities become more resistant to economic downturns.

Over the past 35 years, Africare has been able to work with millions of people in 35 countries across the continent. Our organization has grown to be leader in the field and a model of how Africans and Americans of all races can work together towards a common goal. Now we are more convinced than ever of the necessity of helping to build a stronger, more stable Africa. As we continue with our work, we will also continue to grow and evolve to meet the changing needs of Africa.

Mr. Speaker, Africare is an institution of which all Americans should be proud. Please join me in saluting Africare for all it has done over the last 35 years and wishing it well as it continues to bring hope and inspiration to millions of people throughout Africa.

TRIBUTE TO MARCH BEING THE AMERICAN RED CROSS SOUTHEASTERN PENNSYLVANIA CHAPTER MONTH

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to acknowledge that March is the American Red Cross Month for the Southeastern chapter.

The American Red Cross Southeastern Pennsylvania Chapter was officially formed on January 22, 1916, to "carry out a system of national and international relief in times of peace, and apply that system in mitigating the suffering caused by pestilence, famine, fire, floods, and other great national calamities, and to devise and carry out measures for preventing those calamities."

The American Red Cross trained more that 11 million Americans in valuable life-saving skills last year, 64,144 of them right in Philadelphia. Of a population of 4 million, the American Red Cross Southeastern Pennsylvania Chapter, responded to 804 local disasters and provided relief services for 1,280 families and a total of 4,012 people. Operating 18 disaster shelters, helped 2,933 military families, and trained 61,822 individuals in Red Cross health and safety courses, and another 24,631 people in the community disaster education. The American Red Cross has housed 367 families whose homes were unexpectedly destroyed by natural disasters.

The American Red Cross has helped collect life-saving blood from 92,587 donors. 175,000 residents across the 5 counties on southeastern Pennsylvania have been a part of this to help their fellow citizens in times of need. The American Red Cross is the place that more than 25,000 people in these 5 counties turned to after the tsunami, and their contributions made it possible from 22,459 Red Cross volunteers from 40 countries to provide help and hope to 840,000 victims 2 continents away.

One in 5 Americans is touched by the Red Cross every single year. The southeastern Pennsylvania Chapter of the Red Cross promotes economic self-sufficiency and community health through its Nurses Assistant Training program which educated 180 students last year.

I ask that you and my distinguished colleagues join me in recognizing March as the American Red Cross Southeastern Pennsylvania Chapter month.

SUPPORTING THE GOALS AND IDEALS OF NATIONAL MENTORING MONTH

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 2006

Ms. MCCOLLUM of Minnesota. Mr. Speaker, as co-chair of the Congressional Mentoring Caucus I rise today in strong support for National Mentoring Month.

Millions of individuals across the country serve as mentors to young men and women—encouraging and promoting the development of strong characters and identities for youth who may not have a strong adult presence in their lives.

In my own State of Minnesota, there are over 350 mentoring programs that connect youth with positive role models. One valuable mentoring program is Big Brothers Big Sisters. In the St. Paul/Minneapolis region alone, more than 3,700 children benefit from this mentoring program with the time and energy of more than 3,200 volunteers.

Minnesota is also home to the Mentoring Partnership of Minnesota, which formed in 1994 as a community initiative to promote mentoring for Minnesota youth, particularly those who are at risk and may lack positive role models in their lives.

A mentor can be a friend, a listener, a coach, a tutor, or a confidant. A mentor simply cares enough to be a good listener, and they often open doors to new worlds—offering encouragement and support along the way. Mentoring programs create opportunities and encourage successes that can last a lifetime.

I would like to thank the sponsor of this bill, Mr. OSBORNE from Nebraska, whose cousin—the Honorable Kathleen Vellenga—was a mentor of mine when I served in the Minnesota State House of Representatives.

I encourage all of my colleagues to support this resolution and to look for opportunities to be a mentor themselves.

TRIBUTE TO ROBERT WEBB

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. DUNCAN. Mr. Speaker, I would like to call your attention to the life and death of a great Tennessean.

Mr. Robert Webb accomplished more good for the people of Southeast Tennessee than many others of greater fame.

Robert Webb was born in Fort Sanders, Tennessee, in 1919. On December 22nd of 2005, he passed away at the age of 86 years. His life's work was spent nurturing Knoxville's educational needs.

Mr. Webb graduated from the renowned Bell Buckle, Tennessee, Webb School founded by his grandfather and former Senator, Robert "Old Sawney" Webb, before earning his bachelor's and master's degree from my alma mater, the University of Tennessee in Knoxville. Between degrees, he served our Country admirably in WWII.

After brief teaching stints at the Bell Buckle School and the Webb School of Claremont, California, Mr. Webb founded Knoxville's Webb School in 1955.

The school started with four boys in the basement of Sequoyah Hills Presbyterian Church. Shortly thereafter, Webb added a Girls' School.

The School stood at the forefront of educational equality when it declared an open-door policy in 1965. Mr. Webb followed this pronouncement with a then-controversial speech in favor of racial integration made to a convention of Southern private-school leaders.

Despite criticism, Mr. Webb persevered to make Knoxville's Webb School one of Tennessee's finest private educational institutions. It currently enrolls over 1,000 students in kindergarten through 12th grade, and all members of its 2005 graduating class were accepted into college.

It is significant to note that Robert Webb chose the following motto for his school: "Leaders, Not Men." This is a telling statement of how he approached service to the community and the Nation, with a willingness to blaze difficult trails so that others could follow.

Throughout his later years, Mr. Webb remained active in the community, leading the establishment of the Museum of East Tennessee History, and fundraising for the historic Bijou Theatre in Knoxville.

It is clear that his contributions to the legacy of private education in the South, and the cultural edification of Knoxville, will not soon be forgotten.

On behalf of the 2nd Congressional District of Tennessee, I express heartfelt condolences for the Webb Family, and great appreciation for the life work of Robert Webb.

I call to the attention of the readers of the CONGRESSIONAL RECORD an article written by Judge Bill Swann in the Knoxville News Sentinel that accompanies these remarks.

[From the Knoxville News Sentinel]

ROBERT WEBB: GREAT TEACHERS LIVE ON

(By Bill Swann)

I remember the wonder with which Jerome Taylor and I grasped—it was September 1956, the first week in Mr. Webb's Latin class, my first week at Webb School—that you could actually say a thing some other way than English. It was a transforming moment.

There were a lot of those in my four years at Webb. Some of them were "Aha" moments, like that encounter with my first foreign language. Some of them were fill-the-backpack moments—times you knew you were loading up with information you would always need and use. Some of them were character moments—times when I was a good citizen or a poor citizen and learned the consequences. Coach Sharp had a lot to do with those.

I can still remember the wonder with which I realized that I had landed at a school

where learning was an unquestioned good, where there was no such thing as ''geekiness,'' when I realized that all of us were there because we wanted to learn.

There were 16 of us in the class of 1960. I can name them all, fondly and with pride: Jim Hart, LeClair Greenblatt, Clark Smeltzer, ''E.R'' Boles, David Creekmore, Hugh Faust, Jim Bradley, Doug Newton, Chip Osborn, Sam Colville, Peter Krapf, Ed McCampbell. Sterling Shuttleworth, Kit Ewing. Jeff Goodson and me. Yes. ''me,'' direct object of the verb ''to name'' in the previous sentence. Thank you, Miss Freeman.

Fondly, because of the friendships, successes, embarrassments, mistakes, follies and secrets. With pride, because of our progress in four years to a Webb-shaped maturity. There were also moments of grace: Jeff Goodson teaching me to tie a bow tie; it took Jeff three days, but it stuck Sam Colville teaching me to drive straight shift, in his own creampuff '55 Chevy with three on the column. It took him all track season, driving from the new campus to Fulton High School. Coach Sharp had gotten us practice privileges at Fulton. The new campus on Cedar Bluff Road didn't have a track; it barely had a football field.

By now we have read the obituaries, the newspaper articles, the tributes. All the talk about Robert Webb in the community, Bob Webb the force for social good.

For me and for many of us, there is no Robert Webb, no Bob Webb. There is only the great and fine man we called and always will call ''Mr. Webb.'' He limped into our lives in the basement of Sequoyah Hills Presbyterian Church and changed each one of us forever.

So Mr. Webb is dead? I don't think so. ''But,'' they say—the people who believe Mr. Webb is dead—''there was the memorial service. The singing of hymns. There was the great obit by Jack Neely in Metropulse. There was the long obit in the News Sentinel He's dead, they say. Nope, Mr. Webb is not dead; never will be.

In my life and I hope in yours there is an unbroken line of great teachers. For me, the line is: Miss Freeman, who taught me seventh-grade English at Tyson Junior High School. Mr. Webb, who introduced me to Latin. in the ninth grade. Ted Bruning, my English teacher for the four years at Webb. RE. Sharp, the teacher of life skills at Webb. And John Sobieski, professor of civil procedure at the ''University of Tennessee law school.

The line is unbroken not because these great teachers are all still alive but because they are all still with me. They always will be. They live in my house. They are with me when I talk to my children, they are with me when I try to be my best, they are with me when I reach out to others. These five fine people required hard work and excellence in their own lives and expect the same of me.

I had some good teachers at Harvard and Yale. But I had my great teachers, my five great teachers, right here in Knoxville. I don't know what that means. Perhaps the best teaching is done by those who are not overly impressed with themselves, by those who know that you never stand so tall as when you reach down to help someone, by those who love learning and want you to share that love.

Henry Brooks Adams said. ''A teacher affects eternity. He never knows where his influence stops.'' Mr. Webb affected our eternities. He trained us to excellence. Mr. Webb wanted the best from each of us, there in the basement of the church. We delivered him our best because of his enthusiasm for learning. We delivered him our best because of his evident joy in the life of the mind. We delivered him our best because of his love of life itself.

He wanted us to be leaders. We became leaders because we wanted to be like him. He took mere human beings and produced leaders. You know the Latin in the coat of arms: You went to Webb.

A TRIBUTE TO PATRICK JOSEPH BRADLEY

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Patrick Joseph Bradley, loving husband of Joan (Nicoletti), father of Jesse 21 and Nicholas 16 and brother of James, Daniel, Joseph and Allen Bradley passed away Thursday, February 2, 2006.

Pat was a devoted husband to his wife Joan and a wonderful father who participated in every activity concerning both his sons. Pat coached both Jesse and Nicholas' sports teams and tirelessly volunteered at the Water Tower Recreation Center. Thanks to Pat's efforts as a Democratic Committeeman and Board Member of the Chestnut Hill Youth Sports League he was able to secure thousands of dollars in funding for the Water Tower Recreation Center.

As a very active member in the community he served as a board member of Chestnut Hill Youth Sports League, a Democratic Committeeman to the 9th ward 4th division. As a pillar of the community he was also a founding member of Chestnut Hill Run for the Hill Member Jenks Home and School Association. In tribute to a wonderful husband, father, brother and pillar of the community, I ask that you and my other distinguished colleagues rise to honor him and all of his accomplishments.

SUPPORTING THE PEOPLE OF TAIWAN

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Ms. ROS-LEHTINEN. Mr. Speaker, last spring, China passed the anti-secession law to give Chinese leaders the right to use force against Taiwan if they suspect separatist activities in Taiwan. This law assumes the unification of China and Taiwan and proposes that those opposed to the unification are subject to punishment. In addition to the enactment of the anti-secession law, China's rapid military build-up has given the Taiwanese people a sense of dread.

In a recent public opinion poll, 70 percent of Taiwanese people oppose China's institution of the ''anti-secession'' law. Mr. Speaker, the freedom loving people of Taiwan deserve to be treated with respect. I stand with the people of Taiwan in their zeal for freedom and liberty.

TRIBUTE TO MR. ED WYNN OF NAPA, CALIFORNIA

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. THOMPSON of California. Mr. Speaker, I rise today to honor Napa County Chief Investigator Ed Wynn of Napa, California as he retires after 35 years of distinguished public service.

A California native, Ed was born in Berkeley to parents Dick and Katherine Wynn. Ed graduated from Napa High School in 1967 and earned his Bachelor of Arts degree from Golden Gate University in 1977.

Mr. Speaker, Ed's brutal honesty, strong leadership and commitment to doing the right thing have made him indispensable to protecting the residents of Napa County. While earning his degree, Ed was hired by the Napa County Sheriff's Office in September of 1970 to serve as a Deputy Sheriff and head the Napa County jail. After 15 years of increasing responsibilities, Ed was promoted to Chief Investigator in 1995. Over the last 10 years, he has been a leader and a mentor within his division and throughout the entire District Attorney's office.

Ed has also been a leader in our community by dedicating his time to numerous organizations, including Native Sons of the Golden West, Moose Lodge, Legions of Valor Association and the Navy League Association. He has also served as a basketball coach for St. John's Middle School and the Napa County Recreational Youth League.

Mr. Speaker, as any of his friends or colleagues will tell you, Ed is a man of integrity, justice and honor. One of Ed's most discernible characteristics is his love for our country. He is a true American hero. Shortly after Ed graduated from high school in 1967, he enlisted in the Marines. That same year Ed was deployed to Vietnam. During his tour, Ed fought valiantly for our country. He courageously risked his own life to save the lives of others and was nearly killed on three separate occasions. In recognition of his bravery, Ed was awarded three purple hearts, the Navy Achievement Medal with Combat ''V'', the Bronze Star Medal with Combat ''V'' and the Navy Cross, the nation's second highest honor.

I believe I speak on behalf of Ed's wife, Joyce, his children Dan, Mike, Jim, Holly and his three grandchildren Mathew, Tyson and Madison when I say we are all extremely proud of him.

Mr. Speaker, it is appropriate that we take this time to thank and honor Ed Wynn for his unwavering dedication to Napa County and to our country. On behalf of the entire United States Congress and our grateful nation, I wish Ed the best in all his future endeavors.

HONORING UNIVERSITY OF PORTLAND WOMEN'S SOCCER TEAM

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. BLUMENAUER. Mr. Speaker, today I am honored to introduce this resolution congratulating the 2005 University of Portland

women's soccer team for winning the National Collegiate Athletic Association Division I National Championship. The Pilots completed an undefeated season, capturing the National Championship by scoring four goals in their final game against the University of California, Los Angeles.

Not only is this the University of Portland's second championship in four years, but the 2005 season was the most successful for the team to date. The Pilots set the University's women's soccer record with an undefeated season.

The story of the 2005 season is illustrated with broken records. The loyal fans of the University of Portland set the NCAA season attendance record for both men's and women's soccer teams and led the Nation in average home attendance.

There is no way one could speak to the accomplishments of the University of Portland soccer program without heralding the amazing talent of the coaching staff, both past and present. The program was brought to excellence by the late Clive Charles who was respected by soccer enthusiasts worldwide. In 2002, Charles led the Pilots to their first ever championship in any sport. Sadly, Charles died in 2003 from complications of prostate cancer.

With Head Coach Garrett Smith now at the helm, the Pilots have continued their superiority on the soccer field. Coach Smith has devoted 18 honorable years to the University of Portland soccer program, both as a player and a coach, and his ability to lead his team with creativity and vision has earned him great respect.

I wish warm congratulations to every player, coach, student, alumnus, faculty member, and supporter of the University of Portland. There is much to celebrate up on the "Bluff' and the women's soccer team is a great example of the excellence the University produces and I hope you will join me in supporting this resolution.

STATEMENT ON METHYL BROMIDE

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. KUCINICH. Mr. Speaker, I gave the attached statement, in support of the banning of methyl bromide on February 15, 2006.

STATEMENT OF REP. DENNIS J. KUCINICH, SUBCOMMITTEE ON ENERGY AND RESOURCES, HOUSE COMMITTEE ON GOVERNMENT REFORM: HEARING ON ''METHYL BROMIDE: ARE U.S. INTERESTS BEING SERVED BY THE CRITICAL USE EXEMPTION PROCESS?''

I was dismayed when I learned that today we would be discussing efforts to perpetuate—and possibly increase—the use of methyl bromide. Continuing to allow it to be manufactured and used is bad for the environment, bad for human health, bad for international relations, bad economics, and is simply unnecessary.

Methyl bromide has been responsible for a significant amount of the degradation of our protective ozone layer. In 2005, the size of the resulting hole in that layer over the Antarctic reached 9.4 million square miles, an area almost as big as the combined areas of the U.S. and Canada, according to NASA. Current estimates say that it will take another 50 years for the hole to repair itself.

Too much UV–B, which is filtered by the ozone layer, causes cataracts and suppresses our immune systems, making us more vulnerable to viruses and bacteria. It also contributes to skin cancer. It was this threat to human health that was a major reason that the international community agreed to ban it. It was a display of unprecedented cooperation in the face of an environmental threat.

Methyl bromide puts our own workers and consumers at risk too. When it is injected into the soil, it kills almost every living thing in the soil. It is no wonder that it also causes chronic health problems for the workers who apply it and the nearby communities who are also exposed to it. Exposure has effects on the neurological system including functional impairment, lethargy, twitching, tremors, and paralysis in extreme cases. It has also been linked to prostate cancer and birth defects in some studies.

Continuing the manufacture of methyl bromide is bad economics. Since the international community agreed to phase out methyl bromide, companies who play by the rules have been planning for its phaseout. They have incurred real financial costs by investing in alternatives, anticipating the phase-out required by the Montreal Protocol. Failing to adhere to the U.S. promise to phase out methyl bromide puts these companies who were playing by the rules at an unfair competitive disadvantage. Those who do the right thing and obey the law should be rewarded for their good faith efforts, not punished.

Consider the international relations implications as well. An attempt to let the U.S. allow methyl bromide to be used without going through the specified channels—like other countries are required to do—would further harm our standing in the international community. It sends a signal to other countries that we will only honor our agreements until we change our mind. It harms negotiations on future agreements. It furthers the stereotype of the U.S. as the bull in the proverbial global china shop.

The EPA is currently trying to address the methyl bromide issue by substituting chemicals, like methyl iodide, that aren't as harmful to the ozone layer but are still highly toxic. Instead, we need to look to alternatives for pest control that not only preserve the ozone layer but also protect worker health, community health, consumer health, and ecological health. In fact, that's exactly what Americans want.

One of the biggest growth industries right now is organic food. According to the Congressional Research Service, ''The annual rate of market growth since 1990 has remained steady at about 20%.'' When given a choice between food grown with toxic chemicals or food grown organically, people choose the latter, especially when the price is comparable, which is increasingly the case as economies of scale become more prevalent.

One of methyl bromide's biggest uses is for strawberry crops. Jake Lewin, director of marketing for California Certified Organic Farmers says ''. . . strawberries can be grown without pesticide. We've got 60 growers who don't use (methyl bromide) . . . The bottom line is small and large growers have successfully produced strawberries without pesticides.''

So we are talking about yielding to the management of chemical producers and agribusiness—who by the way rarely have to apply the toxic pesticide themselves or live in the adjacent communities—at a drastic cost to our health and that of the earth. It speaks to a systematic deference to corporations at the expense of the biological systems on which we intimately depend for life. It is unwise and unnecessary. I call for the immediate and permanent phase-out of methyl bromide.

TRIBUTE TO JOHNSON COUNTY, KANSAS, AFRICAN-AMERICAN TRAILBLAZERS

HON. DENNIS MOORE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. MOORE of Kansas. Mr. Speaker, I rise to lend my support and appreciation to the Johnson County, Kansas, chapter of the NAACP, whose Youth Council, along with the Johnson County Library, will be holding a program at the Mount Olive Baptist Church in Merriam, Kansas, on Saturday, February 18th, to honor and reflect upon Johnson County's African-American "trailblazers." Specifically, this program will honor the following six individuals, families and organizations:

JULIUS MCFARLIN

Julius McFarlin, born in Conway, Arkansas, was instrumental in organizing the chartering of the Branch of the NAACP in Johnson County. While waiting for the Branch to be officially chartered, McFarlin served as its President from 1972–1977. In September 1977 the Branch, named the Merriam, Kansas, NAACP, was chartered and Mr. McFarlin continue serving as its President until 1998. McFarlin is still active with the Branch and is a Life-Time Member.

Not only is Mr. McFarlin a "Trailblazer" with his work with the NAACP, in 1973, McFarlin realized a need to become involved in the community and was elected to the Merriam City Council, Precinct One, Ward One—thus becoming the first African-American elected to a political office in Johnson County, Kansas. McFarlin served until 2000.

Believing in giving back to the community in which he so faithfully served, McFarlin's community involvement includes managing baseball teams for youths; prior service on the Board of South Park Neighborhood Council; a current member of the Mt. Olive Baptist Church, in which he serves as the Chairman of the Trustee Board; and prior service on the Johnson County Mental Health Board; Public Works Board and City Finance Committee.

Married to his bride of 60 years, the lovely Marzella (Wilson) McFarlin, Julius McFarlin is truly a Johnson County "Trailblazer".

DR. NORGE W. JEROME

Dr. Norge W. Jerome, a Nutritional Anthropologist, International Health and Nutrition Scientist, and Women in Development Specialist, is currently Professor Emeritus of Preventive Medicine and Public Health, at the University of Kansas School of Medicine. Dr. Jerome has served as Senior Research Fellow at the Center for University Cooperation in Development, Bureau of Science and Technology, U.S. Agency for International Development (A.I.D.), Department of State, in Washington, D.C., and as Director of the Office of Nutrition at A.I.D. Dr. Jerome also served as Interim Associate Dean for Minority Affairs, at the University of Kansas School of Medicine, as well as having published widely, with 2 books and over 100 articles to her credit.

Dr. Jerome was born and raised on the southern Caribbean island of Grenada and came to the United States to

study at Howard University. She became a naturalized U.S. citizen in 1973 and went on to earn a B.S. degree (Magna Cum Laude) from Howard University; her M.S. and PhD. degrees are from the University of Wisconsin, Madison.

Dr. Jerome led a pioneering role in launching nutritional anthropology as a discipline within anthropology. Dr. Jerome has received numerous honors, tributes and awards and served on many national and international committees and panels concerned with women's health and development issues.

For her many contributions, not only to this community, but worldwide, Dr. Jerome is being recognized as a Johnson County ''Trailblazer''.

MAYOR CARL WILKES

Carl Wilkes and his wife of 42 years, Wanda, have been residents of Merriam, Kansas, for 40 years. Carl has a 31-year career in public service for local and federal governments and currently serves as a Field Supervisor for the Housing Services Division of Johnson County's Human Services and Aging Department.

Carl Wilkes was instrumental in the development and receipt of funds for the first transportation program for the elderly in Johnson County, ''Dial-A-Ride''. Carl also established—in conjunction with United Community Services—the Multi-Service Center, served as its Executive Director and developed and secured funding for the City of Kansas City, Kansas, Section 8 Housing Program and served as its Director.

Carl Wilkes has received numerous awards and recognition for his service, such as Certificates of Commendation; the Meritorious Public Service Award and the Distinguished Service Award, to name a few. Nevertheless, Carl Wilkes will always be remembered in Johnson County as the first African-American to be elected as Mayor of a local community. On April 23, 2001, Carl Wilkes was sworn in as the 10th Mayor of Merriam, Kansas. On recount, his election was determined by two votes. Carl Wilkes is currently serving his second term as Mayor of the City of Merriam, Kansas.

Carl Wilkes is truly a ''Trailblazer'' and deserving of such recognition.

MT. OLIVE BAPTIST CHURCH—MERRIAM, KANSAS

In 1922, the members of Shiloh Baptist and First Baptist in Merriam, Kansas, combined their two churches to form Mount Olive Baptist Church.

Mt. Olive members were, and still are, active in church, community and political affairs. During the 1940s Mt. Olive played an important role in helping the parents who were involved in the seminal 1949 decision involving school desegregation—Webb vs. Merriam Board of Education. Mt. Olive, during this litigation, which lasted for approximately two years, opened up its doors for school to be set up and receive instruction. The support of Mt. Olive members helped them to achieve this wonderful victory.

It was also during the late 1940s and early 1950s that the Mt. Olive Baptist Church, allowed the NAACP to utilize its basement for its meetings and continue to be a voice in the community for civil rights and equality advocating. To this day, the Mt. Olive Baptist Church is still committed to the spiritual grown of all and concerned about matters that impact the community.

For its contributions to the development of Johnson County, Kansas, the Mt. Olive Baptist Church is truly a ''Trailblazer''.

ALFONSO AND MARV WEBB

In 1947, parents of 39 school children attempted but failed to enroll their children in the new South Park Grade School, which was less than a mile from their homes. The parents did not want to send their children to the Madame C.J. Walker School, which did not have running water, electricity or up-to-date textbooks. Instead, the parents elected, with the permission of the pastor of the Mt. Olive Baptist Church, to set up school at the church and in homes. Two of these parents were Alfonso and Mary Webb.

Preceding the Brown vs. The Topeka Board of Education decision, Mr. and Mrs. Alfonso Webb, on behalf of their minor children, Harvey and Eugene Webb, the plaintiffs, filed suit in the 1948 desegregation case, Webb vs. School District #90. Included in this litigation were Shirley Ann Turner and Herbert Turner, minor children of Thelma and Earnest Turner, and Delores Gay and Patricia Black, minor children of Thomas Black.

The Kansas Supreme Court ruled that the black students would attend the previously all white South Park Elementary School. In September 1949 the black students were admitted without incident.

Alfonso and Mary Webb were truly ''Trailblazers.''

THE MCCALLOP FAMILY

Robert L. McCallop was born in Wilder, Kansas, in 1894. Robert reflected the success of African-Americans all across the country. He took something that many of us take for granted and turned it into an achievement based upon business and education.

In 1934 Robert turned the back of a truck into a bus to provide transportation for African-American children so that they could attend school in Wyandotte County, Kansas. The McCallop Company was the first black-owned bus company in Johnson County.

Thanks to the McCallop family, black children in Johnson County in the 1930s through the 1950s were able to get an education. Because of segregated times, African-American Johnson County children were unable to attend secondary school within the county. Instead, they were forced to cross over to Wyandotte County to attend Sumner High School.

Oscar Johnson, former educator and President of the Johnson County Branch of the NAACP, states: ''the McCallops were a family so intact, so committed to stay the course in a community that wasn't always welcoming. Yet, they thrived and flourished despite the odds they faced''.

William, sibling of Robert McCallop, and his wife Ruth, will appear at Saturday's event to accept this award for the contributions the McCallops has given to this county and the McCallops are truly ''Trailblazers''.

Mr. Speaker, I thank you for the opportunity to pay tribute to these distinguished Johnson Countians and to Mt. Olive Baptist Church, and I know that all members of the United States House of Representatives join with me in saluting these ''trailblazers.''

TRIBUTE TO EARL FOWLER

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. ETHERIDGE. Mr. Speaker, I rise to recognize Chief Earl Fowler of Raleigh, North Carolina. Chief Fowler recently retired, ending 54 years of service to the Raleigh Fire Department by the Fowler family.

B.T. Fowler, the chief's father, joined the Raleigh fire department in 1956 and served with distinction until 1986, when he retired as a fire inspector and became the department's historian.

After serving in the U.S. Navy, Earl Fowler followed his father's footsteps and joined the Raleigh department in 1971, where he rose through the ranks as a firefighter, district chief, fire marshal and assistant chief. He became chief in 1999.

I have had the pleasure to work with Chief Fowler over the years, and he has served with humility, honor and professionalism. His fellow chiefs have recognized him as ''a leader and a visionary,'' as well as ''a creative thinker and motivator.''

Today, I am honored to recognize Chief Fowler and to thank him for his many years of dedication and service to the people of Raleigh and of the Second Congressional District.

TRIBUTE TO ELIZABETH BIRT

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. BURTON of Indiana. Mr. Speaker, it is with great sorrow that I rise today to pay tribute to a good friend and former member of my staff, Ms. Elizabeth Ann Birt, who died following an auto accident while on vacation in Colorado late last year. Liz is survived by her three children: Sarah, Matthew, and Andrew.

In 1996, Liz's son Matthew was diagnosed with autism, a devastating neurological disorder that, according to the Centers for Disease Control and Prevention, now afflicts approximately 1 in 166 American children. My own grandson is autistic so I know first-hand how traumatic this news can be for parents of newly diagnosed autistic children. All too often, parents give up on the search for answers because raising a child with autism requires so much more time and energy than raising a so-called average child.

Liz, however, did not back away from the fight. No matter how tired and discouraged she might have been, Liz was determined to show the world that one person can make a difference just by asking questions. Her courageous and infectious enthusiasm ignited a quest for truth and justice for the autistic children of this country. There can be no doubt that Liz fought hard for what she believed in and in the end, her brilliant mind, strong spirit, and passion for the truth made her a hero to the autism community.

In fact, it is through her work on autism that I first came to know Liz; and not long after I became Chairman of the Government Reform Committee in 1997, I invited her to join my

staff to help lead the Committee's investigation into the autism epidemic sweeping our country. As a valued legal advisor/investigator for the Committee, Liz helped us to elevate the level of public debate about this disease, as well as educate policymakers at all levels of government about the evolving science concerning the toxic effects of thimerosal—a mercury-based preservative commonly used in vaccines.

Like many of us who have been involved in this debate over the years, when Liz first heard about the connection between autism and thimerosal, she was skeptical. But she read everything she could find, requested government documents and studies, and in the end became convinced that thimerosal was in fact the cause of her son Matthew's autism. Armed with this knowledge, Liz helped to co-write the groundbreaking congressional staff report, "Mercury in Medicine—Taking Unnecessary Risks," published in the CONGRESSIONAL RECORD in 2003, which challenged the conventional thinking of the Federal Government, the public health systems, the medical communities, and the pharmaceutical companies on the subject of thimerosal and autism-spectrum disorders.

In addition to her government service, Liz served the autism community through her leadership in many nonprofit organizations. As the co-founder of the "Coalition for SafeMinds" (Sensible Action for Ending Mercury-induced Neurological Disorders), founder of Medical Interventions for Autism, founding board member of the National Autism Association, and co-creator of the Extreme Sports Camp in Aspen, Colorado, Liz brought joy, hope, and inspiration to many autistic children and their parents. In addition, Liz was one of the founding members of the autism community's first political action organization, A-CHAMP (Advocates for Children's Health Affected by Mercury Poisoning). Liz was especially proud of this venture; and in a short period of time A-CHAMP has become one of the driving forces behind the growing and highly successful movement to ban mercury at the State level.

I believe, as Liz did, that strong evidence points to the mercury unnecessarily used in vaccines as part of the autism problem, and that thimerosal played a key role in my grandson developing autism. The science is undeniable: mercury is a base element—and it remains a base element even when mixed with other materials—and the most toxic substance known to man outside of radioactive materials.

The fact is that no one has ever identified a positive health benefit to mercury in the human body, and as more science accumulates and more people learn about the dangers of mercury, more time runs out for those who continue to advocate that mercury in vaccines and other medical devices is safe. Eventually, even they will have to admit that it flies in the face of logic to suggest, much less believe, that a substance so dangerously toxic outside the body is harmless once injected into the human body.

Until that day comes, I know that I, and others like Liz who believe as I do, will not be silent about this issue or give up in our fight to make our world a safer and healthier place. And when that day does come, we will all owe a debt of gratitude to Liz Birt for leading the way and becoming a leader in a fight she would rather not have been fighting.

Liz will be sadly missed by all who knew and loved her. I respectfully ask my colleagues to join me in sending their deepest sympathies and heartfelt prayers to Liz's family. May God bless them.

HONORING DAVE WOOD, E. FLOYD FORBES AWARD RECIPIENT

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. COSTA. Mr. Speaker, I rise today to commend Mr. Dave Wood for his achievement in receiving the distinguished E. Floyd Forbes Award. This prestigious tribute is awarded to those who have proven exemplary service to the National Meat Association (NMA) and the meat and poultry industry.

Mr. Wood currently serves as the chairman of the Beef Division for Harris Ranch, Inc., a notable company who praises and recognizes his service, dedication and loyalty.

Upon graduation from California State University Cal Poly, San Luis Obispo in 1970, Mr. Wood relocated to the San Joaquin Valley and accepted a position with Harris Ranch, Inc. With the inception of his career, Mr. Wood embarked on a campaign to expand the company's feeding division, successfully doubling cattle productivity. Mr. Wood's unwavering demeanor and strong work ethic led him to assume more responsibilities within the company; opening the floodgates for his ingenious creativity to take form. Mr. Wood's contributions to Harris Ranch, Inc., include the establishment of the Partnership for Quality (PQ) program—a marketing technique that increased Harris Ranch, Inc.'s, reputation by providing consumers with consistent, high quality beef. He also developed a line of fully-cooked premium heat and serve entrees as well as a number of fresh seasoned products to meet diversified consumer demand.

Mr. Wood's expertise goes beyond his role at Harris Ranch, Inc., with the ownership and management of Dave Wood Ranches and Wood Livestock, a cow-calf operation that is part of the Harris Ranch Partnership for Quality program. He is also co-owner of the historic Dressler Ranch near Bridgeport, California, a cattle and stocker cattle operation and he serves as a partner in Wood & Devine Cattle Co., Devine & Wood Farming, Inc., and Double D Farms.

In addition to those commitments, Mr. Wood has assumed leadership roles in several industry organizations including a member of the board of directors of Cattle-Fax, chairman of the Beef Committee and chairman of the National Meat Association's predecessor, the Western States Meat Association. He has sought other leadership opportunities including, serving as: Chairman of the Cattlemen's Beef Promotion and Research Board, chairman of the California Beef Council, executive committees of the California Cattleman Association and United States Export Federation.

Mr. Wood's legacy of good stewardship and constant regard for upholding the industry's high standards has led him to receive several awards that recognize those efforts, including the Cattle Business of the Century Award from the National Cattlemen's Beef Association and the National Cattlemen's Beef Association Environmental Stewardship Award. Mr. Wood was also the recipient of the 2003 Vision Award from the National Cattlemen's Foundation, a prestigious award given to individuals whose creativity and imagination inspire others and improve the world around them.

On a personal level, he is a caring and loving father of David, who works with his father on the cattle ranch and is his pride and joy. Dave Wood is a gentleman who cares about his Country, his work and most importantly the friendships of life. Every day he tries to make a difference.

It is with great pride and honor that I join Mr. Wood's family, friends and colleagues in commending his hard work and applaud his recognition as the recipient of the E. Floyd Forbes Award. Mr. Wood's passion and commitment make him a most deserving recipient of this award and a true pillar of this industry.

HONORING AXEL CARL HANSEN, M.D., DHL

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mrs. CHRISTENSEN. Mr. Speaker, to be young, gifted, and Black during the first quarter of the 20th century presented unique and overwhelming challenges that not many African Americans could transcend. Among those who did was the distinguished physician, Dr. Axel Carl Hansen.

He has been a recognized researcher, scholar and expert in the field of ophthalmology for over 50 years. The combination of his unique commitment to human egalitarianism and equal educational opportunities for African Americans interested in ophthalmology has been a perennial beacon of light to those entering and those within the profession.

Dr. Hansen was born in my district, on St. Thomas, U.S. Virgin Islands, on March 4, 1919, and received his elementary education in the private schools of the island. His college-preparatory training was obtained at the Charlotte Amalie High School in St. Thomas, from where he graduated in June 1937. His leadership and scholastic skill were evident early in life. In his senior year in high school, he was president of his class, editor of the school's weekly newspaper, The Reflector, and editor of his class yearbook, The Last Carib. A member of the Quill and Scroll Journalist Society, he received the national society's "honorable mention" for a news article he wrote and published in The Reflector and won first prize from the Virgin Islands Daily News for an essay, "Nature's Masterpiece", which appeared in the initial issue of The Virgin Islands Magazine. He was one of two members of his graduating class to receive the honor society's Forum Award for outstanding accomplishments.

In the fall of 1937, Axel Hansen left the Virgin Islands to attend Fisk University in Nashville, Tennessee, where he graduated with a baccalaureate degree. He received his M.D. degree from Meharry Medical College in Nashville in March 1944 and pursued internship and 1 year residency at Homer G. Phillips Hospital in St. Louis in ophthalmology and otolaryngology.

Dr. Hansen, following that post-graduate training, was recruited by Dr. Charles Drew, the famous African American pioneer of blood storage, to return to St. Croix, Virgin Islands and assist in the delivery of medical care. As a municipal physician and general practitioner there, one of his responsibilities was the medical care of patients with leprosy. He modernized the treatment of that disease in the Virgin Islands by substituting the new sulfone drugs for the long used, but less efective, chaulmoogra oil.

Returning to the United States in 1946 to further his training in diseases and surgery of the eyes, ears, nose, and throat, Dr. Hansen spent 2 years at Meharry Medical College's George W. Hubbard Hospital. The year 1948–1949 was devoted to advanced training in the specialty at Provident Hospital in Chicago and the University of Chicago. Upon completion of his training he returned to Meharry Medical College as a full time instructor and he began a private practice.

Later, during a 3-year sojourn in the Virgin Islands, he served a year as president of the medical staff at the Knud-Hansen Memorial Hospital, and was the founder and first secretary of the U.S. Virgin Islands Medical Society.

In 1960, Dr. Hansen was appointed Associate Professor of Ophthalmology and Otolaryngology at Meharry Medical College and rose to the rank of Professor and head of the Department of Ophthalmology. He also served as medical director of the College's Hubbard Hospital for 6 years.

In 1968, he reported the first two cases of Norrie's Disease—a rare eye disease—in the United States, and has published several medical articles on that and other subjects.

His creativity has not been limited to medicine. Dr. Hansen also published a self-illustrated book of original poems, and a book, From These Shores, which consists of biographical profiles of influential individuals from the Danish West Indies.

The physician became the first African-American ophthalmologist to be certified by the American Board of Ophthalmology in the State of Tennessee. He is a Diplomate of that Board, a Fellow of the American Academy of Ophthalmology, a Fellow of the American College of Surgeons and a Fellow of the American Association for the Advancement of Science. He is also a member of Alpha Omega Alpha Honor Medical Society and Phi Beta Kappa Honor Society. Among his many citations are the honorary degree of Doctor of Humane Letters and the Distinguished Alumnus Award from Fisk University.

In 1987, he was the commencement speaker at his alma mater, Charlotte Amalie High School, from which he had graduated 50 years earlier.

Dr. Hansen retired from Meharry in 1985 as a Distinguished Service Professor Emeritus. In 1996, the American Academy of Ophthalmology awarded him the Academy's Outstanding Humanitarian Award, the second African American to receive that honor.

Today, Dr. Hansen is retired and living in Nashville, Tennessee.

Mr. Speaker, I ask that the Members of the U.S. House of Representatives join me in honoring this esteemed physician, educator, author and humanitarian.

HONORING THE HURLEY AUXILIARY

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. KILDEE. Mr. Speaker, I would like to recognize the achievements of a remarkable group of women and men in my hometown of Flint, Michigan, the Hurley Medical Center Auxiliary. On February 21, they will celebrate their 50th anniversary by holding a luncheon for the members and local dignitaries.

First organized on February 15, 1956, over 100 women attended the first membership meeting. In October 1959, the membership amended the constitution to allow men to join the organization. Currently there are 200 members donating 40,000 volunteer hours to Hurley Medical Center annually in 14 service areas.

Since its inception the Hurley Auxiliary has raised and given $3.2 million dollars for Medical Center programs. Especially important to the auxiliary members is the care provided to children. During the 1950s they conducted the "Wish a Child Well" wishing well fundraisers and today the group is a significant donor to the Children's Miracle Network. The Auxiliary has generously supported pediatric programs and the Neonatal Intensive Care Unit.

Because of the Auxiliary membership's commitment to serving all patients, they have also raised money to purchase vans for Hurley's Senior Services. The vans allow seniors to have door-to-door transportation for doctor's visits. The vans are handicapped accessible and were paid by the Auxiliary through fundraisers, the gift shop and hospitality carts.

The Hurley Auxiliary has also contributed to the Michigan Association of Hospital Auxiliaries. Five Hurley members have served as president of the East Central District and two members have been president of the Michigan Association of Hospital Auxiliaries.

Mr. Speaker, I ask the House of Representatives to join me in congratulating the Hurley Auxiliary for 50 years of dedicated service to Hurley Medical Center and working to provide the best available medical care for its patients.

IN RECOGNITION OF DR. SUDHIR PARIKH

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. PALLONE. Mr. Speaker, on behalf of Congressman JOE CROWLEY (NY) and myself, I rise today to congratulate a Dr. Sudhir Parikh, a prominent Indian-American physician, activist and philanthropist, who was selected earlier this year to receive the prestigious Pravasi Bharatiya Samman Award for 2006, the highest civilian honor bestowed by India on non-resident Indians.

Every year, the Government of India nominates extremely worthy and valuable members of the non-resident community for this award who have made a difference to global well-being. It is clear that Dr. Parikh was chosen on his strong credentials.

Dr. Sudhir Parikh, who migrated to the United States in the late 1970s and is a reputed allergist in the tri-state area of New York, New Jersey and Connecticut, has made a significant difference in U.S.-India relations in the past several years. Dr. Parikh is a former president of the nationally recognized American Association of Physicians of Indian Origin, as well as a former president of the Indian American Forum for Political Education. He used these prominent organizations to promote Indian-American issues in Congress and to raise awareness within the Indian community. Today, he serves as president to the Federation of Indian Associations, continuing his critical role in bringing our two countries together.

He has contributed more than $2 million individually to various causes from cancer research to tsunami relief and rehabilitation of earthquake victims in Gujarat. Besides his individual efforts, Dr. Parikh also joined with organizations like the American Indian Foundation, Share & Care, the Nargis Dutt Cancer Foundation and the Art of Living Foundation to raise funds.

As members of the Congressional Caucus on India and Indian Americans, we are pleased to have a friend like Sudhir, who has helped tremendously in building the membership of the Caucus and helped set up a new caucus in the U.S. Senate. He is a tireless advocate for the Indian community's interests and the global interests of India.

Mr. Speaker, Dr. Parikh is an asset to the Indian American community and his efforts are deserving of this great award. Sudhir fully embodies the commitment and values that the NRI Award represents.

TRIBUTE TO SANDY GERMANY

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. LEVIN. Mr. Speaker, I rise today to recognize Ms. Sandy Germany, National President of the Ladies Auxiliary to the Veterans of Foreign Wars of the United States.

Ms. Germany is being honored for her commitment and dedication to veterans all over our country who have served with bravery and honor in our Nation's conflicts. As a Life Member of Kiehler-Pippen Auxiliary #5658, her involvement hits close to home with her own father, Pete Frauenhoffer, who served in the Army Air Corps in World War II, her brother, Ronald, who served two tours in Vietnam in the United States Air Force and her son, Curtis, who has been in the military since 1986 serving in the U.S. Army in Korea and recently in Iraq.

The Ladies Auxiliary to the Veterans of Foreign Wars of the United States is dedicated to the principle of freedom for all people around the world. The organization's plans for 2005–2006 include helping veterans and their families by caring for their children at the VFW National Home for Children, providing special assistance through the Rehabilitation Program, volunteering in VA Medical Centers, sending care packages to the troops in Iraq, Afghanistan, Kuwait and Qatar, and teaching young people about the responsibilities of citizenship.

Ms. Germany was elected and installed as National President of the Ladies Auxiliary to the Veterans of Foreign Wars of the United

States at its 92nd National Convention in Salt Lake City, Utah, on August 25, 2005.

She has served in many positions for the organization, including Auxiliary President. As District and State President, she earned Runner-Up Outstanding President of the Year. She also served as National Junior Girls Units Director, as National District Council Member #8, and eight years as State Secretary.

Ms. Germany is also a life member of the VFW National Home for Children and belongs to the American Legion Auxiliary and the Military Order of the Cooties Auxiliary.

Mr. Speaker, I ask my colleagues to join me in recognizing Sandy Germany, a woman who has dedicated herself to all veterans, our community and the State of Michigan.

RECOGNIZING THE UNI-CAPITOL WASHINGTON INTERNSHIP PROGRAM

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to recognize the Uni-Capitol Washington Internship Program, an international internship program that was highlighted in a Roll Call article last week. I have been a proud participant in the program since its inception seven years ago.

The Uni-Capitol Washington Internship Program gives Australian university students the opportunity to intern in the office of a Member of the Congress. Each year, 12 students from all across Australia are selected to come to Washington to participate in the administrative and legislative processes that underpin the functioning of Congress as a democratic institution. Such experiences are invaluable opportunities for these students to gain knowledge and a deep understanding of the internal workings of the United States Government while bringing their own skills and backgrounds to their respective Congressional offices.

The Uni-Capitol Program selects undergraduates from 7 universities by matching the applicants with Members and Senators who share their views. The students who are selected come from a variety of academic disciplines, but all have an interest in learning about and promoting the U.S.–Australia relationship. The Program facilitates this by enabling the formation of genuine friendships and the exchange of views and ideas between the Australian interns and their respective offices. I have often enjoyed the interaction that has occurred between my Australian and American interns. This, my colleagues, is how we build relationships which will ensure that the U.S. and Australia remain friends and allies for years to come.

My office is currently hosting Sarah Dillon who is completing a double degree in law and international studies at Deakin University. She has been an exceptional addition to my staff and has provided us with an international perspective on constitutional governments, a passion for relieving suffering in Darfur, and the culinary delights of vegemite.

Sarah is participating with 11 other very qualified students. Andrew Brookes from Melbourne University is in Senator CHRISTOPHER DODD's office; Ryan Conroy from Deakin University is in Representative SAM FARR's office; Jenna Davey-Burns from Melbourne University is in Representative LOUISE SLAUGHTER's office; Douglas Ferguson from the University of Canberra is in Senator DEBBIE STABENOW's office; Jessica Gurevich from Melbourne University is in Representative MIKE CASTLE's office; Scott Ivey from the University of Western Australia is in Representative LORETTA SANCHEZ's office; Saul Lazar from Deakin University is in Senator CHUCK HAGEL's office; Abbie McPhie from Melbourne University is in Representative JERROLD NADLER's office; Linda Nelson from the University of Wollongong is with the House Science Committee's majority staff; Marianna O'Gorman, from the University of Queensland is in Delegate ENI FALEOMAVAEGA's office; and Rachel Thomson from the University of Western Australia is with the Joint Economic Committee's minority staff.

I would also like to commend Eric Federing who founded and continues to direct this international internship program. Eric is a former senior House and Senate staffer of more than a dozen years, and I congratulate him on making his vision a reality. In the process, Eric continues to make a great contribution to the mutual understanding and appreciation shared by Australians and Americans, myself included.

I am proud that my office is part of this program, as I believe it provides a unique and important bridge between the United States of America and Australia. The program has been, and will continue to be, an extremely beneficial experience for all involved. I implore my colleagues to participate in this worthwhile program in the coming years.

HONORING THE CONTRIBUTIONS OF CATHOLIC SCHOOLS

SPEECH OF

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 8, 2006

Ms. MCCOLLUM of Minnesota, Mr. Speaker, I rise today in support of this resolution to honor America's Catholic elementary and secondary schools and to recognize Catholic Schools Week.

America's Catholic schools provide a well-rounded education to the millions of children who attend them. More than 27 percent of the students are from minority groups and nearly 14 percent are non-Catholics. With a strong tradition of social justice, Catholic schools combine strong academic rigor and moral development to prepare young people for life. Graduates of Catholic schools go on to make valuable contributions to our communities through their work, further education, and civic activities. It is important that we take this time to acknowledge the important role that Catholic schools play in educating students and supporting the communities in which they exist.

The Catholic tradition continues to acknowledge the importance of reaching out to the most vulnerable in our society and Catholic schools follow that lead by incorporating moral development, civic engagement, and service learning in their curriculum. In this time of difficult decisions and budget priorities, the Catholic community reminds us of our commitment to all members of our society, especially the most vulnerable.

I am very proud to honor the thousands of Catholic elementary and secondary schools all across the Nation for their vital contributions to the education of children and young people. Attending an all-day Catholic kindergarten gave me a strong start in my own life. Later, while attending the College of St. Catherine, I had the opportunity to student teach at St. Luke's Catholic School in St. Paul and saw teachers who worked so hard to enrich students' lives through academics and spiritual development.

It is with gratitude for their commitment and efforts that I rise to thank Catholic schools, teachers, parents, and students for their valuable contributions to our Nation.

SENSE OF CONGRESS REGARDING THE CONTRIBUTIONS OF THE USO TO OUR ARMED FORCES

SPEECH OF

HON. ENI F.H. FALEOMAVAEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 14, 2006

Mr. FALEOMAVAEGA. Mr. Speaker, I rise today in support of H. Con. Res. 322, expressing the sense of Congress regarding the contribution of the USO to the morale and welfare of our service men and women of our Armed Forces and their families.

I commend my colleagues Mr. MILLER and Mr. REYES for giving us this opportunity to express our appreciation to the USO for the service they provide to our country through their work with our military forces throughout the world.

I believe the United Service Organizations, USO, is best known to the public for bringing in diverse celebrity musicians, comedians and actors to entertain and to boost the morale of our troops around the world, including such familiar names as Wayne Newton, Robin Williams, actor Gary Sinise, the Dallas Cowboy Cheerleaders, and even including a son of my own district, Dwayne Johnson—the Rock.

What is less widely known is the existence of other important programs and services the USO has developed to support our troops, such as family crisis counseling; housing assistance; airport service centers; libraries and reading rooms; telephone, internet, and e-mail capabilities; support groups for families separated by deployments; and USO centers—on- and off-base—to provide relaxing and wholesome recreational activities to our service members and their families. In fact, the USO currently operates more than 120 centers around the world, including centers in Germany, Italy, France, Bahrain, Bosnia, Japan, Qatar, and Kuwait.

I note that the USO is a private, nonprofit organization relying on donations from private citizens, organizations and corporations to support their mission. The USO credits its success in large part to the services of more than 12,000 volunteers, who provide some 450,000 hours of service annually to support our troops.

I am a proud supporter of our military troops and a proud member of the USO Congressional Caucus. In my opinion, the work the USO has been doing for the past 65 years is

vital to the morale and welfare of our men and women in the Armed Forces. For this reason, I am honored to have this opportunity to speak in support of H. Con. Res. 322 and recognize the USO for their invaluable contributions to the success of our U.S. military.

I urge my colleagues to support H. Con. Res. 322.

IN GRATITUDE TO MR. JESUS SALAS

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to recognize the extraordinary accomplishments and contributions of a leader in the Fourth Congressional District. Mr. Jesus Salas retired in December 2005, concluding an 18-year teaching career at Milwaukee Area Technical College, MATC. Though his teaching career has ended, he will no doubt continue his life's work advancing the cause of civil rights and justice.

A noted pioneer in the fight for civil rights, Mr. Salas participated in a series of landmark actions in the 1960s. Together with Father Groppi, Mr. Salas helped organize the Welfare Rights March in downtown Milwaukee, and was a leader in the landmark march from Milwaukee to the State capitol in Madison. He was part of a multi-racial group of civil rights leaders who together protested segregated housing, pushed for greater worker protections and demanded greater access to education for people of color.

Mr. Salas has exhibited a profound commitment to the rights of migrant workers. He pushed for enforcement of laws that would protect migrant workers from exploitative conditions, including low wages, unhealthy working conditions and poor housing. As the founder of Obreros Unidos, Mr. Salas led the first sustained effort at unionizing migrant workers in the Great Lakes region, and he served as the first Hispanic executive director of United Migrant Opportunity Services, Inc.

Furthermore, Mr. Salas is a staunch advocate for education. He fought to improve access to college education for Hispanic youth, while also demanding that educational institutions provide curricula that reflect the history and accomplishments of the Hispanic community. As a result of his efforts, the University of Wisconsin-Madison created a Chicano studies program, the Milwaukee Area Technical College instituted a bilingual education program, and the University of Wisconsin-Milwaukee created the Spanish Speaking Outreach Institute—now the Roberto Hernandez Center—to recruit, advise and support Hispanic students. Generations of Hispanic leaders to come will be able to thank Mr. Salas for working to ensure the increased educational opportunities they will enjoy.

I know Mr. Salas will continue to identify and advocate for educational innovations in his role as a member of the University of Wisconsin Board of Regents. Along with members of the Fourth Congressional District's Hispanic community, I extend to him my heartfelt congratulations and wish him all the best in his future endeavors.

A PROCLAMATION CONGRATULATING VICE ADMIRAL THAD ALLEN FOR HIS NOMINATION TO COAST GUARD COMMANDANT POST

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. RUPPERSBERGER. Mr. Speaker, Mr. COBLE, Mr. BROWN of South Carolina, and I would ask that you join us today in congratulating Vice Admiral Thad Allen in his nomination for the post of Commandant.

Mr. Speaker, on September 11, 2001 the United States of America experienced the greatest terrorist attack to ever reach U.S. soil. We were not prepared for such a horrific event, as we never imagined terrorists would take such drastic measures.

While we've always been a strong nation with resilient leaders, the post 9–11 world we live in has taught the American citizens that we must be prepared for the unknown. The people who lead this country must be amongst the elite. It has been challenging to restore the confidence Americans have in their leaders since that attack. As elected officials it has been our duty and privilege to protect and uphold the safety and the ideals of our citizens. We must be diligent in choosing people to manage this Country.

The White House announced that the Coast Guard's Chief of Staff, Vice Admiral Thad Allen was nominated for the Commandant Post. At this time, we ask that our colleagues join with us in congratulating him on this nomination.

Vice Admiral Thad Allen is known for his loyalty, hard work, and dedication to his post. The American people can be proud to have this man working for them. He first showed his distinct leadership skills as he led Atlantic services in the Coast Guard's reaction to the September 11th attacks. Then, just last year we watched with anticipation as he replaced FEMA Director, Michael Brown. His strength as a leader changed the dynamic of the relief efforts, helping to ensure our citizens received the assistance they sought.

Vice Admiral Thad Allen restored the faith the American people so desperately needed in a leader. Without a doubt, he is revered for his work after the Hurricane Katrina disaster. We are confident he will not disappoint with the Commandant Post. He has served as the Chief of Staff and Commanding Officer at the G.G. Headquarters, Commander of Atlantic Area, and Commander of the Fifth and Seventh Coast Guard Districts.

Mr. Speaker, we ask that you join with us today in congratulations to Vice Admiral Thad Allen for his nomination to the Commandant Post. A man of his caliber is truly an inspiration.

RECOGNITION OF THE HONORABLE FRANK L. OLIVER OF 195TH LEGISLATIVE DISTRICT OF PENNSYLVANIA

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. FATTAH. Mr. Speaker, I rise today to honor Pennsylvania State Representative Frank L. Oliver, for his outstanding service and invaluable dedication to the people of the 195th Legislative District of the State of Pennsylvania.

Representative Oliver, a lifelong Philadelphian, began his tenure in the State House in 1973. He serves on the Agricultural and Rural Affairs Committee, the Democratic Policy Committee, and most notably, as Chairman of the Health and Human Services Committee, a post he has held since 1995. As Chairman, he has overseen proposed regulations of the Pennsylvania Departments of Health and Public Welfare, and the Healthcare Cost Containment Council.

Most recently, Mr. Oliver recommended a study on ways to improve urban public health, specifically investigating the lack of supermarkets in urban areas. Within months of the study's completion, the General Assembly passed, and Governor Rendell signed into law, an economic stimulus package that will provide financial assistance to urban and rural supermarkets in underserved areas. Pennsylvania is the first state to create a statewide supermarket-directed development program of this kind.

Also notable in his legislative career is Mr. Oliver's ''Healthier Women Today for a Better Tomorrow'' initiative. The plan calls for expansion of family leave, strengthening of domestic violence laws, funding for community outreach to at-risk families with young children, and providing access to treatment options for breast and cervical cancer.

Representative Oliver's extensive legislative accomplishments are a testament to his unwavering commitment to the causes of the residents of the City of Philadelphia and the State of Pennsylvania. For that reason I am proud to recognize his accomplishments here in the United States House of Representatives.

HONORING ST. MARGARET OF SCOTLAND CATHOLIC CHURCH ON THE OCCASION OF ITS 100TH YEAR

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. BONNER. Mr. Speaker, today I rise to pay tribute to St. Margaret of Scotland Catholic Church on the occasion of its 100th year.

St. Margaret of Scotland Catholic Church has been a vital partner of the city of Foley and the state of Alabama. The church was founded in 1906, and for a century, this congregation has been worshipping God and serving the people of south Alabama.

The congregation of St. Margaret of Scotland Catholic Church has used its resources

and opportunities to provide hope, comfort, instruction, and inspiration to so many along the Gulf Coast. Over the past two years, this parish has responded to the needs of the victims of Hurricanes Ivan and Katrina, including providing temporary housing, utilities and food for six evacuated families.

St. Margaret of Scotland Catholic Church has lovingly served the people of Foley through its contributions to Catholic Social Services for Baldwin County, Relay for Life, and Foley Alcoholics Anonymous.

It is my sincere hope that the St. Margaret of Scotland Catholic Church will continue to be such a source of inspiration, hope, and comfort to the people of Foley for another 100 years, and I rise today to salute this congregation and the many contributions they have made toward the betterment of south Alabama.

PERSONAL EXPLANATION

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Ms. LEE. Mr. Speaker, on Tuesday, February 14, 2006 due to urgent personal matters I missed Rollcall votes Nos. 8 and 9. Had I been present, I would have voted ''aye'' on H. Con. Res. 322 and S. 1989.

CONGRATULATING MR. GARY DENICK ON THE OCCASION OF HIS RETIREMENT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. BONNER. Mr. Speaker, it is with great pride and pleasure that I rise to honor Mr. Gary Denick on the occasion of his retirement after serving the U.S. House of Representatives for 28 years.

Mr. Denick joined the production staff of the House Recording Studio as a camera operator in 1978. He rose to production director and became director in 2002. Mr. Denick was even part of the history making crew that provided the first floor coverage of House proceedings.

Mr. Denick began his career in 1972 as a soldier in the U.S. Army after graduating from Miami University of Ohio. He was trained as a television specialist, served a tour of duty in the Republic of Korea and was honorably discharged in 1975. Over the course of his nearly three decades with the House Recording Studio, countless members and their staffs have come to know Gary and call him a friend, me included.

Mr. Speaker, I ask my colleagues to join me in congratulating a dedicated professional and friend to many throughout this body. I know Mr. Denick's colleagues, his family, and his many friends join with me in praising his accomplishments and extending thanks for his many efforts over the years on behalf of the House Recording Studio and the U.S. House of Representatives.

CONGRATULATING MR. DAN HORNAK ON THE OCCASION OF HIS RETIREMENT

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 15, 2006

Mr. BONNER. Mr. Speaker, it is with great pride and pleasure that I rise to honor Mr. Dan Hornak on tHe occasion of his retirement after serving the U.S. House of Representatives for 20 years.

From an elementary school teacher, to a sheriff's deputy, to a television news cameraman, there is not much that Dan Hornak has not tried. He joined the House Recording Studio staff in 1986 as a camera operator and rose to the position of television director. Over the course of his two decades with the House Recording Studio, countless members and their staffs have come to know Dan and call him a friend, me included.

In the midst of his professional schedule, Dan also found time to discover, restore, and return a stolen oil portrait to Italy. Among his many goals for retirement, Dan includes writing a book about returning this stolen portrait.

Mr. Speaker, I ask my colleagues to join me in congratulating a dedicated professional and friend to many throughout this body. I know Mr. Hornak's colleagues, his family, and his many friends join with me in praising his accomplishments and extending thanks for his many efforts over the years on behalf of the House Recording Studio and the U.S. House of Representatives.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, February 16, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

FEBRUARY 28

9:30 a.m.
Armed Services
To hold hearings to examine current and future worldwide threats to the national security of the United States; to be followed by a closed session in SH–219.
SH–216

Indian Affairs
To hold oversight hearings to examine Indian gaming activities.
SR–485

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine USF contribution.
SD–562

Energy and Natural Resources
To hold hearings to examine the President's proposed budget request for fiscal year 2007 for the Forest Service.
SD–366

2 p.m.
Veterans' Affairs
To hold hearings to examine legislative presentation of the Disabled American Veterans.
SH–216

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine USF distribution.
SD–562

Energy and Natural Resources
Water and Power Subcommittee
To hold hearings to examine the Bureau of Reclamation Reuse and Recycling Program (Title XVI of Public Law 102–575).
SD–366

MARCH 1

9:30 a.m.
Indian Affairs
To hold joint hearings with the House Committee on Resources to examine the settlement of Cobell v. Norton.
SH–216

10 a.m.
Energy and Natural Resources
To hold an oversight hearing to examine the state of the economies and fiscal affairs in the Territories of Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands.
SD–366

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Library of Congress, Open World Leadership Council, and Government Accountability Office.
SD–138

2:30 p.m.
Commerce, Science, and Transportation
Disaster Prevention and Prediction Subcommittee
To hold hearings to examine winter storms.
SD–562

Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine the role of the Forest Service and other Federal agencies in protecting the health and welfare of foreign guest workers carrying out tree planting and other service contracts on National Health System lands, and to consider related Forest Service guidance and contract modifications issued in recent weeks.
SD–366

3 p.m.
Health, Education, Labor, and Pensions
To hold hearings to examine reauthorization of the Ryan White CARE Act relating to fighting the AIDS epidemic of today.
SD–430

MARCH 2

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine voice over Internet protocol.
SD–562

MARCH 7

9:30 a.m.
Armed Services
To hold hearings to examine military strategy and operational requirements in review of the Defense Authorization Request for fiscal year 2007 and the future years defense program.
SD–106

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine rural telecom.
SD–562

2:45 p.m.
Armed Services
Strategic Forces Subcommittee
To hold hearings to examine the nuclear weapons and defense environmental cleanup activities of the Department of Energy in review of the defense authorization request for fiscal year 2007 and the future years nuclear security program.
SR–232A

MARCH 8

2:30 p.m.
Armed Services
To hold hearings to examine the Department of Defense quadrennial defense review; to be followed by a closed session in SR–222.
SH–216

MARCH 9

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine aviation security and the Transportation Security Administration.
SD–562

MARCH 13

3 p.m.
Armed Services
To hold a closed briefing on an update from the Joint Improvised Explosive Device Defeat Organization.
SR–222

MARCH 14

9:30 a.m.
Armed Services
To hold hearings to examine military strategy and operational requirements in review of the Defense Authorization Request for fiscal year 2007 and the future years defense program.
SH–216

10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine wireless issues spectrum reform.
SD–106

2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine Wall Street perspective on telecom.
SD–106

MARCH 15

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Secretary of the Senate, Architect of the Capitol, and the Capitol Visitor Center.
SD–138

MARCH 16

9:30 a.m.
Armed Services
To hold hearings to examine military strategy and operational requirements in review of the defense authorization request for fiscal year 2007 and the future years defense program; to be followed by a closed session in SH–219.
SH–216

10 a.m.
Commerce, Science, and Transportation
Disaster Prevention and Prediction Subcommittee
To hold hearings to examine impacts on aviation regarding volcanic hazards.
SD–562

MARCH 28

10 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine Federal Aviation Administration budget and the long term viability of the Aviation Trust Fund.
SD–562

2:30 p.m.
Commerce, Science, and Transportation
National Ocean Policy Study Subcommittee
To hold hearings to examine offshore aquaculture.
SD–562

MARCH 30

10 a.m.
Commerce, Science, and Transportation
Disaster Prevention and Prediction Subcommittee
To hold an oversight hearing to examine National Polar-Orbiting Operational Environmental Satellite System.
SD–562

APRIL 4

10 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine Federal Aviation Administration funding options.
SD–562

APRIL 5

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Sergeant at Arms and U.S. Capitol Police Board.
SD–138

APRIL 26

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To resume hearings to examine the progress of construction on the Capitol Visitor Center.
SD–138

MAY 3

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Government Printing Office, Congressional Budget Office, and Office of Compliance.
SD–138

MAY 24

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To resume hearings to examine the progress of construction on the Capitol Visitor Center.
SD–138

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1321–S1373

Measures Introduced: Six bills and one resolution were introduced, as follows: S. 2287–2292, and S.J. Res. 31. **Page S1353**

Measures Passed:

Stop Counterfeiting in Manufactured Goods Act: Committee on the Judiciary was discharged from further consideration of H.R. 32, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks, and the bill was then passed, after agreeing to the following amendment proposed thereto: **Pages S1367–70**

Frist (for Specter) Amendment No. 2889, in the nature of a substitute. **Page S1369**

Katrina Emergency Assistance Act: Senate passed S. 1777, to provide relief for the victims of Hurricane Katrina, after agreeing to the following amendment proposed thereto: **Pages S1371–72**

Frist (for Collins) Amendment No. 2890, in the nature of a substitute. **Page S1371**

USA PATRIOT Act Additional Reauthorizing Amendments Act: Senate continued consideration of the motion to proceed to consideration of S. 2271, to clarify that individuals who receive FISA orders can challenge nondisclosure requirements, that individuals who receive national security letters are not required to disclose the name of their attorney, that libraries are not wire or electronic communication service providers unless they provide specific services. **Pages S1325–44**

A unanimous-consent agreement was reached providing that the cloture vote on the pending motion to proceed to consideration of the bill occur at 10:30 a.m. on Thursday, February 16, 2006, that if cloture is invoked, notwithstanding Rule 22, Senate proceed immediately to the bill, that if a cloture motion is filed on the bill during Thursday's session, then that cloture vote occur at 2:30 p.m. on Tuesday, February 28, 2006; provided further, that if cloture is invoked on the bill, then at 10 a.m., on Wednesday, March 1, 2006, the bill be read a third time, and the Senate proceed to a vote on the bill with no intervening action or debate. **Page S1344**

A unanimous-consent agreement was reached providing for further consideration of the motion to proceed to consideration of the bill at approximately 10 a.m., on Thursday, February 16, 2006, with the time equally divided until 10:30 a.m. **Page S1372**

Messages From the House: **Page S1351**

Measures Referred: **Page S1351**

Measures Placed on Calendar: **Page S1351**

Executive Communications: **Page S1351**

Petitions and Memorials: **Pages S1351–52**

Executive Reports of Committees: **Pages S1352–53**

Additional Cosponsors: **Pages S1353–54**

Statements on Introduced Bills/Resolutions: **Pages S1354–65**

Additional Statements: **Pages S1349–51**

Amendments Submitted: **Pages S1365–66**

Notices of Hearings/Meetings: **Page S1366**

Authorities for Committees to Meet: **Pages S1366–67**

Privileges of the Floor: **Page S1367**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:50 p.m., until 9:30 a.m., on Thursday, February 16, 2006. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S1372–73.)

Committee Meetings

(Committees not listed did not meet)

CAPITOL VISITOR CENTER

Committee on Appropriations: Subcommittee on Legislative Branch resumed hearings to examine the progress of Capitol Visitor Center construction, receiving testimony from Alan M. Hantman, Architect, and Robert C. Hixon, Jr., Capitol Visitor Center Project Manager, both of the Office of the Architect of the Capitol; and Bernard L. Ungar, Director,

and Terrell Dorn, Assistant Director, both of Physical Infrastructure Issues, Government Accountability Office.

Hearings will continue on Wednesday, April 26, 2006.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of Preston M. Geren, of Texas, to be Under Secretary of the Army, who was introduced by Senators Hutchison and Cornyn, Michael L. Dominguez, of Virginia, to be Deputy Under Secretary of Defense for Personnel and Readiness, who was introduced by Senator Allard, James I. Finley, of Minnesota, to be Deputy Under Secretary of Defense for Acquisition and Technology, who was introduced by Senator Dayton, and Thomas P. D'Agostino, of Maryland, to be Deputy Administrator for Defense Programs, National Nuclear Security Administration, after the nominees testified and answered questions in their own behalf.

HURRICANE KATRINA REBUILDING

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine rebuilding needs in Hurricane Katrina-impacted areas, focusing on the Federal response to the hurricanes in the Gulf of Mexico, including ongoing efforts to assist affected families and individuals in finding both short-term and permanent housing, and the overall progress of the recovery efforts in the five affected states, after receiving testimony from Senators Landrieu and Vitter; Representative Baker; Alphonso R. Jackson, Secretary of Housing and Urban Development; Donald E. Powell, Federal Coordinator, Office for Gulf Coast Rebuilding, and David Garratt, Acting Director of Recovery, Federal Emergency Management Agency, both of the Department of Homeland Security; Martin J. Gruenberg, Acting Chairman, Federal Deposit Insurance Corporation; and Herbert Mitchell, Associate Administrator for Disaster Assistance, Small Business Administration.

FEDERAL TAX GAP

Committee on the Budget: Committee concluded a hearing to examine the causes and solutions to addressing the Federal tax gap, focusing on making significant progress in improving tax compliance which rests on enhancing current Internal Revenue Service techniques and adopting new legislative actions, after receiving testimony from Mark W. Everson, Commissioner, and Nina E. Olson, National Taxpayer Advocate, Taxpayer Advocate Service, both of the Internal Revenue Service, Department of the Treasury; and David M. Walker, Comptroller General of the United States, Government Accountability Office.

VIDEO FRANCHISING

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine issues relating to video franchising, and competition in the video marketplace, after receiving testimony from Representative Blackburn; Ivan Seidenberg, Verizon, New York, New York; Edward E. Whitacre, Jr., AT&T, Anthony T. Riddle, Alliance For Community Media, Gene Kimmelman, Consumers Union, on behalf of Consumer Federation of America and Free Press, and Gigi B. Sohn, Public Knowledge, all of Washington, D.C.; Thomas M. Rutledge, Cablevision Systems Corporation, Bethpage, New York; Lori Panzino-Tillery, National Association of Telecommunications Officers and Advisors, San Bernardino, California, on behalf of National League of Cities, United States Conference of Mayors, National Association of Counties, Government Finance Officers Association and Telecommunity; and Brad A. Evans, Cavalier Telephone, Richmond, Virginia.

NANOTECHNOLOGY

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine developments in nanotechnology, the science and technology of building electronic circuits and devices from single atoms and molecules, focusing on national priorities and agency missions, and moving closer to achieving societal goals in areas such as healthcare, energy, security, and quality of life, after receiving testimony from E. Clayton Teague, Director, National Nanotechnology Coordination Office; Richard O. Buckius, Acting Assistant Director for Engineering, National Science Foundation; Jeffery Schloss, Division of Extramural Research, National Human Genome Research Institute, and Co-Chair, National Institutes of Health Nanomedicine Roadmap Initiative, Department of Health and Human Services; Mark E. Davis, California Institute of Technology, Pasadena, on behalf of City of Hope; J. Clarence Davies, Woodrow Wilson International Center for Scholars, Washington, D.C.; Timothy Swager, Massachusetts Institute of Technology, Cambridge; Alan Gotcher, Altair Nanotechnologies, Inc., Reno, Nevada; Todd L. Hylton, Science Applications International Corporation, McLean, Virginia; and Bryant R. Linares, Apollo Diamond, Inc., Ashland, Massachusetts.

PACE-ENERGY ACT

Committee on Energy and Natural Resources: Committee concluded a hearing to examine S. 2197, to improve the global competitiveness of the United States in science and energy technology, to strengthen basic research programs at the Department of Energy, and

to provide support for mathematics and science education at all levels through the resources available through the Department of Energy, including at the National Laboratories, after receiving testimony from Raymond L. Orbach, Director of the Office of Science, Department of Energy; Charles M. Vest, Massachusetts Institute of Technology, Cambridge; and Luis M. Proenza, University of Akron, Akron, Ohio.

FIRE RETARDANT AIRCRAFT

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded an oversight hearing to review the progress made on the development of interim and long-term plans for use of fire retardant aircraft in Federal wildfire suppression operations, after receiving testimony from Mark Rey, Under Secretary of Agriculture for Natural Resources and Environment; Nina Rose Hatfield, Deputy Assistant Secretary of the Interior for Policy, Management and Budget; James Hall, Hall and Associates LLC, Washington, D.C.; and James B. Hull, Texas Forest Service, College Station, Texas, on behalf of the National Association of State Foresters.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the nominations of Terrence L. Bracy, of Virginia, to be a Member of the Board of Trustees of the Morris K. Udall Scholarship and Excellence in National Environmental Policy Foundation, Dennis Bottorff, of Tennessee, Robert M. Duncan, of Kentucky, Susan Richardson Williams, of Tennessee, William B. Sansom, of Tennessee, Howard A. Thrailkill, of Alabama, and Donald R. DePriest, of Mississippi, all to be Members of the Board of Directors of the Tennessee Valley Authority.

BUDGET: EPA

Committee on Environment and Public Works: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2007 for the Environmental Protection Agency, after receiving testimony from Stephen L. Johnson, Administrator, Environmental Protection Agency.

BUDGET: FOREIGN AFFAIRS

Committee on Foreign Relations: Committee concluded a hearing to examine the President's proposed budget request for fiscal year 2007 for foreign affairs, after receiving testimony from Condoleezza Rice, Secretary of State.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the nominations of Claudia A. McMurray, of Virginia, to be Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, Bradford R. Higgins, of Connecticut, to be Assistant Secretary for Resource Management and Chief Financial Officer, Department of State, Jackie Wolcott Sanders, of Virginia, to be U.S. Alternate Representative for Special Political Affairs in the United Nations, with the rank of Ambassador, and to be U.S. Alternate Representative to the Sessions of the General Assembly of the United Nations during her tenure of service as U.S. Alternate Representative for Special Political Affairs in the United Nations, Janet Ann Sanderson, of Arizona, to be Ambassador to the Republic of Haiti, Bernadette Mary Allen, of Maryland, to be Ambassador to the Republic of Niger, Patricia Newton Moller, of Arkansas, to be Ambassador to the Republic of Burundi, Steven Alan Browning, of Texas, to be Ambassador to the Republic of Uganda, Robert Weisberg, of Maryland, to be Ambassador to the Republic of Congo, Michael W. Michalak, of Michigan, for the rank of Ambassador during his tenure of service as United States Senior Official to the Asia-Pacific Economic Cooperation Forum, Janice L. Jacobs, of Virginia, to be Ambassador to the Republic of Senegal, and to serve concurrently and without additional compensation as Ambassador to the Republic of Guinea-Bissau, Jeanine E. Jackson, of Wyoming, to be Ambassador to Burkina Faso, James D. McGee, of Florida, to serve concurrently and without additional compensation as Ambassador to the Union of Comoros; Kristie A. Kenney, of Virginia, to be Ambassador to the Republic of the Philippines, Gary A. Grappo, of Virginia, to be Ambassador to the Sultanate of Oman, Patricia A. Butenis, of Virginia, to be Ambassador to the People's Republic of Bangladesh, Donald T. Bliss, of Maryland, for the rank of Ambassador during his tenure of service as U.S. Representative on the Council of the International Civil Aviation Organization, Ben S. Bernanke, of New Jersey, to be United States Alternate Governor of the International Monetary Fund; and 2 Foreign Service Officer promotion lists.

HURRICANE KATRINA

Committee on Homeland Security and Governmental Affairs: Committee held a hearing to examine Hurricane Katrina response issues, focusing on the Homeland Security Department's preparation and response, boosting state capabilities, the Federal Management Agency (FEMA), debris removal, and enhancing communications between Federal and state government agencies, receiving testimony from Michael Chertoff, Secretary of Homeland Security.

Hearing recessed subject to the call.

MINE SAFETY TECHNOLOGY

Committee on Health, Education, Labor, and Pensions: Subcommittee on Employment and Workplace Safety met to discuss communication and mine safety technology issues, receiving testimony from Starnes Walker, Technical Director, Office of Naval Research, U.S. Navy; Bob Campman, Grace Industries, Fredonia, Pennsylvania; Pat Droppleman, Ocenco Corporation, Pleasant Prairie, Wisconsin; R. Larry Grayson, University of Missouri-Rolla Department of Mining and Nuclear Engineering, Rolla; Wes Kenneweg, Draeger Industries, Pittsburgh, Pennsylvania; Roy Nutter, West Virginia University College of Engineering and Mineral Resources, Morgantown; Dennis O'Dell, UMWA, Fairfax, Virginia; Sam Shearer, CSE Corporation, Monroeville, Pennsylvania; Gary Zamel, Mine Site Technologies Pty. Ltd, Artarmon, NSW, Australia.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Stephen G. Larson, to be United States District Judge for the Central District of California, who was introduced by Senator Feinstein, Jack Zouhary, to be United States District Judge for the Northern District of Ohio, who was introduced by Senator DeWine, and John F. Clark, of Virginia, to be Director of the United States Marshals Service, Department of Justice, who was introduced by Senators Warner and Allen, after the nominees testified and answered questions in their own behalf.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 13 public bills, H.R.4754–4766; and 12 resolutions, H. Con. Res. 341–344; and H. Res. 678–685 were introduced. **Pages H332–33**

Additional Cosponsors: **Page H333**

Reports Filed: Reports were filed today as follows:

Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina (H. Rept. 109–377). **Pages H331–32**

Suspensions: The House agreed to suspend the rules and pass the following measures:

Expressing the sense of Congress that no United States assistance should be provided directly to the Palestinian Authority if any representative political party holding a majority of parliamentary seats within the Palestinian Authority maintains a position calling for the destruction of Israel: S. Con. Res. 79, to express the sense of Congress that no United States assistance should be provided directly to the Palestinian Authority if any representative political party holding a majority of parliamentary seats within the Palestinian Authority maintains a position calling for the destruction of Israel, by a yea-and-nay vote of 418 yeas to 1 nay, Roll No. 10; **Pages H280–88, H297–98**

Paying tribute to Shirley Horn in recognition of her many achievements and contributions to the world of jazz and American culture: H. Con. Res. 300, amended, to pay tribute to Shirley Horn in recognition of her many achievements and contributions to the world of jazz and American culture; **Pages H288–90**

National Flood Insurance Program Enhanced Borrowing Authority Act of 2006: S. 2275, amended, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program; and **Pages H290–93**

Making supplemental appropriations for fiscal year 2006 for the Small Business Administration's disaster loans program: H.R. 4745, to make supplemental appropriations for fiscal year 2006 for the Small Business Administration's disaster loans program, by a yea-and-nay vote of 410 yeas to 5 nays, Roll No. 11. **Pages H293–97, H298**

Condemning the Government of Iran for violating its international nuclear nonproliferation obligations and expressing support for efforts to report Iran to the United Nations Security Counsel—Order of Business: The House agreed by unanimous consent that it should be in order at any time to consider H. Con. Res. 341, to condemn the Government of Iran for violating its international nuclear nonproliferation obligations and expressing

support for efforts to report Iran to the United Nations Security Counsel; that the concurrent resolution be considered as read; that the previous question be considered as ordered on the concurrent resolution and preamble to final adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on International Relations and one motion to recommit which may not contain instructions. **Page H297**

Committee Elections: The House agreed to H. Res. 678, electing the following members to the following standing committees: **Page H298**

Committee on International Relations: Representative Carnahan. **Page H298**

Committee on Transportation and Infrastructure: Representative Barrow. **Page H298**

Committee on Veterans Affairs: Representative Salazar. **Page H298**

Committee Election: The House agreed to H. Res. 679, electing the following member to the following standing committee: **Page H300**

Committee on Education and the Workforce: Representative McKeon, Chairman. **Page H300**

Senate Message: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H312.

Referrals: S. 1777 was referred to the Committee on Transportation and Infrastructure and in addition to the Committee on the Judiciary. **Page H330**

Recess: The House recessed at 11:44 a.m. and reconvened at 5:46 p.m. **Page H297**

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H297 and H298. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 11:20 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on USDA. Testimony was heard from Mike Johanns, Secretary of Agriculture.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on DHS Management and Operations. Testimony was heard from Michael Chertoff, Secretary of Homeland Security.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held an oversight hearing on Woodrow Wilson International Center for Scholars. Testimony was heard from Lee H. Hamilton, President and Director, Woodrow Wilson International Center for Scholars.

MILITARY QUALITY OF LIFE, VETERANS AFFAIRS AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, Veterans Affairs, and Related Agencies held a hearing on DOD Budget Overview. Testimony was heard from the following officials of the Department of Defense: Tina W. Jonas, Under Secretary, Comptroller; and Philip W. Grone, Deputy Under Secretary, Installations and Environment.

The Subcommittee also held a hearing on Quality of Life—Senior Enlisted. Testimony was heard from the following officials of the Department of Defense: SMA Major Kenneth O. Prestion, U.S. Army; Sgt. Major John L. Estrada, U.S. Marine Corps; Master Chief Petty Officer Terry D. Scott, Submarines/Aviation Warfare, Department of the Navy; and Chief CMSgt. Gerald R. Murray, U.S. Air Force.

NATIONAL DEFENSE AUTHORIZATION BUDGET REQUEST DEPARTMENT OF THE ARMY

Committee on Armed Services: Held a hearing on the Fiscal Year 2007 National Defense Authorization budget request from the Department of the Army. Testimony was heard from the following officials of the Department of the Army: Francis J. Harvey, Secretary; and GEN Peter Schoomaker, USA, Chief of Staff.

ABLE DANGER PROGRAM

Committee on Armed Services: Subcommittee on Strategic Forces and the Subcommittee on Terrorism, Unconventional Threats and Capabilities held a joint hearing on the Able Danger program. Testimony was heard from Stephen Cambone, Under Secretary, Intelligence, Department of Defense; and public witnesses.

DOMESTIC ENTITLEMENTS AND THE FEDERAL BUDGET

Committee on the Budget: Held a hearing on Domestic Entitlements and the Federal Budget. Testimony was heard from David M. Walker, Comptroller General,

GAO; Douglas J. Holtz-Eakin, former Director, CBO; and a public witness.

HEALTH CARE PRIORITIES FISCAL YEAR 2007

Committee on Energy and Commerce: Held a hearing entitled ''The Administration's FY '07 Health Care Priorities.'' Testimony was heard from Michael O. Leavitt, Secretary of Health and Human Services.

INTERCHANGE FEES—LAW AND ECONOMICS

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled ''The Law and Economics of Interchange Fees.'' Testimony was heard from public witnesses.

MONETARY POLICY REPORT

Committee on Financial Services: Held a hearing to receive the Federal Reserve Board's semiannual monetary policy report. Testimony was heard from Ben S. Bernanke, Chairman, Board of Governors, Federal Reserve System.

METHYL BROMIDE EXEMPTION PROCESS

Committee on Government Reform: Subcommittee on Energy and Resources held a hearing entitled ''Methyl Bromide: Are U.S. Interests Being Served by the Critical User Exemption Process?'' Testimony was heard from William Wehrum, Acting Assistant Administrator, Air and Radiation, EPA; and public witnesses.

PUBLIC HOUSING SYSTEM

Committee on Government Reform: Subcommittee on Federalism and the Census, hearing entitled ''Living in America: Is Our Public Housing System Up to the Challenges of the 21st Century?'' Testimony was heard from David G. Wood, Director, Financial Markets and Community Investments, GAO; the following former officials of the Department of Housing and Urban Development: Henry Cisneros, Secretary; and Rod Solomon, Deputy Assistant Secretary for Policy; and public witnesses.

MARITIME BORDER SECURITY BUDGET

Committee on Homeland Security: Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity held a hearing entitled ''The President's Fiscal Year Budget: Coast Guard Programs Impacting Maritime Border Security.'' Testimony was heard from ADM Thomas H. Collins, USCG, Commandant, U.S. Coast Guard, Department of Homeland Security.

INTEROPERABLE COMMUNICATIONS

Committee on Homeland Security: Subcommittee on Emergency Preparedness, Science, and Technology held a hearing entitled ''The State of Interoperable Communications: Perspectives from the Field.'' Testimony was heard from public witnesses.

HOMELAND SECURITY BUDGET

Committee on Homeland Security: Subcommittee on Intelligence, Information Sharing, and Terrorism Risk Assessment held a hearing entitled ''The President's Proposed FY07 Budget for the Department of Homeland Security: The Office of Intelligence and Analysis.'' Testimony was heard from the following officials of the Department of Homeland Security: Charlie E. Allen, Chief Intelligence Officer; and Mary V. Connell, Deputy Assistant Secretary, Intelligence and Analysis.

INTERNET IN CHINA

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on Asia and the Pacific held a joint hearing entitled ''The Internet in China: A Tool for Freedom or Suppression?'' Testimony was heard from the following officials of the Department of State: James Keith, Senior Advisor for China and Mongolia, Bureau of East Asian and Pacific Affairs; and David Gross, Deputy Assistant Secretary, International Communications and Information Policy, Bureau of Economic and Business Affairs; and public witnesses.

RESOLUTIONS OF INQUIRY; FINANCIAL SERVICES REGULATORY RELIEF ACT

Committee on the Judiciary: Ordered reported the following measures: H. Res. 643, adversely, Directing the Attorney General to submit to the House of Representatives all documents in the possession of the Attorney General relating to warrantless electronic surveillance of telephone conversations and electronic communications of persons in the United States conducted by the National Security Agency; H. Res. 644, adversely, Requesting the President and directing the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of those officials relating to the authorization of electronic surveillance of citizens of the United States without court approved warrants; and H.R. 3505, Financial Services Regulatory Relief Act of 2005.

SECOND CHANCE ACT; AFT GUN SHOW ENFORCEMENT

Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security approved for full

Committee action H.R. 1704, Second Chance Act of 2005.

The Subcommittee also held an oversight hearing on the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATFE) Part 1: Gun Show Enforcement. Testimony was heard from public witnesses.

OVERSIGHT—NATIONAL PARK SERVICE FINANCIAL SUPPORT

Committee on Resources: Subcommittee on National Parks held an oversight hearing entitled ''The National Park Service 2006 Draft Management Policies and proposed changes to Director's Order 21.'' Testimony was heard from Steve Martin, Deputy Director, National Park Service, Department of the Interior; the following former officials of the Department of the Interior: William Horn, Assistant Secretary, Fish and Wildlife and Parks; and Denis Galvin, Deputy Director, National Park Service; and public witnesses.

FEDERAL RESEARCH AND DEVELOPMENT BUDGET

Committee on Science: Held a hearing on An Overview of the Federal R&D Budget for Fiscal Year 2007. Testimony was heard from John Marburger III, Director, Office of Science and Technology Policy; Samuel Bodman, Secretary of Energy; David Sampson, Deputy Secretary of Commerce; Arden Bement, Director, NSF; and Charles McQuearty, Under Secretary, Science and Technology, Department of Homeland Security.

OVERSIGHT—COMMERCIAL JET FUEL COSTS

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Commercial Jet Fuel Supply: Impact and Cost on the U.S. Airline Industry. Testimony was heard from John D. Shages, Deputy Assistant Secretary, Office of Petroleum Reserves, Department of Energy; Michael A. Cirillo, Vice President, Systems Operations Services, Air Traffic Organization, FAA, Department of Transportation; and public witnesses.

OVERSIGHT—BUDGET IMPACTS ON TRANSPORTATION PROGRAMS

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit and Pipelines held an oversight hearing on How the FY 2007 Budget Proposal Impacts SAFETEA LU. Testimony was heard from Phyllis Scheinberg, Assistant Secretary, Budget and Promotions, Department of Transportation.

VETERANS SERVICE ORGANIZATIONS

Committee on Veterans' Affairs: Held a hearing on annual legislative agenda, views and priorities for veterans organizations. Testimony was heard from representatives of veterans organizations.

Hearings continue tomorrow.

PRESIDENT'S BUDGET FISCAL YEAR 2007 BUDGET VIEWS AND ESTIMATES

Committee on Ways and Means: Continued hearings on President Bush's Budget proposals for fiscal year 2007. Testimony was heard from John W. Snow, Secretary of the Treasury.

The Committee also approved Committee Budget Views and Estimates for Fiscal Year 2007 for submission to the Committee on the Budget.

U.S. TRADE AGENDA

Committee on Ways and Means: Held a hearing on President Bush's trade agenda. Testimony was heard from Robert J. Portman, U.S. Trade Representative.

BRIEFING—INTELLIGENCE VALUE OF INTERROGATION

Permanent Select Committee on Intelligence: Subcommittee on Oversight met in executive session to receive a Briefing on The Intelligence Value of Interrogation. The Subcommittee was briefed by departmental witnesses.

SELECT COMMITTEE REPORT

Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina: Ordered reported ''A Failure of Initiative,'' the Final Report of the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina.

COMMITTEE MEETINGS FOR THURSDAY, FEBRUARY 16, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Armed Services: to hold hearings to examine priorities and plans for the atomic energy defense activities of the Department of Energy and to review the President's proposed budget request for fiscal year 2007 for atomic energy defense activities of the Department of Energy and the National Nuclear Security Administration, 9:30 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the semiannual monetary policy report to the Congress, 10 a.m., SD–538.

Committee on the Budget: to resume hearings to examine the President's fiscal year 2007 budget proposal, 10 a.m., SR–325.

Committee on Commerce, Science, and Transportation: to hold hearings to examine NOAA budget, 2:30 p.m., SD–562.

Committee on Energy and Natural Resources: to hold hearings to examine S. 2253, to require the Secretary of the Interior to offer the 181 Area of the Gulf of Mexico for oil and gas leasing, 10 a.m., SD–366.

Subcommittee on National Parks, to hold hearings to examine S. 1870, to clarify the authorities for the use of certain National Park Service properties within Golden Gate National Recreation Area and San Francisco Maritime National Historical Park, S. 1913, to authorize the Secretary of the Interior to lease a portion of the Dorothy Buell Memorial Visitor Center for use as a visitor center for the Indiana Dunes National Lakeshore, S. 1970, to amend the National Trails System Act to update the feasibility and suitability study originally prepared for the Trail of Tears National Historic Trail and provide for the inclusion of new trail segments, land components, and campgrounds associated with that trail, H.R. 562, to authorize the Government of Ukraine to establish a memorial on Federal land in the District of Columbia to honor the victims of the manmade famine that occurred in Ukraine in 1932–1933, and H.R. 318, to authorize the Secretary of the Interior to study the suitability and feasibility of designating Castle Nugent Farms located on St. Croix, Virgin Islands, as a unit of the National Park System, 1:30 p.m., SD–366.

Full Committee, to hold hearings to examine the Energy Information Administration's 2006 annual energy outlook on trends and issues affecting the United States' energy market, 2:30 p.m., SD–366.

Committee on Finance: to hold hearings to examine the Administration's trade agenda for 2006, 10:30 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the nomination of Richard A. Boucher, of Maryland, to be Assistant Secretary of State for South Asian Affairs, 10 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to resume hearings to examine the role of education in global competitiveness, 10 a.m., SD–G50.

Committee on the Judiciary: business meeting to consider pending calendar business, 9:30 a.m., SD–226.

Committee on Veterans' Affairs: to hold hearings to examine the President's proposed budget request for fiscal year 2007 for the Department of Veterans Affairs, 10:30 a.m., SR–418.

Select Committee on Intelligence: closed business meeting to consider intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, to consider Committee Budget Views and Estimates for Fiscal Year 2007 for submission to the Committee on the Budget, 9 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on the FDA, 9:30 a.m., 2362A Rayburn.

Subcommittee on Defense, on Fiscal Year 2007 DOD Budget overview, 10 a.m., 2359 Rayburn.

Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies, on Department of Labor Fiscal Year 2007 Budget, 10 a.m., 2358 Rayburn.

Subcommittee on Homeland Security, on Transportation Security Administration, 10 a.m., H–140 Capitol.

Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies, on U.S. Trade Representative, 2 p.m., H–309 Capitol.

Committee on Armed Services, Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on Combating al Qaeda and the Militant Jihadist Threat, 1 p.m., 2212 Rayburn.

Committee on the Budget, hearing on the President's Fiscal Year 2007 Discretionary Budget, Performance Evaluations and Spending Trends, 10:30 a.m., 210 Cannon.

Committee on Energy and Commerce, to mark up H.R. 2829, Office of National Drug Control Policy Reauthorization Act of 2005, 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Oversight and Investigations, hearing entitled ''Weapons of Mass Destruction: Stopping the funding—OFAC Role,'' 10 a.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy and Human Resources, hearing entitled ''National Drug Control Budget for Fiscal Year 2007, 2 p.m., 2154 Rayburn.

Committee on Homeland Security, hearing entitled ''The President's Proposed Fiscal Year 2007 Budget for the Department of Homeland Security: Maintaining Vigilance and Improving Mission Performance in Securing the Homeland,'' 9:30 a.m., 311 Cannon.

Subcommittee on Economic Security, Infrastructure Protection and Cybersecurity, hearing entitled ''The President's Proposed FY07 Budget: Risk-Based Spending at the Transportation Security Administration,'' 2 p.m., 2261 Rayburn.

Subcommittee on Management, Integration, and Oversight, to continue examination of the Integrated Surveillance Intelligence System with a hearing entitled ''Mismanagement of the Border Surveillance System and Lessons Learned for the New Border Initiative, Part 3,'' following full Committee hearing, 311 Cannon.

Committee on International Relations, hearing entitled ''The International Affairs Budget Request for Fiscal Year 2007,'' 1:30 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Crime, Terrorism, and Homeland Security, oversight hearing on Victims and the Criminal Justice System: How to Protect, Compensate, and Vindicate the Interests of Victims, 10 a.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Fisheries and Oceans, hearing on H.R. 4686, Multi-State and International Fisheries Conservation and Management Act of 2006, 10 a.m., 1324 Longworth.

Committee on Science, hearing on NASA's Fiscal Year 2007 Budget Proposal, 10 a.m., 2318 Rayburn.

Committee on Transportation and Infrastructure, to consider the following: Committee Budget Views and Estimates

for Fiscal Year 2007 for submission to the Committee on the Budget; GSA Capital Investment and Leasing Program Resolutions; and other pending business, 12:30 p.m., followed by a hearing on Disasters and the Department of Homeland Security: Where Do We Go From Here? 1:30 p.m., 2167 Rayburn.

Committee on Veterans' Affairs, to continue hearings on annual legislative agenda, views and priorities for veterans organizations, 10:30 a.m., 334 Cannon.

Subcommittee on Disability Assistance and Memorial Affairs, oversight hearing on the VA's Fiscal Year 2007 budget request for the compensation and pension business lines, 2 p.m., 340 Cannon.

Committee on Ways and Means, Subcommittee on Social Security and the Subcommittee on Oversight, to hold a joint hearing on Social Security Number High-Risk Issues, 11 a.m., 1100 Longworth.

Permanent Select Committee on Intelligence, executive, hearing on Director of National Intelligence: Annual Assessment of Threats, 9:30 a.m., H–405 Capitol.

Subcommittee on Technical and Tactical Intelligence, executive, hearing on Future Imagery Architecture, 12:30 p.m., H–405 Capitol.

Joint Meetings

Joint Meetings: Joint Economic Committee, to hold hearings to examine the economic report of the President, 10:30 a.m., 2322 RHOB.

Next Meeting of the SENATE

9:30 a.m., Thursday, February 16

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of the motion to proceed to consideration of S. 2271, USA PATRIOT Act Additional Reauthorizing Amendment Act, with a vote on the motion to invoke cloture on the motion to proceed to consideration of the bill to occur at 10:30 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, February 16

House Chamber

Program for Thursday: Consideration of H. Con. Res. 341—A concurrent resolution condemning the Government of Iran for violating its international nuclear nonproliferation obligations and expressing support for efforts to report Iran to the United Nations Security Counsel.

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