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Senate

The Senate met at 9:45 a.m. and was called to order by the PRESIDENT pro tempore (Mr. STEVENS).

PRAYER

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

Let us pray.

Our Father in heaven, today we praise You because Your loving kindness endures forever. You have blessed this land with freedom and abundance. Thank You for spacious skies and amber waves of grain.

Teach us to be thankful even when we face problems and pain as Your spirit opens our eyes to Your unfailing goodness.

Bless the Members of this body. May their labors today flow out of a pure heart, a good conscience, and a sincere faith. Give them trust and confidence in Your guidance and a reverence and humility in Your presence.

Keep us all from trying to please both others and You. We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

ORDER OF PROCEDURE

Mr. FRIST. Mr. President, today we will begin a 1-hour period for debate prior to the cloture vote with respect to the LIHEAP bill. I ask unanimous consent that the 1 hour be for debate only.

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

Mr. FRIST. Mr. President, I expect that vote to occur sometime shortly before 11 a.m. this morning. If cloture is invoked—and I hope it will be—then we will be working toward an agreement that will allow us to finish the bill as quickly as possible today.

We will be returning to the lobbying reform bill today. We will begin considering amendments. Therefore, in addition to the LIHEAP bill, we will have votes in relation to the amendments to the lobbying reform bill.

I also expect the Senate to recess from 12:30 until 2:15 for the weekly party luncheons.

I say again to all colleagues who want to finish the lobbying bill this week that we certainly want to allow adequate time for Members to offer amendments. I urge Members to come forward early. We would like to lock in a filing deadline as soon as possible. As a matter of fact, I hope that we could lock in a filing deadline for today and therefore give our managers their best opportunity to schedule consideration of the amendments as soon as possible.

Again, we expect to be working into the evening each night in an effort to finish the bill as soon as possible.

FLAG PROTECTION AMENDMENT

Mr. FRIST. Mr. President, every morning we open the Senate by reciting, as we just did a few moments ago, the Pledge of Allegiance. Hand over heart, we pay solemn tribute to the American flag, that sacred symbol of America's history, values, and principles.

We are reminded that we are but servants, momentary players in the great unfolding of the American story. The flag—transcendent, noble, still—commands our humility and binds us in the common project of serving the body politic. It is with this understanding that, before Congress adjourns for the Fourth of July recess, I intend to bring the flag protection amendment to the floor.

The proposed amendment is simple. It is a one-sentence statement that reads: ''The Congress shall have the power to prohibit the physical desecration of the flag of the United States.''

Along with 80 percent of the American public and all 50 of our State legislatures, I believe the Constitution should allow laws that protect our flag.

Unfortunately, in 1989, the Supreme Court overturned 200 years of precedent and struck down all laws that prohibit flag desecration. I believe their decision was misguided. In my view, desecrating the flag is not speech but an act of physical assault. We know this when we see rioting mobs in foreign countries setting our flag on fire. We can see clearly that they are engaged in a specific act of physical aggression against our country and everything for which we stand. Whether inside or outside our borders, burning the American flag is intended to intimidate, not to engage in constructive speech.

I believe the amendment process is the appropriate remedy to the Court's 1989 decision. As Harvard law professor Richard Parker explains:

The amendment process is essential to the Constitution's deepest foundation—the principle of popular sovereignty affirmed in its first words, ''We the people.'' Making use of this process reaffirms and thus preserves that foundation.

Since I first came to the Senate in 1995, I have supported a constitutional amendment to protect our flag.

The flag is not only the physical symbol of our Nation, our pride, and our in history, but also of our values:

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

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freedom, justice, independence, equality, and, ultimately, we the people. Protecting the flag won't stop Americans from exercising their first amendment right to free speech.

Countless brave men and women have died defending the American flag. It is but a small, humble act to vote to defend it.

In the words of our esteemed colleague, Senator HATCH:

> Whatever our differences of party, race, religion, or socio-economic status, the flag reminds us that we are very much one people, united in a shared destiny, bonded in a common faith in our Nation and the profound belief in personal liberty that our Nation protects.

I look forward to bringing the flag protection amendment to the floor for debate, and I am hopeful that we will be able to once and for all give the American people the opportunity to defend this noble symbol of our shared legacy.

MAKING AVAILABLE FUNDS FOR THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM, 2006

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2320 which the clerk will report.

The legislative clerk read as follows:

> A bill (S. 2320) to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

Pending:

> Kyl/Ensign amendment No. 2899, to make available funds included in the Deficit Reduction Act of 2005 for allotments to States for the Low-Income Home Energy Assistance Program for fiscal year 2006.
>
> Inhofe amendment No. 2898, to reduce energy prices.

The PRESIDING OFFICER (Mr. ALLEN). Under the previous order, there will be 1 hour of debate equally divided between the Senator from Maine, Ms. SNOWE, and the Senator from Nevada, Mr. ENSIGN, or their designees.

Who yields time?

The Senator from Maine.

Ms. SNOWE. Mr. President, first of all, I thank the majority leader for his considerable effort, patience, and perseverance in bringing this legislation to the floor on the basis of the commitment which the leader made in December prior to our adjournment that we would have this legislation to increase low-income fuel assistance for those States that clearly need it, given the rising prices of home heating oil and natural gas, given the fact that we are in the midst of the winter, and given the fact that this has a major impact on families across the country.

I hope we will get beyond today, beyond the cloture vote and be able to secure the additional funding that is so essential to so many of the States and to so many individuals and families who depend upon it. It is absolutely critical that we provide these funds for this fiscal year in order to prepare for the summer and also to address the contingency necessity of providing additional funding this winter.

I am joined in my efforts and I wish to thank my colleague, Senator COLEMAN, my colleague from Maine, Senator COLLINS, Senator GRASSLEY, Senator SUNUNU, Senator SPECTER, and Senator SANTORUM, as well as Senator SMITH and Senator KERRY. I express my deep appreciation for their support.

I first want to address some of the criticisms that were engendered last week because I think there has been a lot of misunderstanding and misinterpretation about exactly where we stand today and what the facts are.

First of all, my underlying bill shifts the funding from fiscal year 2007 to 2006. There is an additional $1 billion for the purposes of ''contingency'' funding, otherwise known as emergency funding for emergency purposes. So it is budget neutral. We are just advancing it 1 year because of the unusual circumstances and because of events between rising oil prices and a difficult winter which have eroded the value of the low-income fuel assistance. This would help to make it more consistent with the authorization level because of the dire need in so many States across the country, including my own.

It does nothing to modify how those funds are disbursed to the States. The Senate decided 1 month ago when it passed the Deficit Reduction Act that 25 percent of the $1 billion would be appropriated through a formula funding and 75 percent would go to emergency contingency funding.

The Congress decided—including the Senate, and it became law just a month ago—that the President would continue to have the emergency funding capability in order to disburse that part of the funding, 75 percent to those States that needed it at that moment in time because there was an emergency. Emergencies are just that—emergencies.

What the critics are saying about my approach is they now want to change it for the first time ever and take away the capability of having emergency funding under the low-income fuel assistance. It doesn't make sense. Because the States are facing an emergency, they ought to be able to have their funding. That would be taken away by the Kyl amendment, and it would be distributed to States irrespective of whether they need it, irrespective of the fact that no emergency occurred in their State.

I understand that under the low-income fuel assistance program, you have part emergency and part formula. That is what it is all about.

All my underlying bill says is advance the funding from 2007 to 2006 for $1 billion. So we are not increasing the net level of funding for low-income fuel assistance. We have already agreed to it in the budget. It is not increasing spending. It is budget neutral. I don't change the way it is distributed. I am doing just exactly what was dictated by the U.S. Senate, and it became law in the Deficit Reduction Act a month ago.

Now we are saying let us change the entire formula, let us change the entire approach through the Kyl amendment by distributing all of the funds through a formula and we will have no emergency funding.

Let me remind my colleagues that just last fall, we had four States that benefited from the emergency funding as a result of the hurricane. Alabama received $2 million; Florida, $1.35 million; Louisiana, $12 million; Mississippi $11.75 million—exactly because it was an emergency. The President had the authority, had the discretion to disburse those funds from the contingency funds under the low-income fuel assistance program. Under the Kyl amendment, the President wouldn't have that capability. It would be given to States that didn't experience the hurricane, that didn't have an emergency. We would not be able to have any emergency funding if we passed the Kyl amendment.

I hope the Senate will continue the way in which we have approached it in the past. I hope we pass the underlying bill at the very least to advance that funding.

Emergency contingency funds exist because we cannot predict the weather, whether it is in the South or the Northeast or the West. We can't predict. That is why we created an emergency fund under low-income fuel assistance. Now, for the first time ever, we take away that capability.

I think it is important for my colleagues to understand what is at stake. All of the funding under low-income fuel assistance would be distributed according to a formula. There would be no separate funding for emergency purposes as we provided in the gulf last fall. So four States were able to benefit from the emergency distribution as a result of the President's action.

We need that discretionary capability because we are not weather forecasters. We do not know what will happen in America wherever it is going to happen. This is not a regional program. This benefits all 50 States. In fact, in January 2005, in looking at the distribution, all 50 States historically have benefited at some point from the emergency funding.

Unfortunately, on Thursday night there was a chart distributed in the Senate that was misrepresentative of the facts. Even the Congressional Research Service said it was misleading. The fact is, it did not portray the facts. It showed a distribution of the funds in January 2005 according to the emergency funding at that moment in time. But if you looked at it in February or March or April or this year, it might be radically different because the emergencies might have occurred elsewhere. That distribution was for that moment in time because of the emergencies

that resulted. That is not a constant pattern of distribution. It was a misleading chart. I don't blame my colleagues for voting for the interests of their respective States, absolutely. But I want my colleagues to realize and understand that chart was misleading. It does not represent what the emergency funding is all about. We cannot predict an emergency. So there were emergencies back in January 2005 that represented those distributions, but that is not the way it happens all the time because we do not know when the emergencies are going to occur.

I regret that chart was distributed on the basis that it represents how these funds are circulated and dispensed according to the States. They are dispensed according to need and necessity. That is what the emergency funding is all about.

It is important to realize the value of the low-income fuel assistance program overall. In fact, it is one that many of the States have come to depend on, rightfully. I was in the House of Representatives when we first created this program during an energy crisis back in 1979 on the essential basis of helping to mitigate people's fuel bills, particularly for the low income and those who are disadvantaged who cannot possibly pay for the total cost of their oil bills, or in the summer for air-conditioning bills. We know it has profound implications on people's budgets, their inability to meet the rising costs, and especially so this year with 30 to 50 percent increases in their energy bills. That is in addition to the increases that occurred last year that were 20 to 30 percent.

My constituents in the State of Maine cannot meet those rising prices. We are just attempting to hold them harmless with this funding, to hold them harmless to last year to maintain the status quo. What is the status quo? It is about meeting maybe a quarter of their fuel bill during the winter. Maybe. That depends on the rising price, and as we know, it has been an unpredictable pattern of rising prices. It is a very different thing when we have a price for a barrel of oil at $29 compared to where we are today, with a fluctuation anywhere from $61 or $66 for a barrel of oil. That has a major impact on a family's budget. The value of low-income fuel assistance today from where it was back in the mid-1980s has declined to 19 percent of the real value of this program based on what we have provided under low-income fuel assistance.

Back in the 1980s it represented, in real terms, 50 percent to families across this country. Now it has declined to more than 19 percent.

There was a survey recently conducted that illustrated this situation and why this program is so critical to so many families in my State and across America. It illustrated this point. It is tragic. It said that 73 percent of households would cut back and even go without other necessities such as food and prescription drugs and mortgage and rent payments to pay for heat. We have seen that illustrated in the State of Maine. We have had some very dire and tragic situations where people have had to be hospitalized because of hypothermia.

People say it is a mild winter. I invite Members to come to Maine and tell me about it. It has been a very cold winter.

But this is also about the price. In the State of Maine, the price has risen 30 to 50 percent in addition to the price increases last year. Yet the funding for low-income fuel assistance has maintained the status quo. So there has been an erosion of support for families who depend upon this program just barely to meet, perhaps, a quarter of their overall fuel bills depending on the price.

That is why I have asked, along with my colleague from Minnesota, Senator COLEMAN, my colleague from Maine, Senator COLLINS, and so many others who have cosponsored this legislation, to advance the funding by 1 year. It has already been provided for. It is budget neutral.

I heard one possibility of using TANF funds to pay for this. Let me remind my colleagues, under the law, TANF funds are to go for families with children. It does not allow for the use of TANF funds for any other purpose. If States do so for ineligible individuals or families, the State is penalized up to 5 percent. Using TANF funds cannot be allowed for low-income seniors, for example, who otherwise are not eligible under the TANF law.

I remind my colleagues that it is important to look at the facts and how the law works and what the implications are. I hope we can get beyond the regionalization of this low-income fuel assistance program bill and look at what is in the best interest of America, irrespective of where the necessity lies. Whether it is in the North, East, South or West, is it a need? Is it vital? Is it important? That is what this legislation is all about.

That is why, in the wisdom of the Congress and the President, we established the contingency fund for emergency purposes so the President would have the discretionary authority to distribute those funds on the basis of need at that moment in time. The other funding is distributed according to a formula. I don't change any of that. I do not change existing law. I do not change what this Senate and the House passed that became law a month ago. I do not change that.

The amendment offered by Senator KYL changes all of that and places 100 percent of the funding under the low-income fuel assistance program on a formula basis so there is no emergency funding.

I hope my colleagues would vote for cloture so we can proceed. Whether we have amendments remains to be seen. But I am prepared to work with my colleagues, those who have differences of opinion regarding this legislation, to work it out, work it out for their State and what is in the best interest of their State, our States, and for all of America. This should not be a North, South, East, West issue. This should be an issue on the basis of what is right, what is fair, what is required, and what is needed. That is what this is all about. An emergency is an emergency. That is what the emergency funding is. That is what this contingency funding is.

I impress upon my colleagues how important it is. It would be a dramatic departure to accept the amendment offered by the Senator from Arizona to redistribute all of the funds through a formula and have no capacity whatever for the President to distribute it on an emergency basis.

I remind my colleagues this is not just about Maine or the North, it is about the South and the East and the West. This shouldn't be about a compass. This should be about America.

I hope Members will look at the facts. The facts are we distributed funding under the emergency contingency fund last fall to help those States in the gulf as a result of the hurricanes for four States, including Florida, Alabama, Louisiana, and Mississippi. We gave them $15 or $14 million distributed by the President, rightfully, in response to an emergency.

Taking the emergency funding and distributing it on the basis of a formula means that States are going to receive funding when there is no emergency. How did that make sense? That was not the intent, ever. The intent was to maintain the separate funding for this capability. That is what it was all about.

Eleven States have totally obligated their winter heating fund for this winter, including my own State: Arkansas, California, Georgia, Iowa, Maine, New Hampshire, Oklahoma, Oregon, South Dakota, Rhode Island, Utah, and many of the other States. In fact, 34 Governors have written requesting this additional assistance. They are facing a crisis because applications are up and the funding is down. Increases of at least 20 percent are expected in 15 States alone.

The funds expended for the low-income fuel assistance is equivalent to the amount Congress allocated in 1983. That was 23 years ago. What about the price of a barrel of oil? It is important to my State of Maine where 84 percent of the people qualify for low-income fuel assistance, and the State in general is around 80 percent; 80 percent for those dependent on home heating oil. A barrel of oil in 1983 was $29.

By the way, the price should be going down as we go away from winter and toward the summer. But there is a dramatic change this year. The price is actually going up. And the future price for oil is much higher in January of

2007. That should raise a serious concern among all Members about the potential for price increases with respect to home heating oil and natural gas.

A barrel of oil in 1983 was $29; today it is at least $61 a barrel. That is a difference of $32. We are basically losing the value of low-income fuel assistance because the funding has remained the same. It has declined to about 19 percent of the real value of what it represented when we first created the program almost 27 years ago when I was serving in the House of Representatives.

I have offered the underlying bill to advance the funding based on the recent formula. I do not change the funding. It is 75–25, 75 for emergency and 25 percent on formula. I am prepared to offer a 50–50 that would actually allow many States to gain or stay the same if we want to talk about the formula but do not do away with the emergency funding. That would be the first time ever under this program, and we will not have the capability and the President will not have the authority or the prerogative to respond to those States that are in an emergency crisis, as was the case last fall with Hurricanes Katrina and Rita. That is the major departure, historically, from how we have obligated funds, both to formula and for emergency.

Mr. President, 54 percent of my colleagues have voted for an increase in funding for low-income fuel assistance last year, requiring 60 votes. That was requiring 60 votes. We worked very hard. We got 66 votes last week on proceeding to this vital issue.

So I hope my colleagues will support this cloture motion so we can move beyond and get to the heart of the matter, so we can discuss the differences and the implications of the underlying bill versus the amendments offered. I am prepared to work with my colleagues in any way to work it out. It is not, in my view, a matter of North versus South, East versus West or whatever. It is not sectional interests we are talking about.

What we are talking about is doing what is right for whoever needs this program and depends upon it in a moment in time. That is what the emergency funding provides. It gives us that flexibility and that capability that will be done away with by the Kyl amendment. I truly regret there was this chart that was distributed last week because it gave an erroneous picture of the accurate distribution of funding because with emergency funding you cannot have a fixed picture because it depends on the emergency. And unless someone around here is a soothsayer, there is no way to know how that funding will be distributed.

Yes, it was distributed at that moment in time that way. That is precisely because there were emergencies. But you do not know what the emergency is going to be a year from now, a month from now, 6 months from now. We are coming upon the hurricane season again. God forbid if anything else happens. The fact is, we need to have that flexibility, as we did last fall. We need to have that capability similarly for our States that need it, in Maine and the other cold-weather States currently.

If we need more funding, I am all for it. But I know there is resistance by many to increasing the funding, regrettably. But this has fallen far short of the real value of this program, as I illustrated. We have not provided a real increase in the low-income fuel assistance program since it was created back in 1979 during my first term in the House of Representatives.

Those are the facts. So I urge my colleagues to vote to proceed to the final consideration of this bill.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to be recognized for 5 minutes.

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

Mr. DURBIN. Mr. President, I rise in support of the efforts of the Senator from Maine. She has been our leader and our champion on this issue of funding LIHEAP. It has been a bipartisan effort, too. Senator JACK REED of Rhode Island, on this side of the aisle, and many others, have spoken in favor of what she is attempting to do.

To describe it very briefly, for those who are following this debate, it would put $1 billion more in the Low-Income Home Energy Assistance Program across America. We said we thought we would need $5 billion this year. Then we only appropriated $2 billion. And in some parts of the country the winter has been fairly mild, including the Midwest. In other parts it is still harsh and cold. But wherever you live, you have found the cost of heating your home has gone up dramatically, between 30 and 50 percent.

Now, imagine if you are on a fixed income, that you are a retired single woman, for example, a widow, and you turn to this program, as you have in years past, and this year you need it more than ever. Or imagine you are a woman I met, a mother in the city of Rockford, with three small children. She is divorced. She is working. She is trying to keep this little frame house she is living in warm enough so her kids can be well enough to go to school.

She needs a helping hand from this program. She is a minimum wage worker. She works as a waitress. She does not make a lot of money, but, God bless her, she is trying. And this program says we will give her a helping hand. The sad reality is, as the Senator from Maine told us, there is not enough money in this program. So many of these people find themselves without the helping hand that we have promised all across the United States.

All the Senator from Maine and others are saying is, let's put enough money in this program to help the truly vulnerable people in America. These people are our neighbors. These are fellow Americans, the parents and grandparents of people who made this the great country it is today.

You look at the situation and say, this has so many echoes and memories of what happened in New Orleans. In New Orleans, when some of the nicest people in this world, who happen to be caught up in a flood, had nowhere to turn—and the Government was not there—the sad reality is that many of them suffered. We look back now, 6 months later, in horror to think that great city is still struggling to get back on its feet. Despite the best promises of President Bush and this administration, it is not happening.

I wonder if that would have been the case anywhere else in America. Would that have happened anywhere else in America, that a city would have been devastated, and 6 months later it is still not receiving the attention it needs because of a lack of leadership from this Administration?

What the Senator from Maine is saying, what we are saying, is that for individual families faced with the realities of life today, some of these programs make all the difference in the world. And the Low-Income Home Energy Assistance Program is one.

I met with a woman in Rock Island, IL, a retired lady, a beautiful lady, who works down at the senior center now just doing volunteer work. She counsels the seniors on how to apply for LIHEAP assistance so they can pay their gas bills, which, of course, is what we use to heat the majority of our homes in the Midwest.

So many of us believe that when we face these natural disasters and challenges in America, that it is a challenge to each one of us to come together as the American family. I can understand how the Senator from Maine feels. People say: Oh, this is just a big New England problem. Now, don't worry me because I happen to live somewhere else.

It is an American problem, my friends. It was an American problem in New Orleans. It is an American problem in New England. It is an American problem when American families struggle for the basic necessities to survive. Those who would divide us on sectional lines, on lines of economic benefit, on lines of racial differences—those people are just wrong because this country is strongest when it stands together. And we stand together when some members of the American family are in need, and they are in need today.

We need to stand behind the Senator from Maine on a bipartisan basis. We need to say to this administration: Do not leave more Americans behind—as happened in New Orleans. We cannot have it repeated in New England or in northern Illinois or anyplace across the United States. We need to come together.

As I look at this bill, I think this is reasonable. It is reasonable for us to

stand up for our fellow Americans who need a helping hand with low-income home energy assistance.

Let me add something as well. Wouldn't it be great if America had an energy policy? Wouldn't it be terrific if we really had a plan that would move us away from our dependence on foreign oil? When the Senator quotes oil prices, do you know what control we have over oil prices? None. When the OPEC cartel and the sheiks decide production levels, and oil prices go up, America reaches into its wallet for its credit cards and cash, and the money goes right on the line, and not just to them but to the oil companies.

It is similar with natural gas. Wouldn't it be great if we had vision and leadership in America today that moved us toward less dependence on energy from overseas? We wouldn't be caught when we stopped to fill up our cars, or provide energy to our homes and businesses, with dependence on oil cartels or fossil fuels that leave us dangling on the ends of strings, as the producers control the dance like puppeteers?

That is the fact today because for too long we have let the national energy debate——

The PRESIDING OFFICER. The Senator's 5 minutes have expired.

Mr. DURBIN. Mr. President, I ask unanimous consent for 1 additional minute.

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

Mr. DURBIN. For too long, we have focused this energy debate on where can we drill for more oil. Can we go to a wildlife refuge in Alaska? The honest answer is, all the oil in that wildlife refuge would not provide the energy this country needs for more than 6 months over a 20-year period. It is not an answer. It is not a solution. We control less than 3 percent of the oil reserves in this world. Yet we consume 25 percent of the oil resources. There is no way we can drill ourselves to a point of self-sufficiency.

We need leadership. We need innovative, sustainable, renewable sources of energy. We need better fuel-economy in our cars and trucks. America should be moving forward as some other countries are with a new vision on energy. Instead, we are faced with these crippling bills to heat our homes, and at the gas station to fuel our vehicles.

Today, we need to vote to support the motion for cloture, bring the LIHEAP bill up, provide a helping hand to the most vulnerable Americans, and then sit down and get down to business about an energy policy that really works for our future.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

Ms. SNOWE. Mr. President, how much time is remaining?

The PRESIDING OFFICER. The Senator from Maine has 6 minutes 52 seconds, and the Senator from Nevada has 30 minutes.

Ms. SNOWE. Thank you, Mr. President.

I just want to make a couple points, and then I will reserve the remainder of my time.

The Senator from Illinois mentioned Senator REED, and I, too, would be remiss if I did not mention Senator REED from Rhode Island, who has worked mightily on this issue and seeking increases in low-income fuel assistance and, in fact, has worked on that throughout the last year and this year as well. So I thank him for all of his efforts in that regard.

Finally, regarding low-income fuel assistance contingency funds, under the law—I would like to read it to my colleagues because I think it is important to understand the purpose that was underlying the design and how this program would allocate the funding in emergency situations. The low-income fuel assistance contingency funds are released at the discretion of the Secretary of Health and Human Services. I quote from the law, the law we all supported:

> . . . to meet the additional home energy assistance needs of one or more States arising from a natural disaster or other emergency.

That is the purpose of the contingency fund that is currently in law. That was supported by this Senate, by the House, and became law. It is what the White House wants. The President wants it. He wants to continue that authority and flexibility to be able to respond to emergencies when they arise. We have no way of predicting when they might arise. Therefore, it is important to have those funds set aside for exactly and precisely that purpose.

The funding distribution is not altered under the underlying legislation that is pending before the Senate. It would be significantly altered by the amendment offered by the Senator from Arizona because we would no longer, for the first time in the history of the low-income fuel assistance program, have emergency funding capability, none whatsoever. So where we have provided millions of dollars to Alabama and Mississippi and Louisiana and Florida as a result of the hurricanes last fall, we would not have that capability in the future. We do not have any capabilities.

I want to reiterate the fact that the graph that was distributed last week fundamentally misrepresented the allocation of funds. That was for one snapshot in time because emergencies existed at that moment in time. So if your State got that kind of money at that moment in time, it does not mean you get it the next time unless you had an emergency. That is what it is all about. You want your State to have the benefit of emergency funding under this program when an emergency arises, in the event it is necessary. If it is not, then you do not need that funding at that moment in time.

We have the formula capabilities under the low-income fuel assistance program to provide and distribute the money to various States. That is another part of the program. But to do away with the emergency capabilities under this program, for the first time ever, is a dramatic departure from where we have been in the past, a dramatic departure even in the alteration of the funding formula, as represented by the amendment offered by the Senator from Arizona. It would be a dramatic departure in all respects, and it would have implications all across America.

Let me remind my colleagues. I quote:

> [It is] to meet the additional home energy assistance needs of one or more States arising from a natural disaster or other emergency.

As I said earlier, 34 of our Nation's Governors have recognized the crisis and have written to the Senate and House leadership respectively and said: Despite significant State contributions to emergency relief funds or supplementing existing State-Federal programs, with the record cost of energy nationwide, the Federal fiscal year 2006 funding for LIHEAP reflects a net decrease from the previous year's total. Exactly, because of the rising prices. That is what it is all about. It has been the status quo, as I said, for funding under LIHEAP, essentially since it was created, but most especially since 1983. That is a long time ago.

I think we ought to do what is right. It will benefit all of our States depending on the need and whether an emergency arises. Then we have the formula to distribute the other funding according to the States and to a formula upon which we have all agreed. And it is fair and equitable. What is underlying all of this is to do what is right for all of America, for all of our States, and not to pit one State against another, one region against another. That is not what this is all about. This program is for all 50 States based on formula and based on emergencies.

I hope we will not significantly alter this in a way that removes emergency funding capability that the President now has and what we certainly need and depend on in the event that occurs in any one of our States.

So with that, I reserve the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will please call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. KYL. Mr. President, let me say a few words about this before Senator ENSIGN comes to the floor. The first vote we will have shortly will be the vote to proceed with the consideration of this legislation, a so-called cloture vote. After that, the subject the Senator from Maine has primarily been addressing will be the pending business.

It is an amendment which would establish how this additional billion dollars would be made available to the States to meet their emergency needs for either home heating or home cooling, as conditions warrant.

There has already been about $2 billion spent, almost all of which is for the heating needs of those in the colder part of our country. Those of us who offered the amendment to provide a way in which the third billion dollars would be distributed have had in mind some very difficult circumstances in our home States over the last year or so. In fact, part of the problem is the fact that the money that is available in the fiscal year is used pretty much at the front end of the time to treat the cold climate problems. By the time we get to the summer, when the heavy heat requirements would authorize funding to be spent in States such as Arizona and Nevada, there has been little money available.

Last summer, in response to the heat emergency there, when air conditioning bills were skyrocketing and a lot of people could not afford to pay them, bills which are much higher per household than home heating bills frequently are, there was no money available. We tried to get a contingency amount of money to apply to the problem. We literally had some people die. Yet by the time the money became available, it was too late.

One of the things we are trying to do with this amendment is to preserve some of the money pursuant to a formula so that it is not all sitting in a contingent fund to be spent in cold States in the beginning of the year with nothing left at the end of the year.

Let me cite some statistics from the city of Phoenix, for example: Arizona's LIHEAP program can only assist 4 percent of those who are eligible; 73 percent of the homes have an elderly or disabled or child under 5—this is in the city of Phoenix; these figures don't necessarily apply to everywhere in the State—18 percent have an energy burden of over 25 percent of their income. This is what I think folks don't realize. Air conditioning is a necessity when you have 115, 116, 118-degree days. It is not optional. Especially if you are elderly or very young, you have to have air conditioning. When you are paying 25 percent or more of your income for that air conditioning, it is a burden that too many people can't bear. That is why we are trying to get more of the funds allocated through a formula to the States that need that kind of help at the end of the year and not have it all sitting in a contingency where it is not available, as was the case last year.

We need to fix this problem. There is already appropriated for fiscal year 2006 $2.183 billion—$2 billion pursuant to the existing formula, almost all of which goes to the cold States in the Northeast and elsewhere, and $183 million for contingency. So to the extent that there are contingency requirements, as the Senator from Maine has spoken to, there is funding currently available for that. What we are trying to do is ensure that the next billion dollars not only provides for that contingency funding and some additional contingency funding but that about three-fourths of it be distributed pursuant to a formula which is much fairer to those States that have not gotten the money in the past to assist their low-income folks to provide primarily for air conditioning. That is what the debate is all about.

The pending amendment is my amendment that would provide for a formula distribution of the next billion dollars. There is still contingency money available but not as much as there would be under the proposal of the Senator from Maine.

There is probably somewhere between zero and 100 an opportunity to try to work things out. It is my hope that in the time between now and the time we begin debating my amendment, we will be able to do so. I am certainly open to discussion about it. We need to make sure that wherever people are located, they are well taken care of. In the past, however, the way the money is distributed, virtually all goes to people in the colder States, with nothing left over for those folks who have to rely upon air conditioning. It is time we recognize that fact and modify the formula for the additional amount of money that is going to be spent if, in fact, money will be allocated, so it more accurately reflects the needs of the people in the hotter climates as well as those who have been the recipients of most of the money that has been allocated so far.

I reserve the balance of the time for others, in particular the Senator from Nevada, when he arrives.

The PRESIDING OFFICER. Who yields time?

The Senator from Minnesota.

Mr. COLEMAN. How much time do we have remaining?

The PRESIDING OFFICER. The Senator from Maine has 1 minute 18 seconds, and there is approximately 24 minutes reserved to the Senator from Nevada and counting.

Mr. COLEMAN. Mr. President, I ask unanimous consent that we use an extra 3 minutes of the other side's time for my discussion.

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

Mr. COLEMAN. I rise to respond to my friend and colleague from Arizona. We are in agreement on the idea that the money should go where it is needed. What I would disagree with is that there is nothing left for those from other States, warm weather States. That is not what we are dealing with here.

Two things about LIHEAP: One, it is not just another Federal acronym; it is a lifeline. I held hearings on this in St. Paul, where I heard from a woman named Lori Cooper, a working professional wife, mother of a 21-month-old baby. It is about scraping by on salary alone, and even with assistance paying the heating expense, it was a real hardship. We had a senior named Lucille Olson who told a story of the struggle to balance the cost of high health insurance and prescription drugs with ever-rising heating bills that represent about 30 percent of her monthly income.

We are not talking about a Federal acronym. It is a helping hand.

You may hear some of my colleagues contending that a warmer-than-usual winter has somehow lessened the need. It may be a mild winter by Minnesota's standards, but certainly not by Virginia's. It was about minus 19 in St. Paul a couple weekends ago. If it is only 25 degrees, mild by Minnesota's standards, you still have to put about an extra 40 something degrees in there to heat your home so seniors and working people can live there with some measure of comfort.

We have 60 percent of all LIHEAP households in Minnesota heating their homes with natural gas. The price of natural gas has risen severely. It is a severe winter by national standards. LIHEAP is designed to soften that. We have heard it firsthand.

I want to make clear the bill which I cosponsored would designate an additional $250 million for formula funding. But due to the nature of the formula governing allotments to States, this additional formula funding for Minnesota would provide a negligible increase. The 25/75 split is exactly the same split the Senate approved a few months ago in the Deficit Reduction Act. What we do is we change the date assistance is available from 2007 to 2006. Again, 25 percent of the funding goes to predominantly warm weather States.

This is about emergencies. It is about meeting the needs of emergencies. I have to say that we have been there. Senators from the northern States have been there when there has been flooding and tornadoes and hurricanes and other crises around the country. We haven't divided up regions. We didn't do that with Katrina and Rita when they swept across the gulf. We didn't do it in areas of Florida hit hard by hurricanes. We didn't do it in western States affected by wildfires. We are one great Nation. We come to the aid of those in need. This is about those in need. It is a severe winter where they can't afford the cost of natural gas, a lifeline, a helping hand, not an acronym for a program.

The Senate has a tradition of putting aside its regional and partisan divisions. When Americans face desperate situations, the Senate comes together in the name of the same Nation with the spirit of cooperation. I have heard the President speak eloquently about the spirit of America, of what it is all about. That is what we are asking for today. Hurricanes Katrina and Rita have already made natural gas prices worse. In northern States such as mine,

this is about hardship. I have seen the faces of those who need this assistance, those who work hard to get back on their feet, to build a better life. A dramatic increase in heating costs like those experienced in Minnesota this year is a cruel burden. They deserve a lifeline, a helping hand. Please support me in providing increased LIHEAP assistance designed to meet the needs of those who need it most.

The PRESIDING OFFICER. Who yields time?

Ms. SNOWE. Mr. President, I commend Senator COLEMAN for his leadership and all the efforts he has made in regard to the pending legislation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The bill 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. Without objection, it is so ordered.

Mr. ENSIGN. How much time remains on our side?

The PRESIDING OFFICER. The Senator has 22 minutes 14 seconds, and the Senator from Maine has 57 seconds.

Mr. ENSIGN. Mr. President, my preference would have been that this bill not go forward simply because I believe this legislation is not paid for. It would be different if the proponents of this legislation had truly paid for it, in other words, offset this spending. Instead of offsetting this spending, they take in the money from next year, bring it into this year and then will try next year to restore the money. If they would have said: This is the priority, let's reset our priorities and let's cut some other type of spending to pay for this, the legislation would have been a lot more acceptable.

That is the reason we raised the budget point of order last week against this legislation. We lost on that budget point of order. So now it looks as though the legislation has a chance of moving forward, and we have to determine how the money is spent. Is it fair to spend it across the country, or should it benefit some States at the expense of other States?

The LIHEAP program is set up with a very complex formula. It is assistance for those people who are low income, who need help with their heating oil or with air conditioning expenses—for those who live in hot States such as myself, or in Arizona, or some of the other southern States around the gulf coast.

The reason people are seeking this increase is because natural gas has exploded in price. Obviously, heating oil has done the same. So there is a need out there for assistance and we don't deny that. We think there is legitimacy to meeting that need. But it is a question of how do we now disburse this money fairly to the States.

Let me get back to the LIHEAP formula—how we determine how the money goes to the various States. It was set up a long time ago when this program was first put in effect that it would benefit more of the colder States. When it was set up, the first amounts of money would go in and mostly benefit those cold weather States; and then if there was more money put into the program, it would be distributed more fairly to help States that are warmer. The proponent has put forward that three-quarters of the money would go to continue to help those States that are in the colder regions of the country, and 25 percent of the money would then be distributed kind of equally across the country. That is not the way the program was intended to be set up.

Additional moneys are supposed to be distributed fairly across the board. Mr. President, 28 out of the 50 States would lose under Senator SNOWE's bill; 22 States would benefit. Those same 22 States benefit under the moneys that have already been spent this year—more than the other States benefit.

We are not going to win the cloture vote. We fully admit that. We lost on a budget point of order, so we know we are going to lose on a cloture vote. After the cloture vote, there will be at least one amendment to change the formula so that other States are more fairly treated in this program.

I believe this billion dollars should be more fairly distributed across the country. So that is what we are going to attempt to do. We hope all of the Senators will look to see whether their States benefit more under the amendment Senator KYL and I are going to put forward or benefit under Senator SNOWE. If they look from a selfish perspective to their own States, they will vote with our amendment.

I think it is important when you are in the Senate to try to do what is best in the national perspective, but you also look to your State and your State's interest. When there is a pot of money out there, it is our responsibility to look to try to get our States' fair share of that money. That is what I am going to do for Nevada, and I know the Senator from Arizona is going to do that for the State of Arizona.

While this cloture vote will go forward, that doesn't mean we won't have germane amendments—which our amendment is—and that we won't have germane amendments to vote on to more fairly distribute the money.

How much time does the Senator need?

Mr. KYL. A couple of minutes.

Mr. ENSIGN. Mr. President, last year, we had a debate on increasing LIHEAP funding, but we had to pay for it last year. We paid for it by allowing drilling in ANWR. The ANWR provision got stripped out in the Senate. So the amount of money to pay for LIHEAP was no longer present. I would like to see drilling in ANWR. I think it is important to diversify our energy supplies in America. The money would have been there and people would not have had objections. I agreed to that last year. This is purely deficit spending even though the proponents of the bill say it is not because of the phony budget games that are played around here. But because it is deficit spending, we are going to try to make sure that the money is spent fairly across the United States. That is what this whole debate is going to come down to in the next day or two.

Mr. President, with that, I reserve the remainder of our time, and 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. KYL. 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. KYL. Mr. President, since I last spoke, I want to get a couple of the specific numbers on moneys actually spent under the formula that currently exists for providing low-income energy assistance for both the cold weather States and the warm weather States.

I have some statistics that relate to three of the States in comparison with the State of Maine, for example. Nevada has about 40,000 more people, or eligible households than Maine. Under the current formula, it receives about $22.7 million less than Maine. In the case of Arizona, with a population of about four times that of Maine, Arizona receives three times less money. In other words, Maine receives more than three times the money of Arizona, with Arizona having more than four times the population. Georgia had to spend $10 million, up from $3 million last year, for its energy needs and for needy families.

We are all interested in seeing that the low-income families have assistance. We want a formula that is fair. In the past, the formula has not been fair. Growing States such as Nevada and Arizona, which have far more population than some of the other States, receive far less money. As I said, in comparison of air conditioning bills versus heating bills, the air conditioning bills can be far greater—sometimes more than 25 percent of the income. That is what we are talking about here. We are trying to achieve fairness with the formula, not have the money all in a contingency fund which is spent early in the year on the cold weather, with nothing left for the hot weather folks.

If the Senator from Oklahoma is ready, I yield to him.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. COBURN. Mr. President, I have been on the floor numerous times to talk about priorities. We are on an unsustainable course in our country. The GAO says that. Anybody who looks at our books, our budgets, and our deficits would realize that. We have before us a $1 billion expenditure that I am

sure we are going to do. I have done everything I can to keep us from doing it. Without paying for it, we will transfer that money to our children.

I think it is important for the American public to know how awry we are in this body. I want to put forward and into the RECORD what the cosponsors of this bill did. They did, collectively, $777 million worth of earmarks last year. Those States of the cosponsors are going to get $145 million in LIHEAP money. The fact is, we spent over $770 million on earmarks.

I wish to spend a few minutes reading some of them so we can see whether the American people think it is a priority. Do we help people who need heat with their homes or do we build the Katahdin Ironworks in Maine? Or do we build a new industrial park in Maine? Do we buy new land—the Rachel Carson land acquisition for $600,000? Do we pay for a new building for the city of Brewer, an administrative building? I cannot find in the Constitution where that is a responsibility of the Federal Government. We are going to build a new Bangor waterfront park. We spent $246,000 on earmarked lowbush blueberry research. Here is a George and Barbara Bush cultural center at the University of New England, $300,000. Do we do that and charge it to our children and grandchildren, or do we help people with their heat? To me, it is an obvious choice. But we refuse to make those hard choices here. We would rather spend the money and charge it to our children and grandchildren.

Here is a Franco-American Heritage Center renovation project in Lewiston. And Bowdoin College in Brunswick, ME, gets $100,000 for site planning and renovation. Here is a purchase of land, Brainard Lakes, MN. Here is Midtown Greenway, Minneapolis, $1.5 million. Here is Augsburg College, in Minnesota, $1 million. I didn't know private colleges were part of the responsibility of funding from the Federal Government. Next we have Grand Portage in Minnesota, to establish a heritage center, $4 million. We are going to establish a heritage center for $4 million and we cannot help people with their heating bills. We are going to try to do both because it is politically expedient, but it is not politically expedient for our grandchildren.

We gave $200,000 to the Hmong American Mutual Assistance Association. We gave $500,000 to the Minneapolis American Indian Center in Minneapolis. We sent $1 million to the Pine Technical College in Minnesota. We rehabilitated the Ames Lake Neighborhood, Phalen Place Apartments, in St. Paul with $150,000 of taxpayer money. Here is the Willard Pond in New Hampshire, $550,000. Then we have Roseview, a purchase of land for $2 million. Here is the Hubbard Brook Foundation and the Daniel Webster College. Here is the city of Portsmouth, to build an environmentally responsible library. We are going to build a library instead of paying for people's heating bills, and we are going to charge it to our children and grandchildren.

We spent $150,000 for site preparation for improvements to White Park in Concord. We are going to restore Temple Town Hall in the town of Temple, $225,000. That is not a Federal responsibility; it is a State responsibility.

Yet the American people are right to ask the question: How is it that we can have $775 million in earmarks from five States, and those five States under this formula would get $145 million in LIHEAP?

I suggest that we shouldn't take it from our children and grandchildren. I suggest that we ought to pay for it, and the way to pay for it is either reduce the number of earmarks that are not legitimate under the Constitution, but are very politically expedient, or find the money elsewhere.

I am not just picking on these items. This goes across this body throughout. The culture of earmarks is killing our country in terms of how much money we spend and who is paying for it. And who is actually paying for it is not us. We are shifting it to the next two generations.

I will show this document in the RECORD—it lists the earmarks by the five cosponsors of this bill—and let the American public decide whether they think we ought to take $1 billion from our grandkids or cut out some of these projects that are not necessary right now. We are in a time of tremendous fiscal severity, and it is time we start acting as grownups.

Mr. President, I ask unanimous consent to have printed in the RECORD the document that lists earmarks.

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

WHAT ARE OUR PRIORITIES—EARMARKS OR LOW-INCOME ASSISTANCE?

(Estimated number and cost of earmarks in FY2006*; additional LIHEAP funding based on estimate of an additional $250 million allocated through the standard formula and $750 million allocated through the contingency fund; contingency fund allocation rates for each state are based on the average distribution rate from the five previous releases from the contingency fund)

State	Number of earmarks	Cost of earmarks	Additional LIHEAP funding
Maine	38	$29,362,000	$16,277,940
Minnesota	85	127,383,000	29,089,755
New Hampshire	50	46,338,000	8,845,527
Ohio	171	238,005,026	39,060,740
Pennsylvania	286	336,210,500	52,561,169
Total	630	777,298,526	145,835,131

*Note: The number and cost estimate of earmarks for each state likely underestimate the total number and cost of earmarks. Only earmarks where a state is clearly and readily identifiable are used in the estimates.

Sources: Congressional Research Service, LIHEAP Clearinghouse, staff calculations.

Mr. COBURN. Mr. President, I want to help those people who cannot help themselves, but I have also discovered that there is very limited authorization for us in the Constitution for us to be paying the heating bills of people in this country. There is no such thing as compassion when you are using somebody else's money to offer compassion.

The real answer to heating bills is solving our energy crisis and local communities taking care of their local citizens with their assets.

I will not vote for cloture, although I know cloture is going to be invoked, but I think this is a great time that everybody in this country ought to be questioning the process here and the utilization of earmarks which could have paid for the heating bill, but instead we did things to help us back home, help us get reelected.

I remind the Members of this body, Mr. President, when they take the oath of this body, they don't take an oath to protect their State or bring home the bacon. They take an oath to do what is in the best long-term interest of this country, not what is in their best short-term political interest.

I believe, as the American people look at this—I know this recent polling said 69 percent of the people in this country think we ought to eliminate earmarks, even if it hurts them. The only way we will get out of the financial mess we are in is start attacking the process of earmarks that greases the sled for spending that is out of control.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Nevada.

Mr. ENSIGN. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. Does the Senator from Maine yield back her 57 seconds?

Ms. SNOWE. Mr. President, I yield the remainder of my time to my colleague, Senator COLLINS from Maine.

Mr. KYL. Mr. President, I ask unanimous consent that the Senator from Maine have an additional minute and only 2 minutes be reserved on this side.

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

Ms. COLLINS. Mr. President, I thank my colleagues for their cooperation. I realize I need to talk very rapidly.

I understand that the Senator from Oklahoma listed earmarks that the Senator from Maine and I have jointly sponsored. I want to tell my colleagues that I am very proud of those projects, and I will stand here and defend every single one of them. But the fact is, that is irrelevant to the debate before us right now.

I think it is so unfortunate to see this breakdown as certain States in certain parts of the country oppose what is a program that is absolutely essential to those of us who live in colder States.

I supported all of the aid for Hurricane Katrina's victims in the gulf region. I routinely support programs that benefit other regions of the country. I think it is unfortunate and unfair and very disappointing for colleagues to oppose a program simply because it doesn't benefit their region as much as others.

This is a program that is a matter of literally life and death to those of us

representing low-income and elderly constituents.

I realize my time has expired. I urge my colleagues to support the motion to invoke cloture.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I will conclude by making two points. First of all, the question on cloture is not whether to allow the program to go forward but whether it will be paid for or, in effect, the money taken from next year, in which case then next year's money will have to be taken from the year after that, and so forth. So it is a question of how we pay for it.

The average temperature in July of last year in Arizona was just under 100 degrees. It was about 98 degrees. It is a matter of life and death. Eighteen people died in Arizona, and there was no money available in Arizona for this program. By the time we found we could get a contingency of $183 million, it was too late.

So while we would like to see the program continue, we would like to see it paid for and also we would like to see the formula modified so those people who suffer from the heat have as much of an opportunity to participate as those who have trouble from the cold weather. As a result, assuming that cloture is invoked, what we will be urging is that the next billion dollars be spent pursuant to a formula that more fairly divides the money among the various States, all of which have problems, but they are just different kinds of problems. And we will be able to debate that at that time.

Mr. President, I yield back all of the remaining time so we can go ahead with the vote.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The legislative clerk read as follows:

CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 2320: a bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

William Frist, Lamar Alexander, Ted Stevens, Pat Roberts, R.F. Bennett, George Allen, Pete Domenici, Rick Santorum, Gordon Smith, John Thune, Richard G. Lugar, Arlen Specter, John E. Sununu, Mitch McConnell, Lincoln D. Chafee, Lisa Murkowski, Mike DeWine, David Vitter.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 2320, a bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, shall be brought to a close? The yeas and nays are mandatory under the rule. The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 75, nays 25, as follows:

[Rollcall Vote No. 33 Leg.]

YEAS—75

Akaka	Dorgan	Mikulski
Alexander	Durbin	Murkowski
Allen	Feingold	Murray
Baucus	Feinstein	Nelson (FL)
Bayh	Frist	Nelson (NE)
Bennett	Grassley	Obama
Biden	Gregg	Pryor
Bingaman	Hagel	Reed
Boxer	Harkin	Reid
Burns	Hatch	Rockefeller
Burr	Inouye	Salazar
Byrd	Jeffords	Santorum
Cantwell	Johnson	Sarbanes
Carper	Kennedy	Schumer
Chafee	Kerry	Smith
Clinton	Kohl	Snowe
Cochran	Landrieu	Specter
Coleman	Lautenberg	Stabenow
Collins	Leahy	Stevens
Conrad	Levin	Sununu
Dayton	Lieberman	Talent
DeWine	Lincoln	Thune
Dodd	Lugar	Voinovich
Dole	McConnell	Warner
Domenici	Menendez	Wyden

NAYS—25

Allard	DeMint	Martinez
Bond	Ensign	McCain
Brownback	Enzi	Roberts
Bunning	Graham	Sessions
Chambliss	Hutchison	Shelby
Coburn	Inhofe	Thomas
Cornyn	Isakson	Vitter
Craig	Kyl	
Crapo	Lott	

The PRESIDING OFFICER (Mr. BURR). On this vote, the yeas are 75, the nays are 25. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

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

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

AMENDMENT NO. 2913 TO AMENDMENT NO. 2899

Mr. FRIST. Mr. President, I ask for the regular order with respect to amendment No. 2899 and now call up amendment No. 2913 as the pending amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee [Mr. FRIST], for Ms. SNOWE, proposes an amendment numbered 2913 to amendment No. 2899.

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

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

The amendment is as follows:

(Purpose: To improve the distribution of funds to States under the Low-Income Home Energy Assistance Program)

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006'';

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

DEATH OF DANA REEVE

Mr. HARKIN. Mr. President, I awakened this morning to some very, very sad news: the death of Dana Reeve last night at the age of 44. With her death, I lost a dear friend and our American family lost a very, very special member of our family.

The world will remember Dana in many ways—as a fine actress, as a tireless advocate for spinal cord and embryonic stem cell research, and as the wife who stood by her husband through incredible adversity. I will remember her as a person of extraordinary grace and decency, always thinking of others, passionately committed to making a difference in the world.

Over the years, I was privileged to get to know and to work with both Dana and Christopher Reeve. Whoever coined the phrase that ''life is unfair'' must have had the Reeve family in mind. But these two people faced adversity with unflinching courage.

They taught us the most valuable of lessons. Christopher taught us how to transcend suffering and to live life to its fullest and to make every moment count. Dana taught us about the true meaning of love and commitment and loyalty.

Together, Dana and Christopher Reeve expanded access to new treatments and therapies for countless thousands of paralyzed Americans. Through their Christopher Reeve Foundation, they were tireless advocates for medical research.

Dana Reeve was also a superb politician, and I mean that in the best sense of the word. She knew exactly which committees to target, which levers to pull, which elected officials to cultivate and pressure and plead with. She also knew how to go over the heads of certain political leaders who got in her way, by taking her case directly to the American people. That is how Dana—and Chris, too—did so much to put embryonic stem cell research front and center on the national agenda. That is how she rallied support for spinal cord research.

But Dana spoke up passionately for all people living with disabilities. She spoke up for Parkinson's and ALS research. She advocated for more generous funding for the National Institutes of Health. Of course, she wanted a cure for her husband, but she fought for a cure for others as well, including all those children whom she and Chris met with spinal cord injuries. And, my friends, so must we. We must fight

also. Dana continued full speed ahead because of her drive and determination, because of the incredible work of all the dedicated people at the Christopher Reeve Foundation. And now Dana's work must continue full speed ahead because of our commitment and determination.

We must continue because we have an unfinished agenda. As long as misguided leaders deny our best scientists access to embryonic stem cells, we have an unfinished agenda. As long as people with disabilities are forced to live in nursing homes because Medicaid will not cover home care, we have an unfinished agenda. As long as there is hope for a cure to spinal cord injuries, Parkinson's, ALS, and other diseases, we have an unfinished agenda.

If we have just half of the commitment and tenacity and courage that Dana Reeve and her husband had, then we will complete this agenda.

Helen Keller, who knew plenty about adversity and disability, said something that applies very much to Dana Reeve in her last months. ''Life,'' said Helen Keller, ''is either a daring adventure, or nothing. To keep our faces toward change and behave like free spirits in the presence of fate is strength undefeatable.''

That is the Dana Reeve I will always remember and cherish. Even when her husband was gravely injured and then taken from her, even a few months after that when she was cruelly stricken with lung cancer—a person who had never smoked in her entire life—she never gave up her fight for a better world and a better future for other people, especially those struggling with disabilities.

Dana Reeve was an extraordinary person, a passionate advocate, a wonderful mother, a loyal, committed, loving wife. As I said, she has taught us a lot about what commitment really means. We are grateful to God for the many gifts she shared with the world. We are grateful for all she has done to enrich our lives and to instruct us in how to live. Today, we grieve her passing.

May she rest in peace, and may her work continue.

Just on behalf of the Harkin family, Ruth and I and our children send our condolences to Will and to all the other members of the Reeve family. May they know we are going to continue the work. Through the Christopher Reeve Paralysis Foundation, we will find a cure for paralysis and spinal cord injuries. We cannot afford to give up. Dana Reeve never gave up. We cannot afford to either.

Mr. LEAHY. Mr. President, today we heard the sad news of the death of Dana Reeve. My wife Marcelle and I got to know, first, Christopher Reeve, who often traveled to Vermont. We met with him there, did things with him there, and with members of his family; and then, subsequently through Chris, with Dana Reeve. We know they had only been married for 3 short years when Christopher Reeve had a terrible accident which left him paralyzed from the neck down.

Like so many of the friends of both of them, we saw how Dana kept by his side. They raised their young son, she encouraging Chris at every step along the way.

It was my privilege to see and be with the two of them many times throughout that, as she helped him with his foundation, to help those with spinal cord injuries. And I heard him say so many times he could not have possibly done this without her steadfast help.

She said at one point that she learned that life does not take the turns you might think it would but that she would continue to stay with Chris and help him.

I remember when the sad time came for the end of his life, and the funeral and the eulogies and discussions that I had with her after that, and her commitment to go forward to help with the foundation and to raise their son.

Then, with the stunning news just a few months ago that she had lung cancer, in typical fashion, she said she felt she could beat that and would do—she had the best doctors—all the steps possible. Then in the last few days she got more and more ill. And, of course, today we received the news she had died.

I think of her talking about her years at Middlebury College in Vermont, going to Vermont with Chris—the two of them giving us so much.

A devoted wife and mother, a talented singer and actress, a determined and dedicated activist, Dana Reeve was the embodiment of grace and courage in the face of so many staggering challenges.

A graduate of Vermont's Middlebury College, Dana pursued both acting and singing, appearing on television programs, on Broadway, and on other stages across the country. When she married Christopher Reeve, a dear friend of so many of us across this land, she could not know what direction her life would take.

I first met Chris in the 1980s and had the good fortune of spending time with him in my home State of Vermont. Over the years, Marcelle and I came to count Chris among our friends. I am privileged to say that Dana became a dear friend of ours as well.

When tragedy struck Chris and Dana's lives in 1995, just 3 short years after their marriage, Dana's love and courage became the focal point of so many stories. Left a quadriplegic in a tragic equestrian accident, Chris repeatedly credited Dana's constant care, companionship, and love with bringing him out of shadowy sadness he felt in the first months after the accident. Together they opened the Christopher and Dana Reeve Paralysis Resource Center, designed to teach paralyzed people to live more independently. They also chaired the Christopher Reeve Paralysis Foundation, which provides funds for research on paralysis.

When Chris died in 2004, Dana—her courage never wavering—assumed the foundation's chairmanship, and she came to the Halls of Congress to make the case for easing the restrictions on stem cell research. Her unrelenting efforts to improve the quality of life for sufferers of paralysis have led to the distribution of more than $8 million in grant funding to support programs designed to improve the daily lives of paralyzed people. Despite being diagnosed with lung cancer in 2005, Dana continued her advocacy efforts. In 2005, the American Cancer Society named her Mother of the Year.

Both Chris and Dana instilled in so many a hope and inspiration that can only come from conquering adversity. Their generous, vibrant, and compassionate souls have touched an entire nation. Their young son Will will no doubt look to that strength as he continues through life. Two years ago, I mourned the loss of my friend, Chris Reeve. Today, I join so many in mourning the loss of Dana, his inspiration, and ours as well.

It is sad when two good people like this are taken so early. I know I speak for so many tens of thousands of their friends not just around this country but around the world.

Mrs. FEINSTEIN. Mr. President, I rise to pay tribute to a remarkable woman who has shown Americans what courage is all about. That woman is Dana Reeve.

I knew Dana as a smiling, beautiful woman standing behind Christopher Reeve's wheelchair, accompanying him to DC to testify in support of advancing stem cell research. Since Chris's death, Dana was the face of this fight on behalf of patients across the country with spinal cord injury, Parkinson's, juvenile diabetes and countless other illnesses.

I thought that after everything Dana had gone through with Chris that she would have time to smell the flowers and be in the sun. But apparently that was not meant to be.

My heart goes out to Dana and Chris's son William, Dana's stepchildren Matthew and Alexandra, and the entire Reeve and Morosini families during what is and has been a very difficult time.

Dana was the picture of steadfast loyalty and compassionate care. She and Chris taught us all that life is short and that we should all have the courage and hope to ''go forward.''

Dana carried that spirit with her in her drive to push Congress to expand embryonic stem cell research and to expand access to new treatments and therapies for thousands of Americans with spinal cord injuries.

Dana was an activist, actress, singer, motivational speaker and published author. Dana was a founding board member of the Christopher Reeve Foundation and succeeded her late husband as chairperson in 2004. She created and led the Foundation's Quality of Life initiatives.

She received numerous awards for her work, most notably the Shining Example Award from Proctor & Gamble in 1998, an American Image Award from the AAFA in 2003, and the American Cancer Society named her Mother of the Year in 2005.

Dana, the person, was a tireless advocate for people with spinal cord injuries. For me personally, she and Chris will forever be the shining lights in the great national debate for advancing medical research.

It is with sadness that I stand before this body, more than 9 months after the historic vote in the House to expand Federally funded embryonic stem cell research, and still there has been no vote in the Senate.

With each day that passes the research that could one day lead to cures and treatments for millions of Americans with deadly and debilitating diseases is being held up.

It is incomprehensible to me that we have a bill, which has already passed the House, that may help millions of Americans but instead is just sitting, languishing in the Senate despite some overtures or promises that it would be taken up by this body.

It is time for the Senate to do exactly what the House did. It is time for the Senate to take up and pass the Stem Cell Research Enhancement Act, the Castle-DeGette bill, with no amendments and no alternatives. I believe we have the votes to pass this bill today and send it to the President.

I want to take a moment to acknowledge Dana's last struggle, her battle against cancer. This terrible disease is a very personal one for me. I have lost many loved ones to it. The elimination of death and suffering due to cancer has been one of my highest priorities since coming to the Senate.

Dana died of lung cancer and, as many of you have read in the papers, Dana was a non-smoker. I believe she had stage one metastatic lung cancer. In fact, over 60 percent of new lung cancers are diagnosed in people who never smoked or who managed to quit smoking even decades ago.

While cigarette smoking is by far the most important risk factor for lung cancer, many other factors play a role.

Lung cancer remains the deadliest form of cancer. In 2006, it will account for more than 162,000 cancer deaths, or about 29 percent of all cancer deaths. Since 1987, more women have died each year of lung cancer than from breast cancer.

Screening for lung cancer is years behind screening for other cancers, which means that when it is diagnosed, the disease is often already in its late stages, which is what I suspect happened to Dana Reeve.

The 5-year survival rate for all stages of lung cancer is only 15 percent. Compare this to the overall 5-year survival rate of 65 percent for all cancers diagnosed between 1995 and 2001.

Clearly we can and must do better. Increased NIH research for lung cancer is essential and we must press for better screening tools for lung cancer. I plan to address both of these issues in comprehensive cancer legislation I plan to introduce shortly.

In closing, it is my sincere hope that the love Dana and Chris shared for each other will reunite them wherever their journeys take them from here. Dana left us far too soon—in her mid-40s—but she left us with her fighting spirit and the will to push forward so that one day we may find treatments and cures for those living with spinal cord injuries and other disabling conditions.

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

The PRESIDING OFFICER. Will the Senator withdraw his suggestion of an absence of a quorum?

Mr. HARKIN. Yes. I yield the floor.

RECESS

The PRESIDING OFFICER. In my capacity as a Senator from the State of North Carolina, I ask unanimous consent that the Senate stand in recess until 2:15 p.m. to accommodate the weekly party lunches and that the time will be counted postcloture.

There being no objection, the Senate, at 12:24 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. ISAKSON).

MAKING AVAILABLE FUNDS FOR THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM, 2006—Continued

Mr. MARTINEZ. 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. DAYTON. 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. DAYTON. I ask unanimous consent to speak as in morning business for 10 minutes with the time charged against my hour under cloture.

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

KIRBY PUCKETT

Mr. DAYTON. Mr. President, I rise today to note with sorrow the passing of one of Minnesota's greatest sports heroes, Kirby Puckett, who suffered a stroke on Sunday and died yesterday at the age of 45. Kirby Puckett was born and raised in Chicago, but he became a Minnesotan when he was drafted at the age of 22 by the Minnesota Twins.

After two seasons in the minor leagues, he played his first major league game for the Twins on May 8, 1984, where he became the ninth player in baseball history to get four hits in his first game. Three years later, he appeared in the first of eight consecutive All Star games during which time he also won the American League's Most Valuable Player honors and Most Valuable Player in the American League championship series.

When his great career was cut short by blurred vision caused by glaucoma in 1996, he sported a lifetime major league batting average of .318 with 2,304 hits, 207 home runs, and 1,085 runs batted in in 1,783 games. But even those extraordinary statistics comprise only part of Kirby Puckett's greatness. He played baseball with an enthusiasm, a devotion, and an excitement that was thrilling to watch. Whether at bat or in center field, where he was a Golden Glove outfielder, he brought Twins fans out of their seats with spectacular game-winning plays.

No Minnesota Twins fan old enough to remember our team's two world championships will ever forget Kirby Puckett. In 1987, with the Twins trailing the St. Louis Cardinals three games to two, Kirby tied World Series records by reaching base five times and scoring four runs to lead the Twins to victory in game No. 6. The next night the Twins won game 7 to win their first world championship and a Minnesota team's first professional world championship in almost 30 years.

Four years later in another World Series game 6 with the Twins, this time playing the Atlanta Braves three games to two, Kirby Puckett was unbelievably even more spectacular than before. His over-the-wall catch saved the game-winning Braves home run and sent the game into extra innings which he then won with a home run in the bottom of the 11th inning. The next night the Twins won another game 7 and another World Series.

During those years, Kirby Puckett was a wonderful representative of the Minnesota Twins and Major League Baseball. He hosted celebrity events for local charities, made countless appearances for others, signed endless autographs, all with his infectious Kirby Puckett smile. Andy MacPhail, now president of the Chicago Cubs, and general manager of the Twins during those World Series years, said yesterday:

> Kirby Puckett was probably the greatest teammate I've ever been around. You always felt better when you were around Kirby. He just had that way about him.

The years following his retirement from baseball stardom were more difficult ones with his sterling reputation tarnished by marital discord and other public incidents. When his contract as executive vice president for the Twins expired at the end of 2002, Kirby Puckett retired from baseball and later moved to Scottsdale, AZ where he passed away. He is survived by his two children Catherine and Kirby, Jr. and his fiance Jodi Olson, to whom I extend my deepest condolences.

The Kirby Puckett I will remember, as will a generation of Minnesota Twins fans young and old, will always be wearing a Minnesota Twins uniform, No. 34, leaping for flyballs, racing around the bases, making his greatest plays in the most important games, and doing so with a zest for the game and for life that was unmistakable and unforgettable.

Thank you, Kirby, for those treasured moments, now forever our memories. Thank you, Kirby. May you rest in peace.

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. KERRY. 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. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed for 10 minutes as in morning business.

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

TRIBUTE TO DANA REEVE

Mr. KERRY. Mr. President, today, we learned of the unbelievably tragic passing of a remarkably courageous, strong, and dedicated woman, Dana Reeve. Most Americans knew Dana as the wife of Christopher Reeve, and most Americans new Christopher as Superman and, as this unbelievable figure, capable of overcoming so many obstacles.

I think the whole Nation was shocked and touched when they learned that Dana, not too long after the loss of Chris, herself was battling lung cancer. She was always ebullient and strong in that effort. At times, she was filled with doubt about her kids and the future, as anyone would be, but always unbelievably courageous. She was a passionate advocate after Chris passed away, and even before. She was, herself, an accomplished actress and singer, appearing off Broadway and on Broadway. She was, above all, a loving mother and a stunningly supportive and nurturing wife.

Through her very selfless effort to be part of Chris's life in gigantic ways, bigger than most people could describe, after his accident, she became an inspiration to millions of Americans. This is no way for anybody who was touched by that family to adequately express our shock and our sorrow to her immediate family—to Will, age 13, and her stepchildren, Matthew and Alexandra, and to her friends, who were with her until the end.

Dana was always a crusader, but with Chris's accident, she became an even more tireless, passionate crusader for the particular promise of medical research into stem cell treatments. After Chris's paralysis, she and Chris together created the Christopher Reeve Foundation, which has raised and distributed over $55 million in research grants, much of it aimed at speeding the development of stem cell treatments.

I can remember visiting Chris at his home in New York. He had this elaborate exercise setup, which he went through, I think, almost every day, or whenever possible, always keeping his muscles as alive and growing as possible under the circumstances, with the belief that he was going to walk again. Dana believed in him and she believed in that possibility. Together with Chris she was deeply involved in the fight for increases in medical research funding, and she was an active advocate for the rights of the disabled.

Many of my colleagues in the Senate had the opportunity to get to know her or talk with both she and Chris in the course of that advocacy. After Chris's death in 2004, Dana courageously kept up the battle to advance medical research. She became the chairwoman of the foundation, picking up where Chris had left off. She was responsible for developing the foundation's Christopher and Dana Reeve Paralysis Resource Center and for a program that has now distributed more than $8 million for projects that improved the daily lives of people with paralysis.

In October of 2004, I was particularly honored and moved to be joined by Dana on the campaign trail in Ohio. I cannot tell you how incredible it was that within 2 weeks of Chris passing away—less than 2 weeks—Dana took the time, found the strength and courage and the sense of purpose somewhere, which she described to me as coming directly from Chris himself, to come out on the trail and fight for what he had been fighting.

I will never forget the grace and the strength that she showed that day, and even a glow that she exuded in her love for Chris and her passion about the issue.

Let me share, if I may, a few of the words that she spoke that day which I found so moving, but I also find important for all of us to focus on today. She said:

> Chris struggled for 9½ years, but it was essential to him that every day bring some kind of forward progress, either personally or globally. Despite the enormous challenges he faced each morning, he awoke with focused determination and a remarkable zest for life. Chris was able to keep going because he had the support of his loved ones, a dedicated nursing staff, the belief of his fans, and members of the disabled community, and because he had hope—hope that one day science would restore some of his function. Chris actively participated in clinical trials. He was on a strict exercise regimen and was recently in a clinical trial right here in Ohio to breathe on his own. Chris could breathe off his ventilator for hours at a time, thanks to science, and scientists taking bold steps.
>
> Chris understood that all journeys begin with a single step, and to take that first step one needs hope. His vision of walking again, his belief that he would reach this goal for himself and others in his lifetime was essential to the way that he conducted his life.

Dana went on to describe that while Chris led the crusade for research, she in turn put her energy into improving the quality of life for people who were living with diseases, inspired by individuals who could still benefit from research. She talked about how right there in Ohio, where we stood that day, the Christopher Reeve Paralysis Foundation had funded a number of items that kept people healthy and active despite the challenge of living with a disability. She did all of this because both she and Chris imagined living in a world where politics would never get in the way of hope.

Dana shared that vision and she worked tirelessly to help achieve it. Today, the whole country will again remember this couple. They will remember them together and their dedication to furthering stem cell research. Here in the Senate, we have an opportunity to honor their memories and that work by fighting to advance stem cell research. We can do it. Mindful of all the ethical considerations that we understand, there is a way to do it and to respect life. We have the opportunity to take the steps that Dana and Chris would have been so thrilled to see, worked so hard to achieve, to finally see a stem cell bill passed through the Senate.

In the end, none of their efforts, nor their lives were about policy. It was about hope and it was about values. It is about honoring their lives now that we should set about that task. They shared an unquenchable belief in the genius of America when we put our minds to it. They drew strength from the talent and dedication of the scientists they met and, in turn, they inspired them to go out and do even more. Chris stunned doctors by regaining some sensation in over 70 percent of his body and moving most of his joints, which people said he would never do. He did that because of science.

Dana and Chris never lost faith that America and American science was the greatest hope for humanity. That is a faith that all of us should share for Chris and Dana and the millions of people who believe in the possibilities of this remarkable time and our remarkable country. A lot of people ask, How can we do that? The answer is simple. How can we commit ourselves to anything less?

So to Will, Matthew, Alexandra, and Dana and Chris's friends and families, colleagues and supporters, I say the best thing we can do to complete their journey is by doing our best in ours. If we do that, we will give even greater meaning to two remarkable lives.

I yield the floor.

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

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

FOREIGN TRADE AND NATIONAL SECURITY

Mr. DORGAN. Mr. President, in news reports last evening and this morning there was a suggestion that some sort of deal was being reached in the Congress, between the Congress and the administration, on the issue of the Dubai

Ports World Company managing six of America's large seaports. Let me point out there is no deal that I am aware of, but if there is a deal, it is being made by people who have not consulted many of us in the Congress.

In any event, I think this proposal still lacks basic common sense. I want to speak about it for a couple of minutes.

In the Wall Street Journal, the Secretary of Homeland Security, Mr. Chertoff, says: ''U.S. ports takeover''—again, by the Dubai Ports World, the United Arab Emirates-owned company—the head of our Homeland Security Chertoff says: ''U.S. ports takeover would tighten grip on security.''

So he actually makes the case, the head of our Homeland Security agency, that allowing the management or the takeover of our six major port facilities, seaport facilities, would strengthen America's security. That is an unbelievable statement. I will describe why he says it. He said:

> Assuming the deal would go through, we intend to have a deep look into their practices, certainly in the U.S. ports.

That is a direct quote. That is almost unbelievable. So they apparently haven't had a deep look into their practices before the deal goes through. This is a circumstance where most of the American citizens understand what is being proposed and very strongly react to it in opposition.

This country is the subject of many terrorist threats. We understand that terrorists from around the world want to strike inside this country. We have all this security in this country—some judged to be quite good, some very deficient. Go to an airport and see what happens when you want to board an airplane. You are going to have to go to a line and you are likely to have to take off your shoes and you are probably going to have to take off your belt and wristwatch and then they are wanding some little 6-year-old boy, spread eagle against a wall someplace because he set off the buzzer. So all of that happens before you get on an airplane. Why? Because airport security is very important.

So is seaport security. We don't have seaports in my home State, but we are recipients of those containers that come on ships into our seaports. Somewhere between 5.7 million and 5.9 million containers a year come into our seaports at 5 or 6 miles an hour to go into the dock where those containers are lifted off by that crane and trucked off all across the country. All of us are recipients of what is coming into our seaports.

Seaport security, frankly, is miserable; 5.7 to 5.9 million containers come into this country and 4 to 5 percent is inspected, all the rest is not inspected, and we believe somehow we are protecting our country?

You will recall shortly after 9/11, there was a fellow from the Middle East, from Egypt I believe, who decided to put himself in a container, get it nailed up and put on a container ship, shipping himself to Canada. He had all the amenities you would need to travel in a container: he had a cot, a GPS locator, a radio, apparently, and a heater. He was in a container on a ship. He was a fellow they thought to be a terrorist shipping himself into Canada in a container for the purpose of coming into the United States.

So seaport security is critically important. We have had vote after vote in the Senate to improve seaport security but the majority doesn't want to spend the money to do that.

Now, with respect to the issue of seaport security, we are told that a United Arab Emirates wholly owned company called Dubai Ports World has been approved by something called CFIUS, one of those God-awful acronyms, the Committee on Foreign Investment in the United States. They have approved the takeover and management, which would include security, by the way, of ports, six major seaports in this country, including New York and New Jersey and Baltimore and New Orleans, and so on.

CFIUS, which is 16 or 18 of the agencies of the current administration getting together, said they think this will be just fine, so they approved it. They approved it without even the 45-day extension you would normally have if someone expressed some concerns about it.

Now Mr. Chertoff, the head of Homeland Security, says our security will actually be better if the United Arab Emirates company takes over our ports. Chertoff says, ''U.S. ports takeover would tighten grip on security.''

I don't know. Maybe he's not drinking the same water most Americans are drinking. I don't know how you come to this conclusion. Allowing a United Arab Emirates company to manage our ports is going to manage and improve our security? I don't think so. That doesn't make any sense.

Let me describe the United Arab Emirates. I will do it in terms that do not suggest this is a bad country. That is not my point, although I must say that two of the hijackers who attacked this country on 9/11/2001 came from the United Arab Emirates, a substantial portion of the financing for those terrorist attacks came through the financial institutions of the United Arab Emirates, Dr. Kahn from Pakistan, who was moving nuclear materials and nuclear knowledge and knowhow around the world, did that through the UAE ports. There are serious questions to be asked.

But let me make another point; that is, the relationship of the United Arab Emirates to Osama bin Laden. The 9/11 report described a circumstance in which we had discovered, in 1999, where Osama bin Laden was at that time and our country was attempting to target Osama bin Laden. This is in early 1999. The CIA learned that Osama bin Laden could be found at a camp in the Afghan desert, and the U.S. military began to plan a strike against that camp. But the strike was called off because Osama bin Laden was apparently being visited by members of the royal family of the United Arab Emirates.

In fact, let me read to you from the 9/11 Commission report. You will find this in the booklet published by the 9/11 Commission:

> No strike was launched.

This is the strike against Osama bin Laden whom our Intelligence Committee said they had discovered. They knew where he was.

> No strike was launched. . . . According to the CIA and defense officials, policymakers were concerned about the danger that a strike would kill an Emirati prince or other senior officials who may be with bin Laden.

That is on page 138 of the 9/11 report, the former CIA Director George Tenet explaining why an attack against Osama bin Laden at a Afghan camp was called off said:

> You might have wiped out half of the royal family in the United Arab Emirates in the process, which I'm sure entered into everyone's calculation in all of this.

The administration says the UAE has been helpful to our country in the fight against terrorism. If they have, and there is some evidence they have since 9/11, then this company appreciates that. But that appreciation, in my judgment, should not and will not extend to inviting the United Arab Emirates-owned company to manage America's seaports. It just defies common sense.

The administration says: What about offending the United Arab Emirates by saying no? We would offend this country by saying no? What about offending common sense by saying yes? Most of the American people understand. They understand if you are going to have security in this country, security includes the United States deciding to provide security at its seaports. The United States can't manage its seaports? I don't understand that.

I was interested in a piece yesterday in the Washington Post by Sebastian Mallaby. I don't know Sebastian Mallaby, but he is a pretty good reflection of those who are pushing this issue, saying that those who oppose having the United Arab Emirates company manage our seaports are demagogs. He said:

> The demagogs are poised to strike again.

He said:

> If demagogs can turn a tiny ally such as Dubai into a villain, you can bet they will do that with China.

He's talking about China trade.

> The Dems will next play the China card.

One of the things he points out, he says we have a trade deficit with China. He doesn't seem to care much about that. But he says if we are going to get serious about dealing with the trade deficit, we need to get serious about balancing the Federal budget. This person must have missed Economics 101. We did balance the trade deficit under the final years of the Clinton administration and the deficit continued

to rise. We keep hearing these folks say the reason we have a trade deficit is because we have a fiscal policy budget deficit, which is not true. We actually created a surplus here before President Bush took over, and the trade deficit continued to rise. Now we have the highest trade deficit in history and a substantial portion of that trade deficit is with the Chinese.

It is interesting to me, all of these columnists, of course, tend to be apologists for public policies that don't work. But to suggest that somehow those who stand and oppose the management of American ports by a United Arab Emirates company are demagogs is elitist and it is wrong.

The so-called group called CFIUS, which, by the way, almost turns down nothing. They have reviewed lots and lots of proposals, and they have approved them all, virtually. I think they disapproved eight of them out of many proposals. But the Coast Guard had written a classified memo to CFIUS—on February 27 that was disclosed publicly by Senator COLLINS, I believe, at the hearing. The report said the following:

> There are many intelligence gaps concerning the potential for the UAE company's assets to support terrorist operations and that precludes an overall threat assessment on the potential DPW and P&O Ports merger.

In fact, the Coast Guard restored a large number of potential vulnerabilities. That is directly from the Coast Guard's memorandum.

One of the so-called intelligence gaps that the Coast Guard referred to was that no one had checked the backgrounds of the people in charge of the UAE company that would manage our ports. So when the Coast Guard's secret report was made public, the administration said the Coast Guard ought to say something pleasant. So the Coast Guard came out and issued a statement the next day saying:

> Upon subsequent and further review, the Coast Guard and the entire CFIUS panel believe the transaction, when taking into account strong security assurances by DP World, does not compromise American security.

Interesting—the Coast Guard statement doesn't say anybody had checked out the backgrounds of the officials at the UAE company. That is what their secret memo had said represented the vulnerability. But the highest ranking official in the Department of Homeland Security, who was part of this group and who reviewed this port deal, said this:

> The CFIUS review did not include background checks on the senior managers of the company.

It is quite clear the Coast Guard, in a classified memorandum, expressed concerns about the terrorist threat, about vulnerabilities as a result of the takeover of American ports by a UAE-owned company and then the Coast Guard, when the classified memo became public, was ordered—the Coast Guard, of course, works for the President, the Coast Guard said something softer, but the Department of Homeland Security's ranking official, Stewart Baker, quite clearly said:

> The CFIUS review did not include background checks on the senior managers.

This is a fascinating description of trying to put a patch on a hole that is too big. None of this adds up very much.

I do want to make another point. This is about offshoring and outsourcing, and so on. The question is, Why would we be contracting with a foreign government, essentially—through a foreign company they wholly own—to manage our ports? This is the new global economy, we are told. If you don't get it, you are an isolationist, xenophobic stooge who can't figure it out. This is all part of the global economy.

President Bush went to India last week. If you are asking the question: How is it that the management of American seaports should be done by the United Arab Emirates company and you don't understand it, you won't understand what the President said last week in India either. What the President said in India, in several speeches, was you need to understand this global economy of ours. He said things have changed. This is about outsourcing of jobs.

I have some quotes from the President. The President says, about globalization: I guess generally outsourcing—you know outsourcing is not bad. People do lose jobs as a result of globalization, and it's painful to those who lose jobs, but the fundamental question is how does a government or society react to that? One of two ways. One is to say losing jobs is painful, therefore lets throw up the protectionist walls and the other is to say losing jobs is painful so let's make sure people are educated so they can find or fill the jobs of the 21st century.

I have news for the President. Those 21st century jobs for educated Americans—he was visiting them in India. He was looking at them. He's looking at the engineers who are now working at jobs American engineers used to have. Why did those engineering jobs go to India? Because you can hire an engineer in India for one-fifth the cost of an American engineer. So the solution is not to say let's have an American lose his or her job and then get better educated. How better educated than going to school to get a degree in engineering and then losing it to somebody in the country of India who is able to work for one-fifth the price?

So he said:

> You don't retrench and pull back. You welcome competition. Understand globalization provides great opportunities.

It is fascinating to me, the people who always talk about this are people who will never be outsourced. The President of the United States is never going to be outsourced. Do you think they are going to move his job to India? I don't think so—or China or Bangladesh or Sri Lanka or Indonesia? I don't think so.

> Our first great purpose is to spread prosperity and opportunity to people in our own land and to the millions of people who have not known it.

How does that fit, spreading prosperity and opportunity by moving American jobs to China and to India?

How does it spread prosperity and opportunity by deciding that a United Arab Emirates country will come and manage American seaports? How does that spread opportunity?

The President says the United States will not give into protectionists and lose these opportunities. So the President, very much like the columnist, Mr. Sabastian Mallaby from the Washington Post, all use the same language. It is code language. They all understand it. It is elitist language: protectionist, building walls, isolationist xenophobes.

We have a trade deficit of some $720 billion. Every single day, 7 days a week, all year long, we actually import $2 billion more in goods than we export to the rest of the world. Every single day, 7 days a week, we sell $2 billion worth of our country to foreigners.

I am not suggesting we shouldn't trade. I believe expanded trade is beneficial. But I am suggesting that we have a backbone, nerve, and a little will to stand up for our country's economic interests.

Can we not tell China, for example, that they can't have a trade relationship with us that has a $202 billion surplus every year? Last year it was a $202 billion deficit with China. Do we not have the nerve to say to China trade is mutually beneficial, a two-way street, that is the way we insist on it, and if they are going to sell to us then they are going to buy from us? Don't we have that nerve and will. If not, why not?

The same is true with others, especially Japan. With Japan it has been a couple of decades where we have had very substantial deficits year after year after year. And our country doesn't have the nerve or will to do anything about it.

We still have folks walking around thumbing their suspenders and puffing on their cigars talking about globalization and how wonderful it is. No one ever lost a job to outsourcing—it is just American workers who lose those jobs.

It is not just the jobs that are gone. It is the jobs left here that become priced by the China price—downward pressure on wages, downward pressure on benefits, stripping away retirement benefits and health care benefits. That is what is happening all across this country.

The issue I started talking about—the issue of managing an American port by a United Arab Emirates firm—wouldn't even have been discussed here 20 years ago. It would have been laughed at. Are you kidding me? Are

you really serious? We will have America's ports managed by the United Arab Emirates given the climate we face today?

Twenty years ago, you wouldn't be talking about a $700-plus billion trade deficit. Things have changed a lot.

We have a President who cheerleads now for that trade strategy despite the evidence—all of the evidence year after year—that this is a bankrupt trade strategy. It is bankrupting this country. It is selling part of America piece by piece of every single day. All of these things relate.

I only wanted to speak briefly—it turned out not to be so briefly—about those who announced to the press or those who talked to the press resulting in news stories last evening that there is a deal in the works; perhaps the United Arab Emirates company could buy an American subsidiary and actually run the ports through a U.S. subsidiary. There is no deal in the works that I am aware of.

I have introduced legislation that would overturn this decision. In one way or another we are going to vote on these things. I believe there are other colleagues who believe the same.

We are going to go vote on these things no matter what kind of deal somebody else comes up with. I think there needs to be a good healthy dose of common sense expressed on some of these issues, and that is certainly lacking on trade, on national security, and on port security.

I hope, perhaps, we can get those before the Senate soon.

I yield the floor.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak as if in morning business for up to 15 minutes.

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

LOBBY REFORM

Mr. VITTER. Mr. President, I rise today to again address the very important issue of lobby reform and to applaud the efforts of many, particularly the bipartisan working group on which I was proud to serve—coming together and working hard to produce good lobby reform packages that will very soon be on the floor of the Senate.

As I have said since the beginning of this discussion spanning several weeks, in so many ways there is no more important threshold issue to the functioning of our democracy and the health of this institution of Congress than these important reform issues. Clearly, they go to the heart and soul of our integrity and our own credibility.

How can we address any other major national issue, whether it is health care, prescription drugs, foreign policy, or defense unless we have that core, central principle of integrity and credibility with the people?

Unfortunately, we have lost that credibility to some significant extent over the past years because of some horrible situations and scandals that have developed.

It is very appropriate and very necessary that we act as an institution to address these abuses and potential abuses which we need to stop from happening in the future.

As I said, I was very proud to serve on an informal working group—Republicans and Democrats coming together with this common purpose to address these central questions, to bring real meaningful, strong reform to our institutions, to develop consensus, not to play political partisan games but to develop real consensus and pass important legislation that could have major support on both sides of the aisle.

I very much enjoyed that work with leaders on this issue—Senators COLLINS, LOTT, MCCAIN, SANTORUM, KYL, and ISAKSON—of course, all those Republicans—joined by Senators LIEBERMAN, OBAMA, DODD, and FEINGOLD, Democrats, as well as myself, a Republican, coming together to address this very crucial issue.

We are about to put this legislation on the floor of the Senate, hopefully, very soon, later today. I encourage all of my colleagues—Republicans and Democrats alike—to again come together for an important debate, to make a proposal about how to improve this legislation but to support the underlying bills which include major systemic reform. That is what I am going to do. That is why I joined this working group from the very beginning. That is why I participated in the discussions and debate which led to the bills coming to the floor.

In addition to that, I am going to do what I mentioned a little while ago, participate in the debate on the floor and make some proposals to strengthen the bill, to make it even better before we report it out from the Senate.

In doing that, I am going to make three specific proposals in areas which I think we need to address that are not in the underlying bill. I again want to outline those three proposals very briefly.

The first has to do with an unfortunate scenario which has happened in the past of spouses and children of Members of Congress, House Members, Senators, getting a paycheck off that Member's reelection campaign. This has happened in the past. It is not some theoretical issue. In fact, family members have made substantial sums in the past in some instances off the campaign of the family member who is also a Member of Congress.

I talk to folks back home in Louisiana all the time. When these circumstances made the newspaper a few months ago, I can tell you what the universal reaction was. The universal reaction was this is abuse. There was no discussion about what these family members were doing, weren't doing, what hours they were lobbying, weren't lobbying. The universal reaction was this was a way for the Member of Congress to basically increase his family income through the political process and is an abuse.

I think the solution is really simple. I will have an amendment that proposes that solution. It is simply this: Ban it; to say a Member of Congress, the House, or the Senate can't have a spouse, can't have a dependent child on the campaign payroll. That is the simplest way to address it. That is the most direct way to address it. That will put the whole issue to rest for once and forever.

Certainly, the huge majority of Members should embrace this idea because it would never cross our minds, quite frankly, a huge majority of Members, to do this. Let us put this potential abuse and real abuse in the past to rest forever.

I encourage all of my colleagues, Republicans and Democrats, to support this floor amendment.

The second floor amendment addresses another very important area of campaign finance that has also been in the news; that is, with regard to Indian tribes.

Again, this is not some theoretical discussion. This is not dreaming up a problem. This has been at the heart of the recent scandals and controversies which bring us to where we are today.

In my opinion, a central problem is the fact that in current law Indian tribes, with regard to campaign contributions to Federal candidates, are treated in a whole different way than similar entities such as corporations, such as labor unions.

With regard to corporations and labor unions, there are very clear and very strict laws that apply in terms of how those entities can raise PAC money, campaign funds that they can turn into political contributions and the overall limit that applies to a single corporation—a single labor union with regard to political contributions that election season. Those rules don't apply to Indian tribes.

When it comes to Indian tribes, those rules I just referenced are out the window and basically no rules apply. There is no governance of how tribes collect and raise funds to give to political candidates. In fact, with so many having very lucrative casinos now, what they do is real simple. They write a check out of the casino operation and fund the entire political operation from which they give campaign contributions. Corporations can't do that—absolutely not. Labor unions can't even do that. I think the rules should be the same for Indian tribes.

Likewise, the limits on campaign contributions should be the same as well. There should be an aggregate, an overall limit for what a specific tribe can give to Federal candidates just as there is for corporations through their PACS, just as there is for labor unions through their PACs.

Again, I will offer a floor amendment that is pretty darned simple and pretty easy to understand. It will basically

say those same rules that apply with regard to the sources of funds and disclosure and aggregate limits that apply to corporations and labor unions, those exact same rules will apply in exactly the same way to Indian tribes.

Third and finally, I will propose on the floor another amendment which relates to Members' families and the ability in some circumstances of a Member to increase his family income through involvement in lobby shops by a spouse.

I think it is very important in this instance to distinguish between what I consider two pretty different cases. The one case is where a spouse was a registered lobbyist, a professional with expertise and professional background well before the Member was ever elected to office, or well before the marriage between the Member and the spouse ever occurred. In my mind, that is a very different situation than when a spouse gets into the lobbying business after the Member is elected or after the marriage occurs with a Member already being elected.

In the first case, that spouse was a professional with background and expertise in this area well before the marriage happened or the Member was elected. In the second case, the cart came way before the horse. It is that second case I am concerned about, and it is that second case on which I believe we should pass a blanket ban that such a person shouldn't get into the lobbying business even after the Member was elected.

Again, I think people back home view that sort of case pretty darned simply. It is a way for direct family members to get involved in lobby shops, and through that route directly supplementing that Member's family income.

That absolutely tears at the integrity, at the credibility of our institutions, and I believe we must act to restore that credibility and integrity.

Again, this is not some theoretical discussion. I wish it were. This is not some problem made up out of the blue. This is a practice that has happened before, that has been in the headlines, that has been in the news. So let us address it directly, boldly, and be done with it.

In closing, I thank all of the leaders who came together in the important working group on lobby reform that I mentioned, particularly Senators COLLINS, LOTT, MCCAIN, SANTORUM, KYL, and ISAKSON, and Senators LIEBERMAN, OBAMA, DODD, and FEINGOLD. I worked closely with them. I believe the product we will bring to the Senate very soon, under the leadership of the two committee chairs, Senators COLLINS and LOTT, is a strong, meaningful, worthwhile product.

I hope we all come to this important debate with additional ideas. I hope we add to the bill and improve it, including through the three floor amendments I just outlined, and then report an even stronger and even better bill out of the Senate to address this crucial issue.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. OBAMA. Mr. President, I ask unanimous consent to speak as in morning business.

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

ETHICS AND LOBBYING REFORM

Mr. OBAMA. Mr. President, I rise today to speak about the ethics and lobbying reform bill we will be considering this week.

Over 100 years ago, at the dawn of the last century, the Industrial Revolution was beginning to take hold in America, creating unimaginable wealth and sprawling metropolises all across the country.

As factories multiplied and profits grew, the winnings of the new economy became more and more concentrated in the hands of a few robber barons, railroad tycoons, and oil magnets. In the cities, power was maintained by a corrupt system of political machines and ward bosses. In the State of New York, there was a young Governor who was determined to give government back to the people.

In his first year, he had already begun antagonizing the State's political machine by attacking its system of favors and corporate giveaways. He signed a workers' compensation bill, and even fired the superintendent of insurance for taking money from the very industry he was supposed to be regulating.

None of this sat too well with New York's powerful party bosses, who finally plotted to get rid of the reform-minded Governor by making sure he was nominated for the Vice Presidency that year.

What no one could have expected is that soon after the election, when President William McKinley was assassinated, the greatest fears of the corrupt machine bosses and power brokers became true when that former Governor became President of the United States and went on to bust trusts, break up monopolies, and return the government to its people.

His name, of course, was Theodore Roosevelt. He was a Republican. Throughout his public life, he demonstrated a willingness to put party and politics aside in order to battle corruption and give people an open, honest government that would fight for their interests and for their values.

I think today we face a similar crisis of corruption and a similar crisis of confidence. I believe we need similar leadership from those in power as well.

The American people are tired of a Washington that is open only to those with the most cash and the right connections. They are tired of a political process where the vote you cast is not as important as the favors you can do. They are tired of trusting us with their tax dollars when they see them spent on frivolous pet projects and corporate giveaways.

It is not that the games that are played in this town are new or surprising to the public. People are not naive to the existence of corruption. They know that over the years it has worn both a Republican and a Democratic face.

Moreover, the underlying issue of how extensively money influences politics is the ''original sin'' of everyone who has ever run for office, including me. In order to get elected, we need to raise vast sums of money by meeting and dealing with people who are disproportionately wealthy. This is a problem that predates Jack Abramoff.

So I agree with those on both sides of the aisle who believe we should not let half measures and partisan posturing on campaign finance reform derail our current efforts on ethics and lobbying, but I also think this is an issue and a conversation we are going to have to have in the months to come—the conversation about campaign financing. That is not, however, the topic that is before us this week.

While people know that both parties are vulnerable to these problems, I do not think it is fair to say that the scandals we have seen most recently under the current White House and Congress—both legal and illegal—are entirely predictable or the standard fare. They are worse than most of us could have imagined.

Think about it. In the past several months, we have seen the head of the White House procurement office arrested. We have seen some of our most powerful leaders of both the House and the Senate under Federal investigation. We have seen the indictment of Jack Abramoff and his cronies. And, of course, last week, we saw a Member of Congress sentenced to 8 years in prison for bribery.

Now, there are some in the media who dismiss these scandals by saying: Everybody does it. The truth is that not everybody does it. We should not lump people together—those of us who have to raise funds to run campaigns but do so in a legal and ethical way with those who invite lobbyists into their offices to write bad legislation. Those are not equivalent. And we are not being partisan by pointing that out.

The fact is, since our Federal Government has been controlled by one party, this kind of scandal has become, unfortunately, a regular order of business in this town. For years now, some on the other side of the aisle have openly bragged about stocking K Street lobbying firms with former staffers to increase their power in Washington—a practice that should stop today and never happen again.

But what is truly offensive to the American people about all of this goes far beyond people such as Jack Abramoff. It is bigger than how much time he will spend in jail or how many Members of Congress he ends up turning in. It is bigger even than the K Street project and golf junkets to Scotland and lavish gifts for lawmakers.

What is truly offensive about these scandals is they do not just lead to morally offensive conduct on the part of politicians; they lead to morally offensive legislation that hurts hard-working Americans.

When big oil companies are invited into the White House for secret energy meetings, it is no wonder they end up with billions in tax breaks while most working people struggle to fill up their gas tanks and heat their homes.

When a committee chairman negotiates a Medicare bill one day, and after the bill is passed is negotiating for a job with the drug industry, it is hardly a surprise that industry gets taxpayer-funded giveaways in the same bill that forbids seniors from bargaining for better drug prices.

When the people running Washington are accountable only to the special interests that fund their campaigns, it is not shocking that the American people find their tax dollars being spent with reckless abandon.

I have to point out that since the current administration took office, we have seen the number of registered lobbyists in Washington double. In 2004, over $2.1 billion was spent lobbying Congress. That amounts to over $4.8 million per Member of Congress.

How much do you think the American people were able to spend on their Senators or Representatives last year? How much money could the folks back home, who cannot even fill up their gas tanks, spend on lobbying? How much could the seniors forced to choose between their medications and their groceries spend on lobbyists? Not $4.8 million—not even close.

This is the bigger story here. The American people believe that the well-connected CEOs and hired guns on K Street who have helped write our laws have gotten what they paid for. They got all the tax breaks and loopholes and access they could ever want. But outside this city, the people who cannot afford the high-priced lobbyists and do not want to break the law are wondering: When is it our turn? When will somebody in Washington stand up for me?

We need to answer that call. Because while only some are to blame for the corruption that has plagued this city, we are all responsible for fixing it.

As you know, I am from Chicago, a city that has not always had the most stellar reputation when it comes to politics. But during my first year in the Illinois State Senate, I helped lead the fight to pass Illinois' first ethics reform bill in 25 years. If we can do it in Illinois, we can do something like that here.

But we have to pass a serious bill that has to go a long way toward correcting some of the most egregious offenses of the last few years and preventing future offenses as well. This is not a time for window dressing or putting a Band-Aid on a problem to score some political points. I think this is a time for real reform.

I commend the work the two committees that have dealt with this issue have already put in under the leadership of Senator LOTT and Senator DODD, Senator LIEBERMAN and Senator COLLINS. I want to note that the Honest Leadership and Open Government Act, which was originally sponsored by those of us on this side of the aisle, has 41 cosponsors and, I think, established a good marker for reform. I commend my leader, HARRY REID, and his staff for their hard work in putting it together.

But real reform means making sure that Members of Congress and senior administration officials are dealing with this in as thoughtful and aggressive a fashion as is possible. Let me give you some examples of some provisions that are already in, but also some provisions I would like to see included.

Real reform means making sure that Members of Congress and senior administration officials wait until they leave office before pursuing jobs with industries they are responsible for regulating.

I understand that former Congressman Billy Tauzin has said he was not negotiating for a job with the drug industry at the same time he was negotiating the Medicare bill, but the fact is this: While he was a Member of Congress, he was negotiating for lobbying jobs with not one but two different industries that he was responsible for regulating—the drug industry and the motion picture association.

That is wrong. This should not happen anymore. Real reform means ensuring that a ban on lobbying after Members of Congress leave this office is real and includes behind-the-scenes coordination and supervision of activities now used to skirt the ban. Real reform means giving the public access to now secret conference committee meetings and posting all bills on the Internet at least a day before they are voted on so the public can scrutinize what is in them. Real reform means passing a bill that eliminates all gifts and meals from lobbyists, not just the expensive ones. And real reform has to mean real enforcement because no matter how many new rules we pass, it will mean very little unless we have a system to enforce them.

I commend Senators LIEBERMAN and COLLINS for their efforts to create such an enforcement mechanism through an independent office of public integrity. While this proposal doesn't go quite as far as my proposal for an outside ethics fact-finding commission, it is still very good, and I am looking forward to working with them to try to get it included in the bill that has been marked up. But to truly earn back the people's trust, to show them we are working for them and looking out for their interests, we have to do more than just pass a good bill this week; we are going to have to fundamentally change the way we do business around here.

That means instead of meetings with lobbyists, it is time to start meeting with the 45 million Americans who don't have any health care. Instead of finding cushy political jobs for unqualified buddies, it is time to start finding good-paying jobs for hard-working Americans trying to raise a family. Instead of hitting up the big firms on K Street, it is time to start visiting the workers on Main Street who wonder how they will send their kids to college or whether their pension is going to be around when they retire.

All these people have done, our constituents, to earn access and gain influence is to cast their ballot. But in this democracy, that is all anyone should have to do.

A century ago that young, reform-minded Governor of New York, who later became our 26th President, gave us words about our country that everyone in this town would do well to listen to today. Here is what Teddy Roosevelt said back then:

> No republic can permanently endure when its politics are corrupt and base . . . we can afford to differ on the currency, the tariff, and foreign policy, but we cannot afford to differ on the question of honesty. There is a soul in the community, a soul in the Nation, just exactly as there is a soul in the individual; and exactly as the individual hopelessly mars himself if he lets his conscience be dulled by the constant repetition of unworthy acts, so the Nation will hopelessly blunt the popular conscience if it permits its public men continually to do acts which the Nation in its heart of hearts knows are acts which cast discredit upon our whole public life.

I have come to know the Members of this body and know that the people who serve here are hard-working, thoughtful, and honorable men and women. But the fact is, the entire Congress has been marred and is under a cloud. Our consciences have been dulled by the activity of the few. We have to make certain we are sending a strong signal to the American public that we are no longer going to tolerate that kind of activity, that our conscience has been sharpened, and we are willing to take the steps necessary to restore credibility to this August body.

I hope this week we in the Senate will take the first step towards strengthening this Nation's soul and bringing credit back to our public life.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

The majority leader is recognized.

Mr. FRIST. I thank the Chair.

(The remarks of Mr. FRIST pertaining to the introduction of S. 2381 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. 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. LEAHY. Mr. President, I see the distinguished majority leader.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. For the information of my colleagues, we should have a vote somewhere in 25 minutes or so. Depending on the outcome of that vote, there may be another vote, either a roll call or voice vote, after which we will go back to lobbying reform. I need to talk to the floor managers. I would expect we will not have more rollcall votes after we finish these next two votes shortly. But I do want to talk to the managers. So what I will do is ask unanimous consent which, in essence, will be 20 minutes of debate equally divided and then we should have a rollcall vote. And then I will be talking to the managers about what we will be doing after that tonight. I don't expect rollcall votes after we handle these next two.

I ask unanimous consent that there now be 20 minutes equally divided between Senator SNOWE or her designee and Senator ENSIGN or his designee on the pending second-degree amendment, followed by a vote in relation to the amendment with no intervening action or debate; provided further that immediately after that vote, the Senate proceed to a vote in relation to the underlying Kyl amendment, as amended, if amended, with no further intervening action or debate.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENSIGN. 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. ENSIGN. Mr. President, we are now engaging in a debate over an amendment. The amendment has to do with the LIHEAP proposal that has been brought forth. This first amendment would say to Senators that instead of the original proposal that Senator SNOWE put forward, where 75 percent of the money went through the contingency fund, 25 percent goes through the regular formula, that now she has brought forward an amendment that would be 50–50, 50 percent through the contingency fund, 50 percent through the regular formula. If we defeat this amendment, the underlying amendment would say 100 percent of the money goes through the regular formula.

Why is that important? It is important because the 50 percent versus the 100 percent going to the regular formula, this is how it breaks down across the country. The red-colored States—this isn't Republican or Democrat, this just happens to be red-colored States in this case—all would get more funding under the underlying amendment, the one where 100 percent of the money goes through the regular formula. The 50–50 or the underlying bill that Senator SNOWE has put forward, basically the white-colored States, 21 of them, would do better under her formula. So it really is a question of fairness. Because the underlying formula in the LIHEAP provisions, the way it is implemented, benefits those 21 States right now. So the first $2 billion that is spent per year benefits 21 States. That is historically what has happened. And what we are saying is: If you are going to put an additional billion dollars to help low-income people around the country, it should benefit people from all over the country and be more fairly allocated. That is really what the 100 percent of the money going through the regular formula does. It makes it fairer.

Senator SNOWE will make part of her arguments, and we had this discussion at lunch today. She will say that this is an emergency fund. This contingency fund is an emergency fund to be directed toward emergencies. That is not the way it has worked in the past. In the past, it has been divvied out earlier in the year when the cold States need it. And so when the warm States need it for air-conditioning in the summertime—and by the way, they need that air-conditioning, and in many cases it is a life-or-death situation because people can die from heat prostration and that is the real issue—the money is gone because it has been spent out of the contingency fund. That is why the only fair way to do it is to put it through the regular formula, divvy it out through the States. And then low-income people who need either heating or cooling assistance can receive that fairly.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I am offering an amendment that essentially preserves the emergency funding that has been consistently part of the low-income fuel assistance program. I am offering my amendment as a second degree to the Kyl amendment that removes the emergency funding that has been part of this program for the last 5 years. So it would be a marked departure from historical practice and, unfortunately, a 100-percent appropriation through a formula for low-income fuel assistance would not allow the President to respond to any situation that is clearly an emergency.

Last fall, the President had the discretion, because we had an emergency funding under the legislation, under low-income fuel assistance, that, in fact, was supported by the Senate and the House and the President, and it became law a month ago that basically embraced the approach that we have here today pending before the Senate.

The Senator from Arizona and the Senator from Nevada are suggesting that somehow we no longer need any emergency funding, that we will distribute all of those funds through a specific formula. But we cannot predict where or when that emergency will occur, denying the President the ability to respond to an emergency. Last fall the President had the discretion, because he had this emergency funding, to provide $14 million to Louisiana, Mississippi, Alabama, and to Florida as a result of the hurricane damage. The President had that capability. That will be removed by the underlying amendment. It simply does not make any sense to say that we should have a formula in the distribution of emergency funding when we don't know where the emergency is going to occur and when. We cannot predict that. That is why the President has it in a contingency fund so in the event that there are such emergencies, we can release that funding. That is what it has always been about.

This is a historical departure from previous precedent, policy, and practice; in fact, a practice and policy that was embraced and endorsed by the Senate and by the House of Representatives and the President a month ago that became law in the Deficit Reduction Act.

I am surprised we are here today to suggest that somehow we should now no longer have emergency funding, no longer have any contingency funding. In fact, the Senator from Nevada says that there is no remaining funding for warm States. I should mention to the Senator from Nevada that the President has set aside $101 million in fiscal year 2006 emergency funds. This money has not been released. In fact, it is at the disposal of the administration to release in the event that there are potential emergencies this summer, so that there is money. And certainly we can address the concerns of the Senator from Nevada if he feels it is not sufficient.

I, for one, felt we should increase the funding for the low-income fuel assistance program because the real value of this program has eroded over the last two decades. It essentially has the same value as it did in 1983. In 1983, it provided 50 percent of the cost of energy for a family. Today it provides 19 percent. That is not accommodating all the demands, all the people who are on

the list in various States across this country. Thirty-four Governors wrote a letter to the leadership of both the House and Senate saying how they have run out of funds. Even in addition to the significant State contributions for this purpose, they have run out of money. And rightfully so, understanding the cost of energy today. Now some have suggested—and they have suggested it from their positions in Arizona, in Nevada, in Alabama—that it has been a mild winter. But come to Maine and tell us about it being a mild winter. Then add to that the 30- to 50-percent increase in the cost of home heating oil and natural gas, in addition to the increases this last year.

The amendment I am offering today preserves the emergency funding. It provides for the formula funding as supported by the Senator from Nevada which I supported. It has two tiers of funding. One allows for emergencies and the other allows for emergency distributions. I regret that last week there was a chart distributed that misrepresented the distribution of funds. That was for that snapshot in time when there were emergencies so those States benefited from the release of funding because they had emergencies. But if you looked at it the next month, you would have discovered that there would have been a different distribution because we don't know when or where, nor can we possibly predict where, the emergencies will occur.

So the White House supports this approach, supports the emergency funding. It supports the 50–50 distribution in my amendment that I am offering as a second degree to the Kyl amendment which essentially does away with the emergency funding and provides 100 percent through a formula. So any State that requires support from the emergency funds under this program would be denied if such an emergency should arise. I believe my second degree is a positive step in providing additional assistance for those in need of energy assistance this year.

The Secretary of Health and Human Services supports this amendment to advance the funding, the 2007 funds to 2006, in order to provide for this billion dollar increase. We are just advancing the funding. This is budget neutral because there is no net increase in Federal spending. It is important to understand the facts. There is no net increase in Federal funding. We are advancing the billion dollars. We have compromised. We asked for $2 billion, which is what I thought we agreed to before we adjourned for the Christmas recess on December 23, that we would have a 50–50 percent allocation, 50 percent to emergency, 50 percent to formula.

Here we are today, now having to say: You know, we can't afford the billion dollars because it increases spending, which it does not, and now we decide that we don't need emergency funding for this purpose, and we will allocate all the funding through a formula so that the States that depend upon this money in the event there is an emergency will not be able to have it.

I hope the Senate will support my amendment to the Kyl amendment. My amendment is fair. It is equitable. It is reasonable. This legislation should not be divisive. This isn't regional legislation. It is for all of the country. It is to benefit any region of the country. It is designed to ensure that regardless of where you live in America, if for some reason you have an emergency that affects your ability to have access to natural gas, to propane, to home heating oil, to the need for air-conditioning, for electricity, that this emergency funding will help to mitigate the impact of those disasters. That is what this is all about.

I should add, it is very specific in the mandate in law in terms of how the contingency funds are used and where do these go. I should quote from the law and what it means. It says: To meet the additional home energy assistance needs of one or more States arising from a natural disaster or other emergency. That is why it simply makes no sense to distribute emergency funds through a formula because how do you know who is going to have an emergency? Why would you be distributing money to States that don't have an emergency for that distribution?

That wasn't the attempt of this program. I would hope that we could come to an agreement on this question. At the very least, I would hope that the Senate would endorse my approach, which is a second-degree amendment that preserves the emergency funding and provides for a 50–50 allocation between emergency and formulas. I think that is patently fair to all of the States, all of the regions in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Nevada.

Mr. ENSIGN. Mr. President, first of all, I wonder if the Senator from Maine would be willing to answer a question on my time. She says that this is offset. We have already had this argument, and we lost it. But it would be curious to get an answer to a question I have. You say that it is not going to increase the deficit at all because a billion dollars is taken out of next year's funding. I wonder if the Senator from Maine would be willing to agree not to come back and try to refill that money next year?

In other words, there is $1 billion taken out next year and she is saying it is deficit neutral. Would the Senator be willing to commit to not going after more money next year?

Ms. SNOWE. I am glad to answer the Senator's question. Obviously, I cannot forecast the future in terms of the extent of the needs that are required by any State. But I remain unchallenged when it comes to my fiscal credentials in the Senate. I have been more than happy to work with the Senator in terms of meeting our fiscal responsibilities on this issue and on any other question that benefits every State in America. From that standpoint, I would be more than happy to work with the Senator.

Mr. ENSIGN. Reclaiming my time. I will answer the question because I can predict the future because I have seen it here enough. If you watch and learn from the past, you can predict the future. People will be going after this money and probably even more. These kinds of budget games are played all the time.

I wish to make a couple of points to respond to what the Senator from Maine has talked about. First, there is $183 million in the contingency fund this year, and $100 million has been spent so far. There is $83 million left in the contingency fund. She said this is for emergencies—the contingency fund is for emergencies. Well, other than post-Katrina, every other allocation since 2004 from the contingency fund has gone to all 50 States. She says it is only for emergencies. So all 50 States must have had emergencies every year.

That is not what the contingency fund has been. It has gone to every State. Our point is that the contingency fund has not been allocated fairly. I mentioned the $183 million, and there is $83 million left for this year's contingency fund. Has anybody noticed that it is all being allocated in the wintertime, so when the warmer weather States need their contingency fund, there won't be any left? That is the point.

She had problems with our numbers the other day. So we redid the numbers. We looked at the last 5 allocations of the contingency fund. As it turns out, in the last 5 allocations, 29 States do worse under her formula than if you adopt the underlying Kyl amendment—29 States. We are going to be passing this chart out to every Senator. The 29 States are the red States on the chart I have here. If you see your State there in red, your Senator should be voting with myself and Senator KYL to more fairly allocate this money that is for LIHEAP.

The allocations that go out for LIHEAP are there for a very noble purpose. All we are asking is, if we are going to spend this money, let's do it fairly. For too long, the formulas have benefitted some States at the expense of others. The Senator from Maine is looking out for her State. I have no problem with her doing that. It is one of the things we are elected to do—to look out for the interests of our States—also the country, but particularly for our home State.

I think the people in my State and the people in the other 28 States that are unfairly treated in the way that she has her amendment drafted deserve fair treatment, and we as Senators should fight for the people in our States.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maine is recognized.

Ms. SNOWE. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. There is 40 seconds.

Ms. SNOWE. That is enough to respond.

The Senator from Nevada is incorrect with respect to my amendment and the way in which States it would benefit. Twenty-nine States would gain under my amendment. Unfortunately, the information the Senator is providing is inaccurate, as was the chart distributed last week that fundamentally misrepresented not only how this funding was distributed, but the fact is it was done on the basis of an emergency. If all 50 States had the benefit of the emergency funding, it is because emergencies existed in those States. That is the point. It is at the discretion of the President to distribute and release that funding in order to enable the President to respond immediately to any natural disasters or emergencies. That is what it is all about.

Under a formula for funding, States would receive it irrespective of whether an emergency occurred in their States. So 29 States would gain under my amendment. It is unfortunate that we are where we are, talking about this in that fashion, because the Senator released a chart last week that suggested this is the historical pattern. If it is the historical pattern, it is because there were emergencies. It wasn't distributed just for the sake of distributing it that way. It was done because there were emergencies in those particular States.

Mr. ENSIGN. Mr. President, how much time do I have?

The PRESIDING OFFICER. The Senator has 2 minutes 24 seconds.

Mr. ENSIGN. Mr. President, the Senator from Maine had a problem with the way we did this. It was the Congressional Research Service that did this. She said it was just a spot in time. So we said, OK, let's look at the last 5 allocations historically. How have these funds been allocated? She said 29 States would benefit under her formula. That is correct, 29 States would benefit under her amendment compared to her underlying bill. But 29 States would benefit more with the Kyl amendment than with the Snowe amendment. That is according to data from the Congressional Research Service. That is what we have to go from. That is our expert source we turn to for unbiased information. The chart I have is accurate if the people at the Congressional Research Service have done their jobs right. I have no way of knowing, other than they provide pretty good information to all Senators in a nonpartisan way. To say they are inaccurate—I don't believe that is an accurate statement; I will leave it at that.

To sum this up and close this argument, it is about fairness. The underlying LIHEAP program was set up a long time ago, and it was set up to be biased toward many of the northern States, especially in the Northeast. The LIHEAP formula is drafted so that when we start adding money in, then it is going to be distributed more fairly to all States for heating and cooling. This is an additional billion dollars. Those other 29 States that are not treated as fairly in the original program need to be treated more fairly.

Whether you are Republican or Democrat, you should look at our charts to find out how your State is treated under the Snowe amendment versus the Kyl amendment. Senators from the 29 States should, I believe, vote against the Snowe amendment, and then support the Kyl amendment.

I yield back the remainder of our time.

Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. No.

Mr. ENSIGN. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second. The question is on agreeing to amendment No. 2913.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. BYRD) is necessarily absent.

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

The result was announced—yeas 68, nays 31, as follows:

[Rollcall Vote No. 34 Leg.]

YEAS—68

Akaka	Durbin	Mikulski
Alexander	Feingold	Murkowski
Baucus	Feinstein	Murray
Bayh	Frist	Nelson (NE)
Bennett	Grassley	Obama
Biden	Gregg	Pryor
Bingaman	Hagel	Reed
Bond	Harkin	Rockefeller
Boxer	Hatch	Salazar
Burns	Inouye	Santorum
Cantwell	Jeffords	Sarbanes
Carper	Johnson	Schumer
Chafee	Kennedy	Smith
Clinton	Kerry	Snowe
Cochran	Kohl	Specter
Coleman	Landrieu	Stabenow
Collins	Lautenberg	Stevens
Conrad	Leahy	Sununu
Dayton	Levin	Talent
DeWine	Lieberman	Thune
Dodd	Lincoln	Voinovich
Domenici	Lugar	Wyden
Dorgan	Menendez	

NAYS—31

Allard	Dole	McConnell
Allen	Ensign	Nelson (FL)
Brownback	Enzi	Reid
Bunning	Graham	Roberts
Burr	Hutchison	Sessions
Chambliss	Inhofe	Shelby
Coburn	Isakson	Thomas
Cornyn	Kyl	Vitter
Craig	Lott	Warner
Crapo	Martinez	
DeMint	McCain	

NOT VOTING—1

Byrd

The amendment (No. 2913) was agreed to.

Mr. FRIST. Mr. President, I move to reconsider the vote and move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 2899

Mr. FRIST. Mr. President, I understand that we are now prepared to agree to the Kyl first-degree amendment without a rollcall.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, I ask unanimous consent that the amendment be agreed to as amended.

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

The amendment (No. 2899), as amended, was agreed to.

Mr. KYL. May I have just 30 seconds to thank all of those who participated in this debate, including the Senator from Maine and the Senator from Nevada. I think this 50–50 compromise that has been adopted will allow the various States to try to find a way to take care of the folks in their States who need this assistance. I appreciate the efforts of all involved to get it done.

The PRESIDING OFFICER. The majority leader.

AMENDMENT NO. 2898

Mr. FRIST. Mr. President, I now make a point of order that the Inhofe amendment, No. 2898, is not germane.

The PRESIDING OFFICER. The point of order is sustained and the amendment falls.

Mr. OBAMA. Mr. President, I rise today to speak in favor of greater funding for the Low-Income Home Energy Assistance Program, LIHEAP.

As I have traveled around Illinois this winter, I have heard from many low-income families and senior citizens about the burden of rising heating costs. These families are being forced to spend considerable portions of their incomes on gas bills, and many of them simply cannot afford it. Some families are having to keep their thermostats low just so they can buy groceries. It is essential that States have the funding they need through LIHEAP to help these families pay their heating bills during the cold months.

That is why, last year, I joined a number of my Senate colleagues in sending a letter to the chairman of the Senate Budget Committee requesting $3 billion in funding so that low-income families, disabled individuals, and senior citizens who live on fixed incomes have access to affordable energy when they need it most. We also asked that advance funding be allocated in the budget for LIHEAP. This would allow States to plan more economically in preparing for the winter heating season by purchasing fuels during the spring and summer months. Unfortunately, our request was denied.

Months later, during consideration of the Energy Policy Act of 2005, Congress reauthorized the LIHEAP program from fiscal year 2005 to 2007, providing for a yearly appropriation of $5.1 billion. However, in the fiscal year 2006 Departments of Labor, Health and Human Services Appropriations Act, Congress provided $2.2 billion for LIHEAP funding—the same allotment

given to the program in fiscal year 2005. During Senate consideration of several bills in the final weeks of 2005, I voted for a number of amendments providing more funding for LIHEAP, but those amendments were defeated.

Funding for LIHEAP has remained level for the past 20 years, but energy prices are at an all-time high. According to the Department of Energy, DOE, natural gas prices in the Midwest were expected to rise between 69 percent and 77 percent during the winter heating season. The National Energy Assistance Directors Association estimates that for families using natural gas, heating bills would average well over $1,500 per consumer, an increase of over $600 per consumer as compared to the winter of 2004–2005. As a result, we have seen an unprecedented rise in requests for LIHEAP assistance across the country. In Illinois, requests in 2005 were up 41.4 percent from the year before. That is nearly a quarter of a million Americans asking for help in my State alone.

I think we often forget how much our working families need this program, and just how heavy the burden of heating one's home can be these days. In a thank-you note to the staff at Illinois LIHEAP, a woman in Lake County, IL, wrote:

> Having you help me and my mother this year with our utility bill was a godsend. It was over my head and I didn't know what I was going to do . . . My mother is on oxygen 24-hours a day, and we couldn't be without electricity, so you see it was a matter of life and death also for me.

I commend Senator SNOWE for her tenacity in pushing this legislation, and I commend Senator JACK REED for his longstanding commitment to this issue.

I hope my colleagues will recognize the importance of this problem and support this measure, as well as greater LIHEAP funding in the future. With natural gas prices increasing so severely, more Americans than usual are expected to apply for LIHEAP assistance in paying their heating bills.

Mr. SANTORUM. Mr. President, today I rise to address the rising costs faced by Americans as they try to heat their homes this winter. Obtaining affordable heating assistance each winter, and cooling assistance during the summer months, is critical to hundreds of thousands of Pennsylvanians and millions of Americans. Unfortunately, projections from the Energy Information Administration this January show that on average, consumers will spend nearly 35 percent more for natural gas this winter than they did last winter.

The primary Federal heating assistance program is the Low-Income Home Energy Assistance Program. I represent a Commonwealth that depends heavily on this program. My State also has a high percentage of elderly citizens; they are especially vulnerable to cold winter temperatures. Overall, the Pennsylvania Department of Public Welfare reports that it distributed LIHEAP funds to approximately 462,000 households during the 2004–2005 winter, with 128,000 of these recipients being elderly.

While I am pleased that my Commonwealth ranks second in the Nation in the total Federal LIHEAP assistance distributed, more has to be done to help Pennsylvanians in need. At current funding levels, only 15-percent of LIHEAP-eligible households are served in my home State.

As a member of the Special Committee on Aging, I am pleased that Chairman SMITH has recognized the importance of this program for many low-income senior citizens. This past June, my colleague from Oregon convened a hearing to examine the effect of energy prices on the elderly. However, much has changed across the national energy landscape since that hearing. The tragedies of Hurricanes Katrina and Rita put severe pressure on our energy industries, increasing costs of oil and natural gas. Now that the winter has arrived, the increasing cost of home heating fuel weighs heavily on the minds of the elderly and low-income individuals, and it is time for the Senate to further address this vital issue.

In the beginning of January, I chaired a field hearing for the Special Committee on Aging near my hometown of Pittsburgh, PA, to revisit this critical issue and hear from a variety of witnesses about ways in which the Government and private sector are helping the elderly and others stay warm. Representatives from the Department of Health and Human Services, Department of Energy, Pennsylvania State Department of Public Welfare, and private sector organizations and utilities testified in support of LIHEAP.

The testimony of Pennsylvania State secretary of public welfare Estelle Richman was especially troubling. Secretary Richman testified that, by December 30, 2005, her agency had received over 320,000 LIHEAP applications. This is a 5 percent increase over 2005, which means that over 17,000 additional Pennsylvania households have requested heating assistance already this winter. Furthermore, the Pennsylvania Department of Public Welfare has already seen a 15-percent increase in crisis home heating assistance applications.

Pennsylvania is not alone in facing such difficulties. According to Assistant Secretary for the Administration for Children and Families, Wade Horn, his agency assists nearly 5 million households each year. However, those who are eligible for these benefits far outnumber those who receive this assistance.

As a Senate, we need to address this growing national problem. Each winter, our Government is faced with distributing emergency LIHEAP funds, while millions of Americans are stuck out in the cold. This past year, we tried, in a bipartisan fashion, to appropriate additional funding for LIHEAP. Unfortunately, we were not able to garner enough support for those provisions to pass.

This year we find ourselves in a worse situation than we did last year. When I travel throughout Pennsylvania, I continually hear from my constituents their concerns about rising energy costs and what we, the Congress, are doing to help. Now we have our chance to provide additional assistance that will benefit millions of Americans in the short term. However, while we need to pass this additional LIHEAP funding, we also need to look toward long-term solutions for our Nation's energy needs.

As we are all aware, there is no one solution to our Nation's energy problems. However, by increasing our domestic supplies and production capacity, we can take steps towards lowering the cost of energy for all Americans. We also need to promote alternative energy solutions that utilize state-of-the-art technological advancements like coal-to-liquid fuel advancements. Without this combination of current and new technologies, the costs faced by consumers at the pump and in their home heating bills will only continue to increase.

While this is clearly a long-term problem that we, as a body, need to address, I am proud to support my colleague from Maine, Senator SNOWE, in her effort to provide additional LIHEAP funding this winter. This measure will assist thousands of Pennsylvanians and millions across the country. For this, as well as the reasons I have cited, I urge my colleagues to support this measure that assists countless senior citizens and low-income Americans.

Mr. KENNEDY. Today's Senate action adding $1 billion for the Low-Income Home Energy Assistance Program for this winter is a step in the right direction. It is the best we can do, and it deserved to pass. But no one should be under the illusion that we have now provided adequate assistance to millions of struggling families around the country, many of whom are elderly and disabled. The additional $1 billion is less than half what is needed to fully fund LIHEAP and guarantee the assistance these families need and deserve. A small step is better than no step, but it is still far from meeting the obvious need.

Countless citizens in communities throughout America live year-round in constant fear of power shutoffs because they can't pay their energy bills, and they have no confidence that either Congress or the President is on their side.

According to a report by the National Energy Assistance Directors' Association, since the winter of 2001–2002, the average yearly cost of heating oil has soared from $627 to $1474, natural gas from $465 to $1000, and propane from $736 to $1286. Yet the Republican Congress and the Bush administration continue to ignore the fact that millions of Americans can't afford these steep increases.

Democrats have pressed for months to fund LIHEAP at the authorized level of $5.1 billion for the current fiscal year. We have urged Congress to act, but the Republican majority has blocked our efforts at every turn, and they continued to try to block our efforts to obtain an additional $1 billion for the program today. Families are paying a steep price for this neglect. The average LIHEAP grant has decreased by almost 10 percent since 2002 and is now only $288.

In Massachusetts, the State government has provided $20 million in additional funds for LIHEAP this year.

Low-income families are more fortunate in our State than in most other States on this issue, but we have exhausted all Federal funds, and need is still great. Even the poorest households with the highest bills will get no more than $840—less than half what is needed to get through the winter.

As Self Help, a community action program in Avon, MA, ''Many of our clients have exhausted their benefits . . . The bottom line is that we need some kind of relief, as quickly as possible.''

ABCD, a community action agency in Boston, reports that as of January 17, the number of applicants applying for fuel assistance for the first time increased by 26 percent. Its clients are currently exhausting all of their fuel assistance benefits. Even a benefit of $765 buys only one tank of oil at today's price of $2.40 per gallon, when at least two or three tankfuls are needed to get through the winter, and no other source of funding is available.

These aren't just numbers. They represent real people facing real hardships.

For example, an elderly couple lives in a modest home on the outskirts of Haverhill and both receive Social Security benefits. Their home is heated with oil, and they use an old woodstove in the basement to supplement their steam boiler. Their $525 LIHEAP grant covered one delivery of 256 gallons of oil in late November. Attempting to cut wood for the woodstove, the husband fell from a ladder and was injured. If LIHEAP had been funded fairly, his injury could have been prevented. With this bill, the chances are 50–50 that his injury could have been prevented. We could have done better, and we should have done better. It is wrong to let people like this suffer.

Mr. LEAHY. Mr. President, I join Senator SNOWE and others in supporting this legislation to provide additional funding for the Low-Income Home Energy Assistance Program, LIHEAP.

This legislation will shift the $1 billion in fiscal year 2007 funding, which we recently enacted in the budget reconciliation bill, to the current fiscal year, so it can be used this winter. Providing these needed funds in this way is not the best approach to get this done, but with Vermonters facing record heating bills and no other choices available to us at this crucial juncture, we cannot allow the perfect to be the enemy of the good. The fact is the burden of record heating prices this winter could financially wipe out many families and elderly Vermonters. No family in our Nation should be forced to choose between heating their home and putting food on the table for their children. No older American should have to decide between buying life-saving prescriptions or paying utility bills. Unfortunately, these stark choices are a reality for too many Vermonters and for too many other Americans across the Nation.

This legislation will bring the total funding available for LIHEAP in fiscal year 2006 up to nearly $3 billion. Certainly more is needed. That is why I have voted four times to increase LIHEAP funding to $5.1 billion. Bipartisan amendments offered to the Department of Defense appropriations bill, the Transportation, Treasury, and HUD Appropriations bill, the Labor, Health and Human Services, and Education Appropriations bill, and the tax reconciliation bill received a majority of the Senate's support. Unfortunately, the majority party would not allow these amendments the opportunity for straight up-or-down votes, and we were blocked from securing these needed supplements for LIHEAP in our earlier efforts.

The Energy Information Agency forecasts that households heating with natural gas will experience an average increase of 35 percent over last winter. Households heating with oil will see an increase of 23 percent, and households using propane can expect an increase of 17 percent. Compounding these difficulties for families needing this help, wages are not keeping pace with inflation. The Real Earnings report by the Bureau of Labor Statistics shows that the average hourly earnings of production and nonsupervisory workers on private nonfarm payrolls were lower in December 2005 than they were a year ago, after accounting for inflation. Working families are continuing to lose ground, meaning more families also need LIHEAP assistance this year. Paychecks are being stretched thinner as families face higher prices for home heating, for health care, and for education. Vermont families and seniors need this relief from high energy costs, and they need it now.

As I have said, this is not my preferred approach to providing LIHEAP funding, but Vermonters cannot wait for a better option. This help is needed now. I call on the leadership in the House of Representatives and on President Bush to support this legislation and to ensure its immediate enactment. I also urge the administration to join the bipartisan majority in Congress to replenish LIHEAP funding for next winter.

Mr. FRIST. Mr. President, I believe we are ready to proceed to passage. That will not require a rollcall.

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

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (S. 2320), as amended, was passed, as follows:

S. 2320

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

SECTION 1. FUNDS FOR LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

Section 9001 of the Deficit Reduction Act of 2005 is amended—

(1) in subsection (a)—

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006'';

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

''(b) LIMITATION.—None of the funds made available under this section may be used for the planning and administering described in section 2605(b)(9) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(b)(9)).''; and

(4) in subsection (c) (as redesignated by paragraph (2)), by striking ''September 30, 2007'' and inserting ''September 30, 2006''.

Mr. FRIST. Mr. President, first I want to thank my colleagues for their cooperation in bringing to a resolution what has been more difficult than I thought it would be, addressing the LIHEAP issue.

We have achieved passage, and we are now ready to resume the lobbying measure.

I know Senator REID is prepared to lay down his amendment tonight. Senators will be able to debate that amendment tonight, and we will set a vote on the Democratic leader's amendment sometime tomorrow morning.

I suggest the absence of a quorum.

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

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

Mr. FRIST. I ask unanimous consent 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.

PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

Mr. LEAHY. Mr. President, recent press reports reveal that despite its creation more than a year ago, the Privacy and Civil Liberties Oversight Board has yet to hire any staff members or even hold a single meeting. This board was established by a law signed in December 2004 in response to recommendations from the 9/11 Commission. Now, several months into 2006, we learn from a Newsweek article that the board's members will finally be sworn in at the White House this month. I will ask unanimous consent that a copy of this article be printed in the RECORD. Starting up the work of this important board, particularly in this time of unprecedented intrusion into the privacy of Americans by the executive branch, is shamefully overdue.

On December 14, 2004, the President signed into law the Intelligence Reform and Terrorism Prevention Act of 2004. Section 1061 of this act implemented a 9/11 Commission recommendation to establish an independent board within the Executive Office of the President to fill a clear void in Government for protecting Americans' liberties.

Creating the board was no easy feat. The Bush-Cheney administration initially resisted the 9/11 Commission's recommendation for a privacy board, unpersuasively asserting that it was already protecting privacy and civil liberties. The administration then tried to circumvent a congressionally authorized, independent board by issuing an Executive order establishing an anemic alternative. That entity was not independent, had no authority to access information, had little accountability, and was comprised solely of administration officials from the law enforcement and intelligence communities—the very communities in need of oversight. It was the proverbial case of the fox guarding the henhouse. But many of us in Congress were committed to creating an effective board in keeping with the 9/11 Commission's recommendations.

We succeeded, and the President signed the bill creating the board well over a year ago, but the White House's delays and resistance continued. Last May 11, I joined Senators DURBIN, COLLINS, and LIEBERMAN in writing to the President to inquire why there had not yet been any nominations and to urge him to nominate board members as soon as possible. We also expressed concern about the inadequate funding in the White House budget proposal, which would only have provided an underwhelming and insufficient $750,000 for its operations. Fortunately, the Transportation, Treasury, and HUD Appropriations Subcommittee, on which I serve, raised the amount to $1.5 million to ensure a better start for the board.

President Bush waited until June of last year to appoint three members of the board, and to nominate the chairman and vice chairman of the board, who were confirmed by the Senate last month. No board members have yet been sworn in. Meanwhile, as Newsweek reported, the White House's new budget, released last month, listed no money for the Privacy and Civil Liberties Oversight Board. Administration officials have said that this omission came only because they decided not to itemize funding for offices within the White House, but they could not explain why other White House offices were individually listed, yet this board was not.

Regrettably, the delays and insufficient funds suggest that the Bush-Cheney administration is simply going through the motions, rather than following through on a meaningful commitment to the Privacy Board. As the Chairman of the 9/11 Commission said, ''The Administration was never interested in this.''

This board is too important for us to simply go through the motions. Prior to the board, there was no office within the Government to oversee the collective impact of Government actions and powers on our liberties. This is a critical blind spot. We have increased and consolidated the authority of an already-powerful Government in an effort to address the realities of terrorism and modern warfare. As Lee Hamilton, Vice Chairman of the 9/11 Commission, noted in a Judiciary Committee hearing on August 19, 2004, these developments represent ''an astounding intrusion in the lives of ordinary Americans that is routine today in government.''

In the months since Mr. Hamilton made this statement, we have learned of reports of far more disturbing and unprecedented intrusions into the lives of Americans, including warrantless wiretapping in violation of the laws of the land, as well as surveillance of ordinary Americans that may include a group of Quakers in Vermont. It is more important than ever to have a meaningful entity ensuring that the Government pursue crucial antiterrorism efforts without giving up the privacy and civil liberties so important to all Americans.

The delays in setting up the Privacy and Civil Liberties Oversight Board and the failures to properly fund it show that the Bush-Cheney administration does not take this responsibility seriously. We must make sure that we do take it seriously, on behalf of the American people.

I ask unanimous consent to have printed in the RECORD the Newsweek article to which I referred.

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

[From Newsweek, March 13, 2006 issue]

WATCHDOG: WHAT EVER HAPPENED TO THE CIVIL LIBERTIES BOARD?

(By Michael Isikoff)

For more than a year, the Privacy and Civil Liberties Oversight Board has been the most invisible office in the White House. Created by Congress in December 2004 as a result of the recommendations of the 9/11 Commission, the board has never hired a staff or even held a meeting. Next week, NEWSWEEK has learned, that is due to finally change when the board's five members are slated to be sworn in at the White House and convene their first session. Board members tell NEWSWEEK the panel intends to immediately tackle contentious issues like the president's domestic wiretapping program, the Patriot Act and Pentagon data mining. But critics are furious the process has taken this long—and question whether the White House intends to treat the panel as anything more than window dressing. The delay is ''outrageous, considering how long its been since the bill [creating the board] was passed,'' said Thomas Kean, who chaired the 9/11 Commission. ''The administration was never interested in this.''

Renewed concerns about the White House's commitment came just a few weeks ago when President Bush's new budget was released—with no listing for money for the civil liberties board. Alex Conant, a spokesman for the Office of Management and Budget, denied to NEWSWEEK the White House was trying to kill the panel by starving it of funds. ''It will be fully funded,'' he said, explaining that the board wasn't in the budget this year because officials decided not to itemize funding levels for particular offices within the White House. When a reporter pointed out that funding for other White House offices such as the National Security Council were listed in the budget, Conant said: ''I have no explanation.''

The funding snafu is only the latest setback. Kean said the 9/11 Commission had pushed hard for the board to ensure that some agency within the government would specifically review potential abuses at a time vastly expanded powers were being given to U.S. intel and law-enforcement agencies. But the White House, and congressional leaders, resisted and sharply restricted its scope, denying the board basic tools like subpoena power. Bush didn't nominate members of the board until June 2005—six months after the panel was created—and they weren't confirmed until last month. The chair of the board is Carol Dinkins, a former senior Justice official under Ronald Reagan and former law partner of Attorney General Alberto Gonzales. Dinkins did not respond to requests for comment.

PASSAGE OF H.R. 32

Mr. CORNYN. Mr. President, I rise today to compliment my friends in the House of Representatives for passing expeditiously H.R. 32—the Stop Counterfeiting in Manufactured Goods Act—as amended by the Senate.

In addition to a few technical changes, I am pleased that the bill included the entirety of S. 1095, the Protecting American Goods and Services Act, introduced last year by myself and Senator LEAHY.

I am particularly pleased to work with the senior Senator from Vermont in our continued bipartisan effort to protect intellectual property rights as well as to work on other important issues. Last year, we worked together on a matter near and dear to my heart—good government legislation related to the Freedom of Information Act, and it indeed has been a pleasure to work with him again. His staff has

worked tirelessly with mine—especially Susan Davies, whose hard work and dedication to the goal of making good public policy is a testament to her, to Senator LEAHY, and to good legislative process.

The combined package passed today in the form of H.R. 32 represents important, bipartisan legislation designed to combat the trafficking of illegitimate goods throughout the world. The rampant distribution of illegitimate goods—be it counterfeited products, illegal copies of copyrighted works or any other form of piracy—undermines property rights, threatens American jobs, decreases consumer safety and, oftentimes, supports organized crime and terrorist activity.

Amazingly, it is estimated that between 5 percent and 7 percent of worldwide trade is conducted with counterfeit goods and services. According FBI estimates, counterfeiting costs U.S. businesses as much as $200 to $250 billion annually—and that costs Americans their jobs—more than 750,000 jobs according to U.S. Customs.

In recent years, this plague on global trade has grown significantly. According to the World Customs Organization and Interpol, the global trade in illegitimate goods has increased from $5.5 billion in 1992 to more than $600 billion per year today. That is $600 billion per year illegally extracted from the global economy.

But for me, as chairman of the Senate Subcommittee on Immigration, Border Security and Citizenship, I find it most troubling that the counterfeit trade across our borders and throughout the world threatens our safety and our national security. Most frighteningly, evidence indicates that the counterfeit trade supports terrorist activities. Indeed, al-Qaida training manuals recommended the sale of fake goods to raise revenue.

Further, counterfeit goods undermine our confidence in the reliability of goods and service. For example, the Federal Aviation Administration estimates that 2 percent of the 26 million airline parts installed each year are counterfeit. And the Federal Drug Administration estimates that as much as 10 percent of pharmaceuticals are counterfeit.

And the reach of counterfeiting runs deep in my own home State of Texas. Data is difficult to collect, but a 1997 piece detailing Microsoft's efforts to combat counterfeiting and piracy—while dated—pointed out that this type of activity costs Texas over 10,000 jobs and almost $1 billion. Today, we know those numbers are much higher.

We must act to stop this illegal activity. The legislation we passed today will help us do just that. It is not complicated—nor is it long, but its global impact will be significant. The legislation is designed to provide law enforcement with additional tools to curb the flow of these illegitimate goods and it is perhaps even more critical for businesses, large and small, throughout America and for ensuring the safety of consumers around the globe.

Those who traffic in counterfeit goods put Americans in danger, support terrorism and undermine the health of our Nation's economy. S. 1095—or the ''PAGS Act''—as included in the legislation passed today—fills certain important gaps in current counterfeiting law by clarifying the term ''trafficking'' to ensure that it is illegal to:

Possess counterfeit goods with the intention of selling them; give away counterfeit goods in exchange for some future benefit—in effect, the ''bartering'' of counterfeit goods in such a way that avoids criminality; import or export counterfeit goods or unauthorized copies of copyrighted works.

This bill will protect property rights, protect consumer safety, preserve American jobs, and bolster the American economy by cracking down on the trade of illegal counterfeit goods and services.

Each of these items was highlighted by the Department of Justice in its October, 2004 report on its Task Force on Intellectual Property. In it, the Department describes the significant limitation law enforcement oftentimes faces in pursuing counterfeiters and offers, among others, the principles embraced in the Protecting American Goods and Services Act, as possible solutions to these obstacles.

This legislation, and other reforms, will help turn the tide of the growing counterfeit trade. The legislation is critically important to law enforcement—but it is even more critical for businesses, large and small, throughout America—including in my home State of Texas—as well as for ensuring the safety of consumers around the globe. Those who traffic in counterfeit goods put Americans in danger, support terrorism and undermine the health of our nation's economy. It is time to put an end to this scourge on society.

I look forward to the President signing this legislation into law, and in so doing, protecting property rights, protecting consumer safety, preserving American jobs and bolstering the American economy.

OFFICE OF THE ATTENDING PHYSICIAN

Mr. INOUYE. Mr. President, I rise today to discuss an organization with which many of my colleagues have some personal familiarity, the Office of the Attending Physician. Many of my colleagues have come to rely upon the Attending Physician's Office here in the Congress as the source for support and medical advice. Most of us are personally aware of the fine work performed by Dr. Eisold and his staff in providing care for the Members of Congress, but there is much about the office which we don't think about regularly.

The Senate has been served by the Attending Physician since 1930, a little more than a year after the office was established by the House of Representatives. The first Attending Physician, Dr. George Calver, served this body for approximately 37 years. He was known for offering health tips to Members of Congress such as ''eat wisely, drink plentifully (of water). Play enthusiastically and relax completely. Stay out of the Washington social whirl—go out at night twice a week at most.'' And, perhaps most importantly. ''Don't let yourself get off-balance, nervous and disturbed over things.'' Each of these remains good advice all these years later.

My colleagues and I know we can count on the expertise of the Attending Physician in many areas of medical advice. On average, the office successfully treats more than 50,000 patients annually. They regularly track the spread of infectious disease so that they can determine which inoculations and other medications will be required when Members travel to foreign locations. Members of the Senate rely on the physician's office for our annual flu shots and for assistance on minor medical problems. We also count on them, as do our staff and visitors to the Capitol, for handling medical emergencies.

The Office of the Attending Physician also provides unique capabilities that are very important to the success of this institution which are not well known. The office is poised for crisis response. In recent years, it has responded to the anthrax outbreak in the Hart Building and to the ricin scare. The physicians, nurses, and other medical staff have the capability and training to respond to many potential emergencies up to and include terrorist response.

The office is equipped with mobile medical vehicles designed to allow for deploying medical support throughout the region, if necessary, for offsite operations. These vehicles are well equipped to handle many medical emergencies that could arise. Each has a fully functioning laboratory and two examination rooms complete with most modern equipment. As the Congress considers its continuity of Government requirements, the Office of the Attending Physician is well positioned to support emergency legislative operations which could be required following an attack.

Mr. President, the Office of the Attending Physician provides a critical capability to the legislative branch. The services they provide serve as a convenience to busy Members of the Congress, but they are much more. They are a vital piece of emergency response in the Capitol. They are ready, when called upon, to play a key role in ensuring continuity of the legislative branch, they serve to handle any medical emergency which might arise at the Capitol.

We owe a great deal to Dr. Eisold and his team of fine specialists. May I suggest all of my colleagues thank them for their great service the next time we

see them in action. They deserve our gratitude and support.

VETERANS HEALTH CARE

Mr. BURNS. Mr. President, I am concerned that the President's Department of Veterans Affairs fiscal year 2007 budget request does not include adequate funding for VA health care. Specifically, this budget request would require certain veterans to pay a $250 enrollment fee in order to access the health care system each year. In addition, the budget proposes to more than double prescription copayments from $7 to $15, further burdening the limited resources of those who have served our country.

The VA estimates that these measures will save the Department an estimated $795 million in 2007. This savings estimate is based not only on collections but on increasing the number of veterans who will opt-out of the service due to the higher fees. The VA estimates they will force over 1 million veterans, almost half of the Priority 7 and Priority 8 veterans, to drop out of the VA health care system.

Do we really want our veterans to be faced with the difficult choice of either dropping out of the VA health care system or bearing these additional costs? Those who do not drop out of the VA health care system will be forced to pay hundreds more for their health care. Veterans who receive prescription drugs from the VA and who fill a typical number of prescriptions a year could face new fees amounting to nearly $600. I realize that agencies such as the VA must look for ways to save dollars, but our Nation's veterans deserve adequate and affordable health care.

While I understand the need to reduce Federal spending, I urge my colleagues to reject these proposals to reduce spending for VA health care in the fiscal year 2007 budget. I believe it is absolutely critical that the VA health care system be fully funded. The Congress has rejected these proposals in the past, and I hope it will do so again this year. Our veterans should not be faced with these choices nor forced to bear this burden. We must keep our promise to care for the veterans who made so many sacrifices to ensure the freedom of so many.

NATIONAL SPORTSMANSHIP DAY

Mr. REED. Mr. President, today, March 7, 2006, we celebrate the 16th annual National Sportsmanship Day. Begun in 1991 by the Institute for International Sport at the University of Rhode Island, this initiative promotes the highest ideals of sportsmanship and fair play among America's youth. In 13,000 schools, across all 50 States, and in countries around the world, students, teachers, administrators, coaches, and parents will engage in discussions on the issues of sportsmanship and fair play. The theme of this year's National Sportsmanship Day is ''Defeat Gamesmanship!'' and participants will talk about appropriate tactics and strategies when participating in games and sports.

This year, in addition to promoting the values of sportsmanship and fair play, the Institute for International Sport will recognize schools across the country that have exceptional sportsmanship programs with the new All-American Sportsmanship School Award. A minimum of 64 awards will be given out to elementary, middle, and high schools as well as colleges that participate in National Sportsmanship Day and honor its principles year round.

I am proud that Rhode Island is home to the Institute for International Sport and National Sportsmanship Day. For 16 years, this initiative has had a positive influence on our Nation's youth in promoting the best in athletics, and I know it will continue to do so this year and in the future.

HONORING THE 45TH ANNIVERSARY OF THE PEACE CORPS

Mr. INOUYE. Mr. President, on March 1, 1961, President Kennedy signed an Executive order that established the Peace Corps whose mission would be to promote peace, mutual understanding, and friendship between Americans and the people of the world. Back then, the world was viewed as engaged in a cold war with the United States and its allies pitted against the Communist bloc. President Kennedy envisioned the Peace Corps as an agency that would create opportunities for Americans to reach out to the rest of the world, and make positive contributions to community development and nation-building overseas.

As we celebrate the Peace Corps's 45th anniversary, all Americans can be proud of what the agency has accomplished and continues to do. Through its hardworking and committed volunteers who now number nearly 8,000, the Peace Corps provides assistance today in 138 host countries in such fields as education, healthcare, environmental preservation, and business development.

Last year, the Peace Corps's Crisis Corps Volunteers helped with rebuilding efforts in tsunami-ravaged areas of Sri Lanka and Thailand. And, for the first time in its history, volunteers were deployed at home as approximately 270 volunteers assisted with recovery efforts along the U.S. gulf coast in the aftermath of Hurricanes Katrina and Rita.

I am also proud to report that the Peace Corps continues to attract Volunteers from Hawaii. At this moment, 12 volunteers from Hawaii are serving in 12 different host countries that include Bulgaria, China, Morocco, Nicaragua, Swaziland, and Tanzania.

It is a pleasure to join all Americans in congratulating the Peace Corps and its volunteers past and present for their outstanding work, and for their invaluable and effective civic contributions to communities throughout the world.

VOTE EXPLANATION

Mr. JOHNSON. Mr. President, I would like the record to reflect that I was necessarily absent for rollcall vote No. 31, the confirmation of Timothy C. Batten, Sr., of Georgia, to be U.S. District Judge on Monday, March 6, 2006. Had I been present for this vote, I would have voted in favor of the nomination.

ADDITIONAL STATEMENTS

TRIBUTE TO ARNOLD FRIBERG

• Mr. BENNETT. Mr. President, today I rise to pay tribute to Arnold Friberg, a gifted American artist.

For more than eight decades as a painter, Mr. Friberg has set down a profound and varied body of work, including magazine covers and illustrations, World War II depictions, the Northwest Mounted Police, Book of Mormon illustrations, portraits, including Her Royal Highness Queen Elizabeth of England, and many rich and dramatic depictions of the Old West. This year marks the 30th anniversary of his revered Prayer at Valley Forge, which shows George Washington at prayer. Along with Emanuel Leutze's Washington Crossing the Delaware, Friberg's Prayer at Valley Forge is one of the great American patriotic paintings.

In 1953, Arnold Friberg was summoned to Hollywood by Cecil B. DeMille for a 1-month consultation on costume design for a film he was going to remake. DeMille became so impressed by the artist that soon afterward Mr. Friberg was called back to Hollywood and began a warm, personal collaboration with the storied director that lasted for 4 years.

Mr. Friberg became DeMille's chief artist-designer for the well-known movie ''The Ten Commandments,'' which brought the artist an Academy Award nomination. Half a century later, ''The Ten Commandments'' still draws sizable audiences to television broadcasts and DVD sales. Becoming the visual designer for what DeMille and his set decorators and cameramen put on film, Mr. Friberg painted major scenes of the salient episodes in the Old Testament including The Finding of Moses, Moses and the Burning Bush, First Passover, Exodus Begins, Orgy of the Golden Calf, Moses Receiving the Law, and Crossing of the Red Sea. Visually, the film was built around these scenes, along with major costume designs created by the artist.

After completion of the film, Mr. Friberg's original paintings were widely exhibited wherever the film opened, and more than 1 million copies of a catalog depicting them were sold.

The golden anniversary of the release of the film is being celebrated this

month at an exhibition of these marvelous paintings, along with artifacts from the film, at the Utah Cultural Celebration Center in West Valley City, UT.

I am honored today to acknowledge the work of Arnold Friberg and add my name to the long list of Americans who are grateful for his outstanding contributions.●

CONGRATULATING THE RUTGERS UNIVERSITY WOMEN'S BASKETBALL TEAM

● Mr. LAUTENBERG. Mr. President, I rise today to honor and congratulate the Rutgers University women's basketball team for its thrilling victory against the University of Connecticut on February 27. Before a sold-out crowd of over 8,000 fans, the tenacious Scarlet Knights achieved one of college basketball's most coveted titles: Big East Conference champions. In the process, Rutgers also became only the third team in history to finish its regular season undefeated.

This victory did not come easily, but the Scarlet Knights came ready to play, thirsty to win, and eager to give the Connecticut Huskies a run for their money. Despite trailing UConn by 18 points in the first half, Rutgers refused to give up. Instead, they regrouped, refueled, and used strong defense and solid teamwork to make up the point deficit. Led by head coach C. Vivian Stringer and senior standout Cappie Pondexter, the Scarlet Knights played a flawless second half that capped an outstanding season. By the time the final buzzer rang, the Rutgers women had proven that they can compete with any team in the Nation. More importantly, after winning their second straight conference title, the Scarlet Knights confirmed that hard work, perseverance, and desire remain the keys to success.

With four New Jersey natives on their roster, including Big East Defensive Player of the Year Essence Carson, these young women have become a source of pride for my home State. Coach Stringer, in particular, deserves special recognition for the strong coaching and leadership skills she has demonstrated over her 10 years at Rutgers University. As one of the most recognized and most respected coaches in the game, she was inducted into the New Jersey Sports Hall of Fame in 2005. I think I speak for both the Scarlet Knights and the Rutgers community when I say how pleased I am to have Coach Stringer leading this remarkable team.

Mr. President, on behalf of the entire State of New Jersey, I am proud to congratulate the Scarlet Knights once again for their second consecutive Big East Conference title. As the Scarlet Knights begins this year's NCAA tournament, we hope they are able to maintain the momentum that carried them so well through the regular season. We wish them the best of luck.●

TRIBUTE TO REDFORD AVENUE PRESBYTERIAN CHURCH

● Mr. LEVIN. Mr. President, I would like to take this opportunity to congratulate Redford Avenue Presbyterian Church on 100 years of worship and service to the community. This milestone was recently commemorated with 2 days of events, culminating in a dance and dinner celebration that took place on March 6, 2006. This momentous occasion provides the perfect opportunity to reflect on Redford's rich history and to remember the integral role Redford has played in the community over the years.

Redford Avenue Presbyterian Church was established in March 1906 by a small congregation that served what was then known as the Sand Hill in Detroit. The church's membership grew rapidly, and as a result, in 1929, a separate addition was built to accommodate the larger congregation. Unfortunately, in 1945 the sanctuary was completely destroyed by a fire. However, this tragedy provided an important opportunity for the congregation and community to work together to rebuild the church, and by 1954, a new sanctuary, educational wing and fellowship hall was constructed. By the late 1960s, the membership had grown to more than 3,600 people.

Today, Redford Avenue Presbyterian Church has a smaller congregation but has maintained its strong spirit, deep faith and unwavering commitment to serve and minister to the greater Detroit community. For the last 30 years the church has run a daycare center that helps to meet the needs of many working parents in the community. In addition, Redford's educational building is currently being leased to a charter school and is also used by a local division of Sea Cadets.

Redford Avenue Presbyterian Church also continues to make its building available to many groups and organizations in the neighborhood. Considered a cornerstone of the community, Redford consistently provides meeting space for groups such as Narcotics Anonymous and Metro Detroit Deaf Senior Citizens. And, for 1 night each January, the church opens its doors to house, feed, clothe, and minister to the homeless.

I know my Senate colleagues will join me in congratulating Redford Avenue Presbyterian Church and wish its members, volunteers, and ministerial staff many more years of fellowship and service.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

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–5921. A communication from the Vice President, Government Affairs, National Railroad Passenger Corporation, Amtrack, transmitting, pursuant to law, a report relative to the completion of Amtrack's Annual Report to Congress; to the Committee on Commerce, Science, and Transportation.

EC–5922. A communication from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of the Administration's intent to award a contract to the Jackson Hole Airport Board for screening services at Jackson Hole Airport in Jackson, Wyoming; to the Committee on Commerce, Science, and Transportation.

EC–5923. A communication from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of the Administration's intent to award a contract to Covenant Aviation Security, LLC for screening services at Sioux Falls Regional Airport in Sioux Falls, South Dakota; to the Committee on Commerce, Science, and Transportation.

EC–5924. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska'' (I.D. No. 030805C) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5925. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Increase'' (I.D. No. 012406A) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5926. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Temporary Rule; Inseason Retention Limit Adjustment'' (I.D. No. 011906B) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5927. A communication from the Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543'' (I.D. No. 011306A) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5928. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Framework 1 to the Spiny Dogfish Fishery Management Plan'' (RIN0648–AT29) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5929. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Final Rule to Amend the Subsistence Fishery Rules for Pacific Halibut in Waters Off Alaska'' (RIN0648–AR88) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5930. A communication from the Attorney Advisor, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, the report of a nomination for the newly created position of Administrator, received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5931. A communication from the Attorney Advisor, Office of the Secretary, Department of Transportation, transmitting, pursuant to law, the report of nominations for the following positions: Assistant Secretary of Transportation for Policy; Administrator, Maritime Administration; Administrator, National Highway Safety Administration; and Assistant Secretary for Governmental Affairs, received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5932. A communication from the Secretary of Transportation, transmitting, pursuant to law, the Department of Transportation's annual report on the regulatory status of the National Transportation Safety Board's ''Most Wanted'' Recommendations to the Department of Transportation for calendar year ending 2005; to the Committee on Commerce, Science, and Transportation.

EC–5933. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report on the threat from acts of terrorism to U.S. ports and vessels operating from those ports; to the Committee on Commerce, Science, and Transportation.

EC–5934. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled ''Design-Build Effectiveness Study''; to the Committee on Commerce, Science, and Transportation.

EC–5935. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of a violation of the Antideficiency Act by the Department of the Army, case number 04–10; to the Committee on Appropriations.

EC–5936. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of a violation of the Antideficiency Act by the Department of the Air Force, case number 04–01; to the Committee on Appropriations.

EC–5937. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of a violation of the Antideficiency Act by the Department of the Army, case number 04–06; to the Committee on Appropriations.

EC–5938. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of a violation of the Antideficiency Act by the Department of the Army, case number 05–04; to the Committee on Appropriations.

EC–5939. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the American River Watershed, California (Folsom Dam and Permanent Bridge) Project; to the Committee on Environment and Public Works.

EC–5940. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, reports of the Chief of Engineers on multiple projects and notification that the Administration review on these projects is still pending; to the Committee on Environment and Public Works.

EC–5941. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission's December 2005 monthly report on the status of its licensing and regulatory duties; to the Committee on Environment and Public Works.

EC–5942. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting the URL addresses of documents entitled: ''Source Water Monitoring Guidance Manual for Public Water Systems for the Final Long Term 2 Enhanced Surface Water Treatment Rule''; ''Microbial Laboratory Guidance Manual for the Final Long Term 2 Enhanced Surface Water Treatment Rule''; and ''Membrane Filtration Guidance Manual'', received on March 7, 2006; to the Committee on Environment and Public Works.

EC–5943. 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 ''Approval and Promulgation of Implementation Plans Alabama: State Implementation Plan Revision'' (FRL No. 8042–9) received on March 7, 2006; to the Committee on Environment and Public Works.

EC–5944. 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 ''Montana: Incorporation By Reference of Approved State Hazardous Waste Management Program'' (FRL No. 8035–5) received on March 7, 2006; to the Committee on Environment and Public Works.

EC–5945. 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 ''South Dakota: Final Authorization of State Hazardous Waste Management Program Revision and Incorporation By Reference of Approved State Hazardous Waste Management Program'' (FRL No. 8035–4) received on March 7, 2006; to the Committee on Environment and Public Works.

EC–5946. 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 ''Flumiclorac Pentyl; Pesticide Tolerance'' (FRL No 7764–1) received on March 7, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5947. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary for Congressional and Intergovernmental Relations, received on March 7, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–5948. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–5949. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled ''Consolidated Plan Revisions and Updates'' ((RIN2501–AD07)(FR–4923–F–02)) received on March 7, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–5950. A communication from the Administrator, National Aeronautics and Space Administration (NASA), transmitting, pursuant to law, a report entitled ''2006 NASA Strategic Plan''; to the Committee on Homeland Security and Governmental Affairs.

EC–5951. A communication from the Acting General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled ''Death Benefits'' (5 CFR Part 1651) received on March 7, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–5952. A communication from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Parts 4022 and 4044) received on March 7, 2006; to the Committee on Health, Education, Labor, and Pensions.

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 Mr. COLEMAN:

S. 2375. A bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and information regarding pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CLINTON (for herself and Mr. SCHUMER):

S. 2376. A bill to designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the ''Gerard A. Fiorenza Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Nebraska (for himself, Mr. SESSIONS, and Mr. COBURN):

S. 2377. A bill to amend the Immigration and Nationality Act and other Acts to provide for border security and interior enforcement improvements, and for other purposes; to the Committee on the Judiciary.

By Mr. INOUYE (for himself, Mr. STEVENS, Mr. DORGAN, Mr. BURNS, and Mr. MCCAIN):

S. 2378. A bill to amend the Communications Act of 1934 to ensure that tribal libraries that receive assistance under the Library Services and Technology Act are eligible for E-rate assistance to the same extent as other libraries receiving such assistance and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BURR:

S. 2379. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for

health and long-term care insurance costs of individuals not participating in employer-subsidized health plans; to the Committee on Finance.

By Mr. DODD:

S. 2380. A bill to add the heads of certain Federal intelligence agencies to the Committee on Foreign Investment in the United States, to require enhanced notification to Congress and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. FRIST (for himself, Mr. MCCONNELL, Mr. MCCAIN, Mr. KERRY, Mr. SESSIONS, Mr. ALLEN, Mr. BUNNING, Mr. ALEXANDER, Mr. TALENT, Mr. DEMINT, Mr. GRAHAM, Mr. KYL, Mr. ALLARD, Mrs. DOLE, Mr. ENZI, Mr. BROWNBACK, Mr. ISAKSON, Mr. BURR, Mr. CHAMBLISS, Mr. CHAFEE, Mr. SANTORUM, Mr. THUNE, Mr. GREGG, Mr. SUNUNU, Mr. VITTER, Mr. MARTINEZ, Mr. CRAPO, and Mr. THOMAS):

S. 2381. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide line item rescission authority; to the Committee on the Budget.

By Mr. DURBIN (for himself, Mrs. LINCOLN, Mr. REID, Mr. BAUCUS, Mr. KENNEDY, Mr. KERRY, Mr. BINGAMAN, Mrs. BOXER, Ms. CANTWELL, Mr. CARPER, Mrs. CLINTON, Mr. DODD, Mr. HARKIN, Mr. JOHNSON, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Ms. MIKULSKI, Mr. NELSON of Florida, Mr. PRYOR, Mr. MENENDEZ, Mr. ROCKEFELLER, and Mr. LEAHY):

S. 2382. A bill to establish a national health program administered by the Office of Personnel Management to offer health benefits plans to individuals who are not Federal employees, and for other purposes; to the Committee on Finance.

By Mr. BAUCUS:

S. 2383. A bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make a technical correction; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 65

At the request of Mr. INHOFE, the name of the Senator from Utah (Mr. BENNETT) was added as a cosponsor of S. 65, a bill to amend the age restrictions for pilots.

S. 333

At the request of Mr. SANTORUM, the names of the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 333, a bill to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran.

S. 484

At the request of Mr. WARNER, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 484, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 548

At the request of Mr. CONRAD, the name of the Senator from New York (Mrs. CLINTON) 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. 558

At the request of Mr. REID, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 558, a bill to amend title 10, United States Code, to permit certain additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special compensation and to eliminate the phase-in period under current law with respect to such concurrent receipt.

S. 641

At the request of Mrs. HUTCHISON, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 641, a bill to award a congressional gold medal to Michael Ellis DeBakey, M.D.

S. 1112

At the request of Mr. BAUCUS, the name of the Senator from Arkansas (Mr. PRYOR) 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.

At the request of Mr. GRASSLEY, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. 1112, supra.

S. 1172

At the request of Mr. SPECTER, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1172, a bill to provide for programs to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers.

S. 1272

At the request of Mr. NELSON of Nebraska, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1272, a bill to amend title 46, United States Code, and title II of the Social Security Act to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 1513

At the request of Ms. MIKULSKI, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 1513, a bill to reauthorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

S. 1791

At the request of Mr. SMITH, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 1791, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains.

S. 1955

At the request of Mr. ENZI, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1955, a bill to amend title I of the Employee Retirement Security Act of 1974 and the Public Health Service Act to expand health care access and reduce costs through the creation of small business health plans and through modernization of the health insurance marketplace.

S. 1968

At the request of Mr. SPECTER, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1968, a bill to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes.

S. 1994

At the request of Mr. HARKIN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1994, a bill to require that an increasing percentage of new automobiles be dual fueled automobiles, to revise the method for calculating corporate average fuel economy for such vehicles, and for other purposes.

S. 1998

At the request of Mr. CONRAD, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 1998, a bill to amend title 18, United States Code, to enhance protections relating to the reputation and meaning of the Medal of Honor and other military decorations and awards, and for other purposes.

S. 2052

At the request of Mr. ROBERTS, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2052, a bill to amend the Internal Revenue Code of 1986 to provide a credit to certain agriculture-related businesses for the cost of protecting certain chemicals.

S. 2154

At the request of Mr. OBAMA, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 2154, a bill to provide for the issuance of a commemorative postage stamp in honor of Rosa Parks.

S. 2178

At the request of Mr. SCHUMER, the name of the Senator from Wyoming (Mr. THOMAS) was added as a cosponsor of S. 2178, a bill to make the stealing and selling of telephone records a criminal offense.

S. 2201

At the request of Mr. OBAMA, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 2201, 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.

S. 2237

At the request of Mr. SANTORUM, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2237, a bill to withhold United States assistance from the Palestinian Authority until certain conditions have been satisfied.

S. 2279

At the request of Mr. FEINGOLD, the names of the Senator from Mississippi (Mr. LOTT), the Senator from Wyoming (Mr. THOMAS), the Senator from Minnesota (Mr. DAYTON) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2279, a bill to make amendments to the Iran and Syria Nonproliferation Act.

S. 2292

At the request of Mr. SPECTER, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2292, a bill to provide relief for the Federal judiciary from excessive rent charges.

S. 2308

At the request of Mr. SPECTER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2308, a bill to amend the Federal Mine Safety and Health Act of 1977 to improve mine safety, and for other purposes.

S. 2321

At the request of Mr. SANTORUM, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille.

S. 2362

At the request of Mr. BYRD, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2362, a bill to establish the National Commission on Surveillance Activities and the Rights of Americans.

S. 2370

At the request of Mr. MCCONNELL, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Colorado (Mr. ALLARD), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Mississippi (Mr. COCHRAN), the Senator from Minnesota (Mr. DAYTON), the Senator from Maine (Ms. COLLINS), the Senator from New York (Mrs. CLINTON), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Idaho (Mr. CRAPO), the Senator from Maryland (Mr. SARBANES), the Senator from Wyoming (Mr. THOMAS) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 2370, a bill to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, and for other purposes.

S. 2371

At the request of Mr. THUNE, the names of the Senator from Montana (Mr. BURNS) and the Senator from Montana (Mr. BAUCUS) were added as cosponsors of S. 2371, a bill to permit the use of certain funds for recovery and mitigation activities in the upper basin of the Missouri River, and for other purposes.

S. CON. RES. 76

At the request of Mr. COLEMAN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. Con. Res. 76, a concurrent resolution condemning the Government of Iran for its flagrant violations of its obligations under the Nuclear Non-Proliferation Treaty, and calling for certain actions in response to such violations.

S. RES. 232

At the request of Mr. KENNEDY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 232, a resolution celebrating the 40th anniversary of the enactment of the Voting Rights Act of 1965 and reaffirming the commitment of the Senate to ensuring the continued effectiveness of the Act in protecting the voting rights of all citizens of the United States.

S. RES. 359

At the request of Ms. LANDRIEU, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. Res. 359, a resolution concerning the Government of Romania's ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BURR:

S. 2379. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for health and long-term care insurance costs of individual not participating in employer-subsidized health plans; to the Committee on Finance.

Mr. BURR. Mr. President, I rise today to introduce legislation that would provide an above-the-line tax deduction for individuals who purchase their own health insurance and are not receiving it through their employer. An above-the-line tax deduction would allow a taxpayer to take the deduction even if they don't itemize their taxes. Current law allows those individuals who are self-employed and purchase health insurance to take an above-the-line tax deduction. My legislation would make the tax code fairer by allowing those people who are not self-employed to take the same deduction.

An estimated 17.4 million Americans in 2005 were covered by individually purchased health insurance policies. Some of these people are self-employed and can currently take this deduction. However, based upon these statistics, I estimate that up to 2 million families who have purchased health insurance do not have access to this deduction. My legislation seeks to correct that. Additionally, the legislation will make it cheaper for uninsured people to purchase their own health insurance policies. Health care costs in general are expected to rise 7.2 percent per year for the next ten years, so it is important for Congress to pursue steps to attempt to rein in this inflation and also to try to make health care and health insurance more accessible and affordable. This legislation is a part of those efforts.

Another important aspect of the legislation is that it would also allow individuals to take an above-the-line deduction for the purchase of long-term-care insurance. Most employers do not offer any subsidized long-term-care insurance to their employees, so those who need this protection often have to purchase it in the individual market. It is very important for Americans to purchase this insurance, since many people assume that Medicare covers long-term-care costs when people turn age 65. However, this is not true. Often, seniors will find themselves on Medicaid, the low-income federal health care program, when they have long stays in nursing homes that they cannot pay for. Long-term-care insurance is a far better alternative to having seniors go onto Medicaid. It is important for Congress to incentivize people to purchase this insurance, and my legislation is a step in the right direction.

I want to urge my colleagues to look at this legislation. It is short and to the point, but helping people to have private health insurance and long-term-care insurance is an important part of improving our health care system.

By Mr. DODD:

S. 2380. A bill to add the heads of certain Federal intelligence agencies to the Committee on Foreign Investment in the United States, to require enhanced notification to Congress and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DODD. Mr. President, today I have introduced a bill entitled the U.S. National Security Protection Act of 2006. This legislation would enact some critical reforms with respect to the Committee on Foreign Investment in the United States, CFIUS. I look forward to working with my colleagues in the coming days on this bill.

One thing is clear. The importance of reforming CFIUS has been brought into sharp focus by the proposed acquisition of P&O Steamship Navigation Company's U.S. port operations by Dubai Ports, DP, World, a company based in Dubai in the United Arab Emirates, UAE. The reason so many people are concerned about that particular deal is obvious: while security threats are dynamic, assets such as our ports are, and always will be, a national security concern.

CFIUS's role is to vet these deals for possible national security dangers. But the problem here is that the CFIUS process is broken. Indeed, the DP World deal was approved in less than 30

days—even though U.S. law clearly required there to be a full 45-day investigation.

Many of us here in Congress have for a while now expressed concerns over whether the current CFIUS structure is adequately protecting our national security. The GAO also expressed these concerns in a report it released last September. So again, it's not like the cat has suddenly been let out of the bag that the CFIUS process needs reform.

Yet despite all the evidence to the contrary—most prominently, the DP World-P&O deal—the administration does not seem to believe that there is anything wrong with the CFIUS process.

The bill I introduced today—the National Security Protection Act of 2006—goes to the heart of three very simple principles. First, since CFIUS is set up to protect our national security, the intelligence community—whose fundamental purpose is to promote national security—needs to have a formal and expanded role in CFIUS. Second, accountability and transparency need to be made a permanent part of the CFIUS process. And third, when critical U.S. infrastructure might be acquired by a foreign government-controlled entity, CFIUS must perform a full 45 day investigation—no exceptions.

My bill would address these issues by doing the following: First, it would add the Director of National Intelligence, DNI, and Director of the CIA, DCI, to the CFIUS panel.

Second, it would create a CFIUS Subcommittee on Intelligence whose members would represent the heads of all of the intelligence agencies of the U.S. government. That subcommittee, chaired by the Director of National Intelligence, would review and provide comments on matters to come before CFIUS—including comments on 30 day reviews which do not result in 45 day investigations and comments on the results of 45 day investigations. This subcommittee would also conduct 15 day initial reviews of all cases filed with CFIUS.

Some might ask why the DNI would need to serve on both the full CFIUS panel and on the subcommittee. The reasoning behind this is simple—the DNI has two important roles in the process. On the full committee, the DNI should fill a role of providing policy advice from the perspective of the intelligence community. On the subcommittee level, the DNI should oversee the collection, analysis, and reporting on specific, case-related intelligence that is vital to the CFIUS process.

Third, the National Security Protection Act would create two Vice Chair positions on the full CFIUS panel, to be filled by the Secretaries of Defense and Homeland Security. That will help to ensure that economic, intelligence, and security matters are given appropriate weight in the decision making process. Economic interests, while important, must never come ahead of the protection of our national security.

Fourth, this legislation would mandate that only the CFIUS chair, with the concurrence of the two Vice Chairs, or the President acting on his own authority, can sign off on a 30-day review which concludes that a potential deal poses no security threat. In addition, it would require that this determination be made in writing with the appropriate signatures, and mandate that the CFIUS Chair and Vice Chairs who make such a determination be at the level of Secretary so that this responsibility is not delegated to subordinates. Furthermore, if either of the Vice Chairs dissent with respect to the decision to not conduct a 45-day investigation, my bill would mandate that the matter be sent to the President for a final determination.

Fifth, my bill would require the President or CFIUS to notify Congress not later than 15 days after paperwork is submitted by companies for CFIUS review, and not later than 15 days after the commencement of all 30-day reviews and 45-day investigations.

Sixth, this bill would also require the President to provide quarterly reports to Congress detailing all 30- and 50-day actions. These reports would include the intelligence subcommittee's comments on each case, and they would be submitted in unclassified form with a classified annex.

Seventh, for any transaction where a foreign-owned company is seeking to acquire U.S. critical infrastructure, this bill would mandate that the company provide the appropriate notification to CFIUS of the proposed transaction as well as the required information for CFIUS to examine the case. Currently that process is voluntary and it shouldn't be.

Eighth and finally, the National Security Protection Act would amend existing U.S. law, which governs under what conditions the President must conduct a full 45-day investigation. Currently, U.S. law requires a full investigation if ''an entity controlled by or acting on behalf of a foreign government'' attempts to acquire a U.S. entity engaged in interstate commerce that could affect U.S. national security. My bill would clarify this provision by requiring a 45-day investigation whenever the U.S. entity to be acquired controls, owns, or operates critical infrastructure in the U.S.

I don't want anyone to misinterpret what I am saying here. Foreign investment in the U.S. economy provides an important influx of capital. In today's globalized world, we would do tremendous damage to our economy by cutting off foreign investment. And I do not think anyone here is talking about that.

Just to provide some reference, according to the Commerce Department, in 2004, foreigners invested $113 billion in U.S. businesses and real estate. But that amount is only about half as much as U.S. firms invested abroad. So while we rightly have concerns about outsourcing and enforcement of fair trade practices, the U.S. obviously gets significant benefits from participating in the global economy.

But supporting free and fair trade, and working to protect the national interest, are not mutually exclusive. Because we are not just working to protect the American worker, we are also trying to protect his or her family, and the generations to come.

Simply put, national security should never be subordinated to commercial interests.

Some would suggest that this is an issue of race-baiting, ill will, or bias toward the Arab world. Let me be clear on that point. Nothing we say with respect to DP World or the situation in the UAE—or any other potential deal—should be construed as such.

To that end, I wholly reject the views of those who suggest that our concern with the DP World acquisition, and with other foreign government acquisitions of U.S. critical infrastructure, is somehow rooted in a xenophobic ideology.

Rather, when it comes to international business, there are two main issues that I think we as Americans are concerned with. One is the protection of the U.S. economy, our industrial base, and American workers. The other is the safeguarding of our national security. With respect to the DP World-P&O deal, we're mainly talking about that second issue.

According to United Press International, UPI, operations at up to 22 U.S. ports would come under the control of DP World if it is allowed to acquire P&O's U.S. port operations. This includes critical ports in New York, New Jersey, Baltimore, Miami, New Orleans, Mississippi, and Texas. And it reportedly includes two ports in Texas used by the Army, and through which approximately 40 percent of equipment shipped to our troops in Iraq has flowed.

Yet, CFIUS decided in less than 30 days that this deal did not pose a security threat to the U.S. There was no full and thorough 45 day investigation, which in my view was mandated by law. Indeed, the Byrd Amendment to Exon-Florio requires a full 45 day investigation if two conditions are met: first, that the acquirer is controlled or acting on behalf of a foreign government; and second, if the acquisition could affect U.S. national security. Both of these conditions are clearly met in this case.

There also appears to have been no consultation with Members of Congress on the DP World issue. In October, Deputy Treasury Secretary Kimmitt testified that he and his agency support more effective communication with Members of Congress to enhance the transparency of CFIUS. I ask where that communication was with respect to DP World.

Certainly, I understand the desire for protecting privacy, but that does not

excuse the lack of any real consultation with Congress and the resulting lack of transparency. This is an issue of checks and balances, which exist to protect Americans. And the protection of Americans must never be subordinated to foreign interests.

But there are other problems with CFIUS that have become apparent through the DP World case. Indeed, we recently learned that neither Secretary Snow nor President Bush knew about the DP World acquisition. Not even Secretary Snow's deputy knew about the matter while it was undergoing the initial 30 day review.

Now, given Secretary Snow's history with CSX, whose port operations were acquired by DP World in 2004, his lack of involvement was the right thing. I only wish that it had been intentional.

And when it comes to the President, I would simply ask this question: When operations at 22 critical U.S. ports are to be sold to a company controlled and owned by a foreign government, one with a questionable security history with respect to terrorism and WMD proliferation, why wasn't the President made aware of the deal?

In a March 1 New York Times article, the President was quoted as saying that ''If there was any doubt in my mind, or people in my Administration's mind, that our ports would be less secure or the American people endangered, this deal wouldn't go forward.''

I frankly have no idea how the President could reach this conclusion. There has been no thorough investigation, as required by law. The President did not even apparently know about the DP World deal until very recently. It is precisely this kind of superficial determination that has the American people so worried about their security—and rightly so.

If all of this is not evidence of a broken CFIUS process, then I do not know what is.

I know that some people would argue that the issue is not CFIUS—that the real issue is having adequate measures to protect our ports. Frankly, I think that both of these are major Issues.

And if we look at the pathetic security situation at our Nation's ports today, that becomes quite clear. Only about 5 percent of the cargo that comes through our ports is actually inspected. Indeed, the resources available to the Department of Homeland Security to undertake port and container security are woefully inadequate. According to reports, U.S. Customs has only 80 inspectors to monitor the compliance of nearly 6,000 importers, who are currently charged with maintaining the security of their goods during transit. The Coast Guard is even worse off with 20 inspectors dedicated to assessing worldwide compliance with relevant international shipping and port facility security codes. That's 100 people for the whole world. And it is a problem that needs to be fixed.

But CFIUS reform is an indispensable part of the process of strengthening U.S. national security. Indeed, the current problems are evident in other cases besides DP World. Most recently we learned about another deal with a Dubai-based company. That company, Dubai International Capital is seeking, as part of a $1.2 billion deal, to acquire London-based Doncasters Group Ltd. Doncasters has operations in the U.S.—primarily in my home state of Connecticut and in Georgia.

True, in this case, CFIUS has decided to perform the full 45-day investigation. I'm glad that they have, because Doncasters is involved in the production of components for some of our most critical military equipment, including the M1 Abrams tank.

But while I'd like to think that the Doncasters investigation was begun on its own merits, I must admit that I find the timing of this investigation highly suspect. In fact, it appears that this investigation was not even launched until the DP World issue became public and stirred up some very legitimate concerns.

So as we can see, it is critically important that we reform the CFIUS process. We can not afford to sit and wait on this. The U.S. National Security Protection Act of 2006 would significantly strengthen CFIUS and thus our national security. I urge my colleagues to support this bill.

I ask unanimous consent that the text of my bill, the U.S. National Security Act of 2006, 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. 2380

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 ''U.S. National Security Protection Act of 2006''.

SEC. 2. DEFINITIONS.

As used in this Act—

(1) the term ''Committee on Foreign Investment in the United States'' or ''CFIUS'' means the committee established by the President under Executive Order 11858, May 7, 1975, and any successor thereto; and

(2) the term ''intelligence community'' has the same meaning as in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

SEC. 3. COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

(a) CFIUS MEMBERSHIP.—

(1) DIRECTORS OF NATIONAL INTELLIGENCE AND CENTRAL INTELLIGENCE.—Notwithstanding any other provision of law, the Director of National Intelligence and the Director of Central Intelligence shall be members of the Committee on Foreign Investment in the United States.

(2) VICE CHAIRS.—The Secretary of Homeland Security and the Secretary of Defense shall serve as vice chairs of the Committee on Foreign Investment in the United States.

(b) SUBCOMMITTEE ON INTELLIGENCE.—Not later than 30 days after the date of enactment of this Act, the President shall establish within the Committee on Foreign Investment in the United States a Subcommittee on Intelligence, which shall be—

(1) chaired by the Director of National Intelligence; and

(2) comprised of the head of each member of the intelligence community.

SEC. 4. SUBCOMMITTEE REVIEW OF CFIUS INVESTIGATIONS.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by adding at the end the following:

''(1) INTELLIGENCE SUBCOMMITTEE REVIEWS OF INVESTIGATIONS.—

''(1) PRE-INVESTIGATION REVIEW AND COMMENT.—The Subcommittee on Intelligence of the Committee on Foreign Investment in the United States shall—

''(A) review information relating to a proposed merger, acquisition, or takeover, during the 15-day period following the date of receipt of such information, and before the commencement of any investigation under subsection (a) or (b); and

''(B) provide written comments on any determination by the President or CFIUS not to conduct an investigation under subsection (a).

''(2) POST-INVESTIGATION REVIEW AND COMMENT.—The Subcommittee on Intelligence of the Committee on Foreign Investment in the United States shall—

''(A) review each investigation conducted by the President or CFIUS under subsections (a) and (b); and

''(B) provide written comments on the results of each such investigation.''.

SEC. 5. TREATMENT OF CRITICAL INFRASTRUCTURE AS AFFECTING NATIONAL SECURITY.

Section 721(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(b)) is amended by inserting after ''commerce in the United States'' the following: '', including any person that owns, controls, or operates any critical infrastructure, as defined in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 5195c(e)),''.

SEC. 6. CERTIFICATION OF NATIONAL SECURITY DETERMINATIONS.

''(m) PRESIDENTIAL OR CHAIR CERTIFICATION OF THREAT DETERMINATIONS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, a final determination that an investigation under subsection (a) is not required with respect to a merger, acquisition, or takeover may be made only—

''(A) by the President, in any case in which the President is acting on the President's own behalf under subsection (a); or

''(B) by the Secretary of the Treasury, with the concurrence of the Secretary of Homeland Security and the Secretary of Defense, in their respective capacities as chair and vice chairs of CFIUS, in any case in which CFIUS is acting as the President's designee under subsection (a).

''(2) CERTIFICATIONS REQUIRED.—

''(A) PRESIDENTIAL DETERMINATIONS.—In any instance in which the President is acting on his or her own behalf under subsection (a), the President shall certify in writing to a final determination that an investigation under subsection (a) is not required with respect to a merger, acquisition, or takeover, and such certification requirement may not be delegated to any person.

''(B) CFIUS DETERMINATIONS.—In any instance in which CFIUS is acting as the President's designee under subsection (a), the Secretary of the Treasury, the Secretary of Homeland Security, and the Secretary of Defense shall each certify in writing to a final determination that an investigation under subsection (a) is not required with respect to a merger, acquisition, or takeover, and such certification requirement may not be delegated to any person.

''(3) NONCONCURRENCE.—If there is not concurrence among the chair and vice chairs of CFIUS for purposes of paragraph (1)(B), the President shall make the final determination that an investigation under subsection

(a) is not required with respect to a merger, acquisition, or takeover, and the President shall certify such determination in writing.''.

SEC. 7. MANDATORY SUBMISSION OF INFORMATION.

Section 721(c) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(c)) is amended—

(1) in the subsection heading, by striking ''CONFIDENTIALITY OF'' and inserting ''SUBMISSION OF'';

(2) by striking ''Any information or documentary material filed'' and inserting the following:

''(1) REQUIRED SUBMISSIONS.—Each person controlled by or acting on behalf of a foreign government or foreign person shall—

''(A) notify the President or the President's designee in writing of any proposed merger, acquisition, or takeover of any United States critical infrastructure (as defined in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 5195c(e))) ; and

''(B) provide such information to the President or the President's designee with respect to such proposed transaction as may be necessary for purposes of this section.

''(2) CONFIDENTIALITY OF INFORMATION.—Any information or documentary material filed, either voluntarily or under paragraph (1),''.

SEC. 8. NOTICES OF REVIEWS AND INVESTIGATIONS AND QUARTERLY REPORTS REQUIRED.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by adding at the end the following:

''(n) NOTICES OF REVIEWS AND INVESTIGATIONS AND QUARTERLY REPORTS TO CONGRESS.—

''(1) NOTICES TO CONGRESS.—The President or the President's designee shall notify the appropriate committees of Congress—

''(A) not later than 15 days after the date of receipt of written notification of a proposed or pending merger, acquisition, or takeover described in subsection (a) or (b); and

''(B) at the commencement of each investigation under subsection (a) or (b).

''(2) QUARTERLY REPORTS TO CONGRESS.—

''(A) IN GENERAL.—The President shall, on a quarterly basis, submit to Congress a report on all mergers, acquisitions, and takeovers that were the subject of investigation or review under this section during the quarter, including any comments submitted under subsection (1)(2).

''(B) FORM.—Each report required under subparagraph (A) may be submitted in unclassified form, and may contain a classified annex.''.

SEC. 9. CFIUS AS PRESIDENT'S DESIGNEE UNDER DEFENSE PRODUCTION ACT.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by adding at the end the following:

''(o) DESIGNEE.—Notwithstanding any other provision of law, the President's designee for purposes of this section shall be the Committee on Foreign Investment in the United States, established by order of the President in Executive Order 11858, May 7, 1975 (in this section referred to as 'CFIUS'), or any successor thereto.''.

By Mr. FRIST (for himself, Mr. MCCONNELL, Mr. MCCAIN, Mr. KERRY, Mr. SESSIONS, Mr. ALLEN, Mr. BUNNING, Mr. ALEXANDER, Mr. TALENT, Mr. DEMINT, Mr. GRAHAM, Mr. KYL, Mr. ALLARD, Mrs. DOLE, Mr. ENZI, Mr. BROWNBACK, Mr. ISAKSON, Mr. BURR, Mr. CHAMBLISS, Mr. CHAFEE, Mr. SANTORUM, Mr. THUNE, Mr. GREGG, Mr. SUNUNU, Mr. VITTER, Mr. MARTINEZ, Mr. CRAPO, and Mr. THOMAS):

S. 2381. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide line item rescission authority; to the Committee on the Budget.

Mr. FRIST. Mr. President, I rise to introduce the Legislative Line Item Veto Act of 2006. I am proud to say there are over 20 Senators who have joined me as original cosponsors of this legislation, including our colleague from Massachusetts, Senator KERRY. I wish to thank Senator KERRY for his support, and for the support of all of the other original cosponsors who have joined me on this significant legislative reform proposal.

The legislation itself is long overdue. It is an authority provided in one version or another to 43 Governors today. It is an authority that has been requested by at least 11 Presidents, including Franklin Roosevelt, Harry Truman, Dwight Eisenhower, Ronald Reagan, and Bill Clinton.

The Legislative Line Item Veto Act of 2006, first outlined by President Bush yesterday, when enacted will provide the President and the Congress with a tool to surgically remove specific spending and targeted tax benefits from broader enacted legislation. Unlike the line item veto legislation that the Supreme Court ruled unconstitutional in 1998, this is clearly constitutional.

The legislation builds upon current Presidential rescission authorities changing the current process to require Congress to act, one way or the other, on the President's proposed removal of items in enacted law. This new procedure guarantees an up-or-down vote on the President's proposed rescissions, without amendments.

I was trying to think how to describe this procedure when people ask, and one might think of it as similar to the Armed Forces BRAC Commission process. I am really talking about the approach, the procedure itself. By that, I mean that the President proposes and the Congress, under expedited procedures, within 10 days, approves or disapproves of the legislation that rescinds spending, including both appropriation items or entitlement spending. The one spending program which would be exempt from this process is Social Security.

The legislation is balanced in that it would also allow the President to eliminate revenue-losing provisions that provide Federal tax benefits to 100 or fewer beneficiaries or provide temporary or transitional relief to 10 or fewer beneficiaries.

I am encouraged by the broad bipartisan support for this reform legislation. I hope this Congress will act on the bill to provide us another tool to control unnecessary and wasteful spending in tax expenditures. It is just good government.

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. —

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 ''Legislative Line Item Veto Act of 2006''.

SEC. 2. LEGISLATIVE LINE ITEM VETO.

(a) IN GENERAL.—Title X of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.) is amended by striking part C and inserting the following:

''PART C—LEGISLATIVE LINE ITEM VETO

''EXPEDITED CONSIDERATION OF CERTAIN PROPOSED RESCISSIONS

''SEC. 1021. (a) PROPOSED RESCISSIONS.—The President may propose, at the time and in the manner provided in subsection (b), the rescission of any dollar amount of discretionary budget authority or the rescission, in whole or in part, of any item of direct spending.

'' (b) TRANSMITTAL OF SPECIAL MESSAGE.—

''(1) SPECIAL MESSAGE.—

''(A) IN GENERAL.—The President may transmit to Congress a special message proposing to rescind any dollar amount of discretionary budget authority or any item of direct spending.

''(B) CONTENTS OF SPECIAL MESSAGE.—Each special message shall specify, with respect to the budget authority or item of direct spending proposed to be rescinded—

''(i) the amount of budget authority or the specific item of direct spending that the President proposes be rescinded;

''(ii) any account, department, or establishment of the Government to which such budget authority or item of direct spending is available for obligation, and the specific project or governmental functions involved;

''(iii) the reasons why such budget authority or item of direct spending should be rescinded;

''(iv) to the maximum extent practicable, the estimated fiscal, economic, and budgetary effect (including the effect on outlays and receipts in each fiscal year) of the proposed rescission;

''(v) to the maximum extent practicable, all facts, circumstances, and considerations relating to or bearing upon the proposed rescission and the decision to effect the proposed rescission, and the estimated effect of the proposed rescission upon the objects, purposes, and programs for which the budget authority or item of direct spending is provided; and

''(vi) a draft bill that, if enacted, would rescind the budget authority or item of direct spending proposed to be rescinded in that special message.

''(2) ENACTMENT OF RESCISSION BILL.—

''(A) DEFICIT REDUCTION.—Amounts of budget authority or items of direct spending which are rescinded pursuant to enactment of a bill as provided under this section shall be dedicated only to deficit reduction and shall not be used as an offset for other spending increases.

''(B) ADJUSTMENT OF COMMITTEE ALLOCATIONS.—Not later than 5 days after the date of enactment of a rescission bill as provided under this section, the chairs of the Committees on the Budget of the Senate and the House of Representatives shall revise levels under section 311(a) of the Congressional Budget Act of 1974 and adjust the committee allocations under section 302(a) of the Congressional Budget Act of 1974 to reflect the

rescission, and the appropriate committees shall report revised allocations pursuant to section 302(b) of the Congressional Budget Act of 1974, as appropriate.

''(C) ADJUSTMENTS TO CAPS.—After enactment of a rescission bill as provided under this section, the Office of Management and Budget shall revise applicable limits under the Balanced Budget and Emergency Deficit Control Act of 1985, as appropriate.

''(c) PROCEDURES FOR EXPEDITED CONSIDERATION.—

''(1) IN GENERAL.—

''(A) INTRODUCTION.—Before the close of the second day of session of the Senate and the House of Representatives, respectively, after the date of receipt of a special message transmitted to Congress under subsection (b), the majority leader or minority leader of each House shall introduce (by request) a bill to rescind the amounts of budget authority or items of direct spending, as specified in the special message and the President's draft bill. If the bill is not introduced as provided in the preceding sentence in either House, then, on the third day of session of that House after the date of receipt of that special message, any Member of that House may introduce the bill.

''(B) REFERRAL AND REPORTING.—The bill shall be referred to the appropriate committee. The committee shall report the bill without substantive revision and with or without recommendation. The committee shall report the bill not later than the fifth day of session of that House after the date of introduction of the bill in that House. If the committee fails to report the bill within that period, the committee shall be automatically discharged from consideration of the bill, and the bill shall be placed on the appropriate calendar.

''(C) FINAL PASSAGE.—A vote on final passage of the bill shall be taken in the Senate and the House of Representatives on or before the close of the 10th day of session of that House after the date of the introduction of the bill in that House. If the bill is passed, the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall cause the bill to be transmitted to the other House before the close of the next day of session of that House.

''(2) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—

''(A) MOTION TO PROCEED TO CONSIDERATION.—A motion in the House of Representatives to proceed to the consideration of a bill under this subsection shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

''(B) LIMITS ON DEBATE.—Debate in the House of Representatives on a bill under this subsection shall not exceed 4 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further to limit debate shall not be debatable. It shall not be in order to move to recommit a bill under this subsection or to move to reconsider the vote by which the bill is agreed to or disagreed to.

''(C) APPEALS.—Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to a bill under this section shall be decided without debate.

''(D) APPLICATION OF HOUSE RULES.—Except to the extent specifically provided in this section, consideration of a bill under this section shall be governed by the Rules of the House of Representatives. It shall not be in order in the House of Representatives to consider any bill introduced pursuant to the provisions of this section under a suspension of the rules or under a special rule.

''(3) CONSIDERATION IN THE SENATE.—

''(A) MOTION TO PROCEED TO CONSIDERATION.—A motion to proceed to the consideration of a bill under this subsection in the Senate shall not be debatable. It shall not be in order to move to reconsider the vote by which the motion to proceed is agreed to or disagreed to.

''(B) LIMITS ON DEBATE.—Debate in the Senate on a bill under this subsection, and all debatable motions and appeals in connection therewith (including debate pursuant to subparagraph (D)), shall not exceed 10 hours, equally divided and controlled in the usual form.

''(C) APPEALS.—Debate in the Senate on any debatable motion or appeal in connection with a bill under this subsection shall be limited to not more than 1 hour, to be equally divided and controlled in the usual form.

''(D) MOTION TO LIMIT DEBATE.—A motion in the Senate to further limit debate on a bill under this subsection is not debatable.

''(E) MOTION TO RECOMMIT.—A motion to recommit a bill under this subsection is not in order.

''(F) CONSIDERATION OF THE HOUSE BILL.—

''(i) IN GENERAL.—If the Senate has received the House companion bill to the bill introduced in the Senate prior to the vote required under paragraph (1)(C), then the Senate may consider, and the vote under paragraph (1)(C) may occur on, the House companion bill.

''(ii) PROCEDURE AFTER VOTE ON SENATE BILL.—If the Senate votes, pursuant to paragraph (1)(C), on the bill introduced in the Senate, then immediately following that vote, or upon receipt of the House companion bill, the House bill shall be deemed to be considered, read the third time, and the vote on passage of the Senate bill shall be considered to be the vote on the bill received from the House.

''(d) AMENDMENTS AND DIVISIONS PROHIBITED.—No amendment to a bill considered under this section shall be in order in either the Senate or the House of Representatives. It shall not be in order to demand a division of the question in the House of Representatives (or in a Committee of the Whole). No motion to suspend the application of this subsection shall be in order in the House of Representatives, nor shall it be in order in the House of Representatives to suspend the application of this subsection by unanimous consent.

''(e) TEMPORARY PRESIDENTIAL AUTHORITY TO WITHHOLD.—

''(1) IN GENERAL.—At the same time as the President transmits to Congress a special message pursuant to subsection (b), the President may direct that any dollar amount of discretionary budget authority proposed to be rescinded in that special message shall not be made available for obligation for a period not to exceed 180 calendar days from the date the President transmits the special message to Congress.

''(2) EARLY AVAILABILITY.—The President may make any dollar amount of discretionary budget authority deferred pursuant to paragraph (1) available at a time earlier than the time specified by the President if the President determines that continuation of the deferral would not further the purposes of this Act.

''(f) TEMPORARY PRESIDENTIAL AUTHORITY TO SUSPEND.—

''(1) IN GENERAL.—At the same time as the President transmits to Congress a special message pursuant to subsection (b), the President may suspend the execution of any item of direct spending proposed to be rescinded in that special message for a period not to exceed 180 calendar days from the date the President transmits the special message to Congress.

''(2) EARLY AVAILABILITY.—The President may terminate the suspension of any item of direct spending at a time earlier than the time specified by the President if the President determines that continuation of the suspension would not further the purposes of this Act.

''(g) DEFINITIONS.—For purposes of this section—

''(1) the term 'appropriation law' means any general or special appropriation Act, and any Act or joint resolution making supplemental, deficiency, or continuing appropriations;

''(2) the term 'deferral' has, with respect to any dollar amount of discretionary budget authority, the same meaning as the phrase 'deferral of budget authority' defined in section 1011(1) in Part B (2 U.S.C. 682(1));

''(3) the term 'dollar amount of discretionary budget authority' means the entire dollar amount of budget authority and obligation limitations—

''(A) specified in an appropriation law, or the entire dollar amount of budget authority required to be allocated by a specific proviso in an appropriation law for which a specific dollar figure was not included;

''(B) represented separately in any table, chart, or explanatory text included in the statement of managers or the governing committee report accompanying such law;

''(C) required to be allocated for a specific program, project, or activity in a law (other than an appropriation law) that mandates the expenditure of budget authority from accounts, programs, projects, or activities for which budget authority is provided in an appropriation law;

''(D) represented by the product of the estimated procurement cost and the total quantity of items specified in an appropriation law or included in the statement of managers or the governing committee report accompanying such law; or

''(E) represented by the product of the estimated procurement cost and the total quantity of items required to be provided in a law (other than an appropriation law) that mandates the expenditure of budget authority from accounts, programs, projects, or activities for which dollar amount of discretionary budget authority is provided in an appropriation law;

''(4) the terms 'rescind' or 'rescission' mean to modify or repeal a provision of law to prevent:

''(A) budget authority from having legal force or effect;

''(B) in the case of entitlement authority, to prevent the specific legal obligation of the United States from having legal force or effect; and

''(C) in the case of the food stamp program, to prevent the specific provision of law that provides such benefit from having legal force or effect.

''(5) the term 'direct spending' means budget authority provided by law (other than an appropriation law); entitlement authority; and the food stamp program;

''(6) the term 'item of direct spending' means any specific provision of law enacted after the effective date of the Legislative Line Item Veto Act of 2006 that is estimated to result in a change in budget authority or outlays for direct spending relative to the most recent levels calculated pursuant to section 257 of the Balanced Budget and Emergency Deficit Control Act of 1985 and included with a budget submission under section 1105(a) of title 31, United States Code, and with respect to estimates made after that budget submission that are not included with it, estimates consistent with the economic and technical assumptions underlying

the most recently submitted President's budget; and

''(7) the term 'suspend the execution' means, with respect to an item of direct spending or a targeted tax benefit, to stop for a specified period, in whole or in part, the carrying into effect of the specific provision of law that provides such benefit.

''(8)(A) The term 'targeted tax benefit' means—

''(i) any revenue-losing provision that provides a Federal tax deduction, credit, exclusion, or preference to 100 or fewer beneficiaries under the Internal Revenue Code of 1986 in any fiscal year for which the provision is in effect; and

''(ii) any Federal tax provision that provides temporary or permanent transitional relief for 10 or fewer beneficiaries in any fiscal year from a change to the Internal Revenue Code of 1986.

''(B) A provision shall not be treated as described in subparagraph (A)(i) if the effect of that provision is that—

''(i) all persons in the same industry or engaged in the same type of activity receive the same treatment;

''(ii) all persons owning the same type of property, or issuing the same type of investment, receive the same treatment; or

''(iii) any difference in the treatment of persons is based solely on—

''(I) in the case of businesses and associations, the size or form of the business or association involved;

''(II) in the case of individuals, general demographic conditions, such as income, marital status, number of dependents, or tax-return-filing status;

''(III) the amount involved; or

''(IV) a generally-available election under the Internal Revenue Code of 1986.

''(C) A provision shall not be treated as described in subparagraph (A)(ii) if—

''(i) it provides for the retention of prior law with respect to all binding contracts or other legally enforceable obligations in existence on a date contemporaneous with congressional action specifying such date; or

''(ii) it is a technical correction to previously enacted legislation that is estimated to have no revenue effect.

''(D) For purposes of subparagraph (A)—

''(i) all businesses and associations that are members of the same controlled group of corporations (as defined in section 1563(a) of the Internal Revenue Code of 1986) shall be treated as a single beneficiary;

''(ii) all qualified plans of an employer shall be treated as a single beneficiary;

''(iii) all holders of the same bond issue shall be treated as a single beneficiary; and

''(iv) if a corporation, partnership, association, trust or estate is the beneficiary of a provision, the shareholders of the corporation, the partners of the partnership, the members of the association, or the beneficiaries of the trust or estate shall not also be treated as beneficiaries of such provision.

''(E) For the purpose of this paragraph, the term 'revenue-losing provision' means any provision that results in a reduction in Federal tax revenues for any one of the two following periods—

''(i) the first fiscal year for which the provision is effective; or

''(ii) the period of the 5 fiscal years beginning with the first fiscal year for which the provision is effective.

''(F) The terms used in this paragraph shall have the same meaning as those terms have generally in the Internal Revenue Code of 1986, unless otherwise expressly provided.

''(h) APPLICATION TO TARGETED TAX BENEFITS.—The President may propose the repeal of any targeted tax benefit in any bill that includes such a benefit, under the same conditions, and subject to the same Congressional consideration, as a proposal under this section to rescind an item of direct spending.''.

(b) EXERCISE OF RULEMAKING POWERS.—Section 904 of the Congressional Budget Act of 1974 (2 U.S.C. 621 note) is amended—

(1) in subsection (a), by striking ''and 1017'' and inserting ''1017, and 1021''; and

(2) in subsection (d), by striking ''section 1017'' and inserting ''sections 1017 and 1021''.

(c) CLERICAL AMENDMENTS.—(1) Section 1(a) of the Congressional Budget and Impoundment Control Act of 1974 is amended by—

(A) striking ''Parts A and B'' before ''title X'' and inserting ''Parts A, B, and C''; and

(B) striking the last sentence and inserting at the end the following new sentence: ''Part C of title X also may be cited as the 'Legislative Line Item Veto Act of 2006.' ''

(2) TABLE OF CONTENTS.—The table of contents set forth in section 1(b) of the Congressional Budget and Impoundment Control Act of 1974 is amended by deleting the contents for part C of title X and inserting the following:

''PART C—LEGISLATIVE LINE ITEM VETO

''Sec. 1021. expedited consideration of certain proposed rescissions.''.

(d) SEVERABILITY.—If any provision of this Act or the amendments made by it is held to be unconstitutional, the remainder of this Act and the amendments made by it shall not be affected by the holding.

(e) EFFECTIVE DATE.—The amendments made by this Act shall—

(1) take effect on the date of enactment of this Act; and

(2) apply only to any dollar amount of discretionary budget authority, item of direct spending, or targeted tax benefit provided in an Act enacted on or after the date of enactment of this Act.

Mr. CHAFEE. Mr. President, I join with Senators FRIST, MCCAIN, and others as a cosponsor of legislation to establish a Presidential line item veto. This is a fiscally prudent measure which could reduce wasteful spending and bring down our Nation's deficit.

The proposal would give the President the authority to strike wasteful spending measures from legislation, to ensure that the American taxpayer is not footing the bill for projects that are not national priorities. I applaud President Bush for putting forth this initiative, which would be significant progress in the fight to reduce nonessential spending.

Throughout our country's history, the line item veto has enjoyed a long line of bipartisan support, with Presidents such as Ulysses Grant, Franklin Delano Roosevelt, Ronald Reagan, and Bill Clinton calling for the authority. Additionally, the power has been given to Governors in 43 of the 50 States.

I am pleased that the proposed legislation would require the President to send recision proposals back to Congress for final passage. Not only does this make the legislation consistent with the Constitution, it also limits the scope of any President's veto authority, as proposed changes will need congressional approval.

I am heartened to see this call for fiscal responsibility from President Bush. I have joined as a cosponsor of this legislation because it will be impossible for us to reduce our national debt and balance the Federal budget unless we curb wasteful spending. I have been an advocate for the pay-as-you-go budget rule, which would require Congress to pay for any new spending or tax cuts, and will continue to press for its adoption.

Since chronic deficits add to the burden of debt we are bequeathing to future generations, congressional spending must be reigned in, and I am pleased to support this proposal which is one tool that can improve spending discipline in Washington.

By Mr. DURBIN (for himself, Mrs. LINCOLN, Mr. REID, Mr. BAUCUS, Mr. KENNEDY, Mr. KERRY, Mr. BINGAMAN, Mrs. BOXER, Ms. CANTWELL, Mr. CARPER, Mrs. CLINTON, Mr. DODD, Mr. HARKIN, Mr. JOHNSON, Mr. KOHL, Ms. LANDRIEU, Mr. LAUTENBERG, Ms. MIKULSKI, Mr. NELSON of Florida, Mr. PRYOR, Mr. MENENDEZ, Mr. ROCKEFELLER, and Mr. LEAHY):

S. 2382. A bill to establish a national health program administered by the Office of Personnel Management to offer health benefits plans to individuals who are not Federal employees, and for other purposes; to the Committee on Finance.

Mr. DURBIN. 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. 2382

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 ''Small Employers Health Benefits Program Act of 2006''.

SEC. 2. DEFINITIONS.

(a) IN GENERAL.—In this Act, the terms ''member of family'', ''health benefits plan'', ''carrier'', ''employee organizations'', and ''dependent'' have the meanings given such terms in section 8901 of title 5, United States Code.

(b) OTHER TERMS.—In this Act:

(1) EMPLOYEE.—The term ''employee'' has the meaning given such term under section 3(6) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(6)). Such term shall not include an employee of the Federal Government.

(2) EMPLOYER.—The term ''employer'' has the meaning given such term under section 3(5) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(5)), except that such term shall include only employers who employed an average of at least 1 but not more than 100 employees on business days during the year preceding the date of application. Such term shall not include the Federal Government.

(3) HEALTH STATUS-RELATED FACTOR.—The term ''health status-related factor'' has the meaning given such term in section 2791(d)(9) of the Public Health Service Act (42 U.S.C. 300gg–91(d)(9)).

(4) OFFICE.—The term ''Office'' means the Office of Personnel Management.

(5) PARTICIPATING EMPLOYER.—The term ''participating employer'' means an employer that—

(A) elects to provide health insurance coverage under this Act to its employees; and

(B) is not offering other comprehensive health insurance coverage to such employees.

(c) APPLICATION OF CERTAIN RULES IN DETERMINATION OF EMPLOYER SIZE.—For purposes of subsection (b)(2):

(1) APPLICATION OF AGGREGATION RULE FOR EMPLOYERS.—All persons treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 shall be treated as 1 employer.

(2) EMPLOYERS NOT IN EXISTENCE IN PRECEDING YEAR.—In the case of an employer which was not in existence for the full year prior to the date on which the employer applies to participate, the determination of whether such employer meets the requirements of subsection (b)(2) shall be based on the average number of employees that it is reasonably expected such employer will employ on business days in the employer's first full year.

(3) PREDECESSORS.—Any reference in this subsection to an employer shall include a reference to any predecessor of such employer.

(d) WAIVER AND CONTINUATION OF PARTICIPATION.—

(1) WAIVER.—The Office may waive the limitations relating to the size of an employer which may participate in the health insurance program established under this Act on a case by case basis if the Office determines that such employer makes a compelling case for such a waiver. In making determinations under this paragraph, the Office may consider the effects of the employment of temporary and seasonal workers and other factors.

(2) CONTINUATION OF PARTICIPATION.—An employer participating in the program under this Act that experiences an increase in the number of employees so that such employer has in excess of 100 employees, may not be excluded from participation solely as a result of such increase in employees.

(e) TREATMENT OF HEALTH BENEFITS PLAN AS GROUP HEALTH PLAN.—A health benefits plan offered under this Act shall be treated as a group health plan for purposes of applying the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) except to the extent that a provision of this Act expressly provides otherwise.

SEC. 3. HEALTH INSURANCE COVERAGE FOR NON-FEDERAL EMPLOYEES.

(a) ADMINISTRATION.—The Office shall administer a health insurance program for non-Federal employees and employers in accordance with this Act.

(b) REGULATIONS.—Except as provided under this Act, the Office shall prescribe regulations to apply the provisions of chapter 89 of title 5, United States Code, to the greatest extent practicable to participating carriers, employers, and employees covered under this Act.

(c) LIMITATIONS.—In no event shall the enactment of this Act result in—

(1) any increase in the level of individual or Federal Government contributions required under chapter 89 of title 5, United States Code, including copayments or deductibles;

(2) any decrease in the types of benefits offered under such chapter 89; or

(3) any other change that would adversely affect the coverage afforded under such chapter 89 to employees and annuitants and members of family under that chapter.

(d) ENROLLMENT.—The Office shall develop methods to facilitate enrollment under this Act, including the use of the Internet.

(e) CONTRACTS FOR ADMINISTRATION.—The Office may enter into contracts for the performance of appropriate administrative functions under this Act.

(f) SEPARATE RISK POOL.—In the administration of this Act, the Office shall ensure that covered employees under this Act are in a risk pool that is separate from the risk pool maintained for covered individuals under chapter 89 of title 5, United States Code.

(g) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to require a carrier that is participating in the program under chapter 89 of title 5, United States Code, to provide health benefits plan coverage under this Act.

SEC. 4. CONTRACT REQUIREMENT.

(a) IN GENERAL.—The Office may enter into contracts with qualified carriers offering health benefits plans of the type described in section 8903 or 8903a of title 5, United States Code, without regard to section 5 of title 41, United States Code, or other statutes requiring competitive bidding, to provide health insurance coverage to employees of participating employers under this Act. Each contract shall be for a uniform term of at least 1 year, but may be made automatically renewable from term to term in the absence of notice of termination by either party. In entering into such contracts, the Office shall ensure that health benefits coverage is provided for individuals only, individuals with one or more children, married individuals without children, and married individuals with one or more children.

(b) ELIGIBILITY.—A carrier shall be eligible to enter into a contract under subsection (a) if such carrier—

(1) is licensed to offer health benefits plan coverage in each State in which the plan is offered; and

(2) meets such other requirements as determined appropriate by the Office.

(c) STATEMENT OF BENEFITS.—

(1) IN GENERAL.—Each contract under this Act shall contain a detailed statement of benefits offered and shall include information concerning such maximums, limitations, exclusions, and other definitions of benefits as the Office considers necessary or desirable.

(2) ENSURING A RANGE OF PLANS.—The Office shall ensure that a range of health benefits plans are available to participating employers under this Act, at least one of which shall be a plan that provides the same benefits as the government-wide plan available to Federal employees as described in section 8903(1) of title 5, United States Code.

(3) PARTICIPATING PLANS.—The Office shall not prohibit the offering of any health benefits plan to a participating employer if such plan is eligible to participate in the Federal Employees Health Benefits Program.

(4) NATIONWIDE PLAN.—With respect to all nationwide plans other than the plan required under paragraph (2), the Office shall develop a benefit package that shall be offered in the case of a contract for a health benefit plan that is to be offered on a nationwide basis.

(d) STANDARDS.—The minimum standards prescribed for health benefits plans under section 8902(e) of title 5, United States Code, and for carriers offering plans, shall apply to plans and carriers under this Act. Approval of a plan may be withdrawn by the Office only after notice and opportunity for hearing to the carrier concerned without regard to subchapter II of chapter 5 and chapter 7 of title 5, United States Code.

(e) CONVERSION.—

(1) IN GENERAL.—A contract may not be made or a plan approved under this section if the carrier under such contract or plan does not offer to each enrollee whose enrollment in the plan is ended, except by a cancellation of enrollment, a temporary extension of coverage during which the individual may exercise the option to convert, without evidence of good health, to a nongroup contract providing health benefits. An enrollee who exercises this option shall pay the full periodic charges of the nongroup contract.

(2) NONCANCELLABLE.—The benefits and coverage made available under paragraph (1) may not be canceled by the carrier except for fraud, over-insurance, or nonpayment of periodic charges.

(f) REQUIREMENT OF PAYMENT FOR OR PROVISION OF HEALTH SERVICE.—Each contract entered into under this Act shall require the carrier to agree to pay for or provide a health service or supply in an individual case if the Office finds that the employee, annuitant, family member, former spouse, or person having continued coverage under section 8905a of title 5, United States Code, is entitled thereto under the terms of the contract.

SEC. 5. ELIGIBILITY.

An individual shall be eligible to enroll in a plan under this Act if such individual—

(1) is an employee of an employer described in section 2(b)(2), or is a self employed individual as defined in section 401(c)(1)(B) of the Internal Revenue Code of 1986; and

(2) is not otherwise enrolled or eligible for enrollment in a plan under chapter 89 of title 5, United States Code.

SEC. 6. ALTERNATIVE CONDITIONS TO FEDERAL EMPLOYEE PLANS.

(a) TREATMENT OF EMPLOYEE.—For purposes of enrollment in a health benefits plan under this Act, an individual who had coverage under a health insurance plan and is not a qualified beneficiary as defined under section 4980B(g)(1) of the Internal Revenue Code of 1986 shall be treated in a similar manner as an individual who begins employment as an employee under chapter 89 of title 5, United States Code.

(b) PREEXISTING CONDITION EXCLUSIONS.—

(1) IN GENERAL.—Each contract under this Act may include a preexisting condition exclusion as defined under section 9801(b)(1) of the Internal Revenue Code of 1986.

(2) EXCLUSION PERIOD.—A preexisting condition exclusion under this subsection shall provide for coverage of a preexisting condition to begin not later than 6 months after the date on which the coverage of the individual under a health benefits plan commences, reduced by the aggregate 1 day for each day that the individual was covered under a health insurance plan immediately preceding the date the individual submitted an application for coverage under this Act. This provision shall be applied notwithstanding the applicable provision for the reduction of the exclusion period provided for in section 701(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(a)(3)).

(c) RATES AND PREMIUMS.—

(1) IN GENERAL.—Rates charged and premiums paid for a health benefits plan under this Act—

(A) shall be determined in accordance with this subsection;

(B) may be annually adjusted subject to paragraph (3);

(C) shall be negotiated in the same manner as rates and premiums are negotiated under such chapter 89; and

(D) shall be adjusted to cover the administrative costs of the Office under this Act.

(2) DETERMINATIONS.—In determining rates and premiums under this Act, the following provisions shall apply:

(A) IN GENERAL.—A carrier that enters into a contract under this Act shall determine that amount of premiums to assess for coverage under a health benefits plan based on an community rate that may be annually adjusted—

(i) for the geographic area involved if the adjustment is based on geographical divisions that are not smaller than a metropolitan statistical area and the carrier provides evidence of geographic variation in cost of services;

(ii) based on whether such coverage is for an individual, two adults, one adult and one or more children, or a family; and

(iii) based on the age of covered individuals (subject to subparagraph (C)).

(B) LIMITATION.—Premium rates charged for coverage under this Act shall not vary based on health-status related factors, gender, class of business, or claims experience.

(C) AGE ADJUSTMENTS.—

(i) IN GENERAL.—With respect to subparagraph (A)(iii), in making adjustments based on age, the Office shall establish no more than 5 age brackets to be used by the carrier in establishing rates. The rates for any age bracket may not vary by more than 50 percent above or below the community rate on the basis of attained age. Age-related premiums may not vary within age brackets.

(ii) AGE 65 AND OLDER.—With respect to subparagraph (A)(iii), a carrier may develop separate rates for covered individuals who are 65 years of age or older for whom medicare is the primary payor for health benefits coverage which is not covered under medicare.

''(3) READJUSTMENTS.—Any readjustment in rates charged or premiums paid for a health benefits plan under this Act shall be made in advance of the contract term in which they will apply and on a basis which, in the judgment of the Office, is consistent with the practice of the Office for the Federal Employees Health Benefits Program.

(d) TERMINATION AND REENROLLMENT.—If an individual who is enrolled in a health benefits plan under this Act terminates the enrollment, the individual shall not be eligible for reenrollment until the first open enrollment period following the expiration of 6 months after the date of such termination.

(f) CONTINUED APPLICABILITY OF STATE LAW.—

(1) HEALTH INSURANCE OR PLANS.—

(A) LOCAL PLANS.—With respect to a contract entered into under this Act under which a carrier will offer health benefits plan coverage in a limited geographic area, State mandated benefit laws in effect in the State in which the plan is offered shall continue to apply to such health benefits plan.

(B) RATING RULES.—The rating requirements under subparagraphs (A) and (B) of subsection (c)(2) shall supercede State rating rules for qualified plans under this Act, except with respect to States that provide a rating variance with respect to age that is less than the Federal limit or that provide for some form of community rating.

(2) LIMITATION.—Nothing in this subsection shall be construed to preempt—

(A) any State or local law or regulation except those laws and regulations described in subparagraph (B) of paragraph (1);

(B) any State grievance, claims, and appeals procedure law, except to the extent that such law is preempted under section 514 of the Employee Retirement Income Security Act of 1974; and

(B) State network adequacy laws.

(g) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed to limit the application of the service-charge system used by the Office for determining profits for participating carriers under chapter 89 of title 5, United States Code.

SEC. 7. ENCOURAGING PARTICIPATION BY CARRIERS THROUGH ADJUSTMENTS FOR RISK.

(a) APPLICATION OF RISK CORRIDORS.—

(1) IN GENERAL.—This section shall only apply to carriers with respect to health benefits plans offered under this Act during any of calendar years 2007 through 2009.

(2) NOTIFICATION OF COSTS UNDER THE PLAN.—In the case of a carrier that offers a health benefits plan under this Act in any of calendar years 2007 through 2009, the carrier shall notify the Office, before such date in the succeeding year as the Office specifies, of the total amount of costs incurred in providing benefits under the health benefits plan for the year involved and the portion of such costs that is attributable to administrative expenses.

(3) ALLOWABLE COSTS DEFINED.—For purposes of this section, the term ''allowable costs'' means, with respect to a health benefits plan offered by a carrier under this Act, for a year, the total amount of costs described in paragraph (2) for the plan and year, reduced by the portion of such costs attributable to administrative expenses incurred in providing the benefits described in such paragraph.

(b) ADJUSTMENT OF PAYMENT.—

(1) NO ADJUSTMENT IF ALLOWABLE COSTS WITHIN 3 PERCENT OF TARGET AMOUNT.—If the allowable costs for the carrier with respect to the health benefits plan involved for a calendar year are at least 97 percent, but do not exceed 103 percent, of the target amount for the plan and year involved, there shall be no payment adjustment under this section for the plan and year.

(2) INCREASE IN PAYMENT IF ALLOWABLE COSTS ABOVE 103 PERCENT OF TARGET AMOUNT.—

(A) COSTS BETWEEN 103 AND 108 PERCENT OF TARGET AMOUNT.—If the allowable costs for the carrier with respect to the health benefits plan involved for the year are greater than 103 percent, but not greater than 108 percent, of the target amount for the plan and year, the Office shall reimburse the carrier for such excess costs through payment to the carrier of an amount equal to 75 percent of the difference between such allowable costs and 103 percent of such target amount.

(B) COSTS ABOVE 108 PERCENT OF TARGET AMOUNT.—If the allowable costs for the carrier with respect to the health benefits plan involved for the year are greater than 108 percent of the target amount for the plan and year, the Office shall reimburse the carrier for such excess costs through payment to the carrier in an amount equal to the sum of—

(i) 3.75 percent of such target amount; and

(ii) 90 percent of the difference between such allowable costs and 108 percent of such target amount.

(3) REDUCTION IN PAYMENT IF ALLOWABLE COSTS BELOW 97 PERCENT OF TARGET AMOUNT.—

(A) COSTS BETWEEN 92 AND 97 PERCENT OF TARGET AMOUNT.—If the allowable costs for the carrier with respect to the health benefits plan involved for the year are less than 97 percent, but greater than or equal to 92 percent, of the target amount for the plan and year, the carrier shall be required to pay into the contingency reserve fund maintained under section 8909(b)(2) of title 5, United States Code, an amount equal to 75 percent of the difference between 97 percent of the target amount and such allowable costs.

(B) COSTS BELOW 92 PERCENT OF TARGET AMOUNT.—If the allowable costs for the carrier with respect to the health benefits plan involved for the year are less than 92 percent of the target amount for the plan and year, the carrier shall be required to pay into the stabilization fund under section 8909(b)(2) of title 5, United States Code, an amount equal to the sum of—

(i) 3.75 percent of such target amount; and

(ii) 90 percent of the difference between 92 percent of such target amount and such allowable costs.

(4) TARGET AMOUNT DESCRIBED.—

(A) IN GENERAL.—For purposes of this subsection, the term ''target amount'' means, with respect to a health benefits plan offered by a carrier under this Act in any of calendar years 2007 through 2011, an amount equal to—

(i) the total of the monthly premiums estimated by the carrier and approved by the Office to be paid for enrollees in the plan under this Act for the calendar year involved; reduced by

(ii) the amount of administrative expenses that the carrier estimates, and the Office approves, will be incurred by the carrier with respect to the plan for such calendar year.

(B) SUBMISSION OF TARGET AMOUNT.—Not later than December 31, 2006, and each December 31 thereafter through calendar year 2010, a carrier shall submit to the Office a description of the target amount for such carrier with respect to health benefits plans provided by the carrier under this Act.

(c) DISCLOSURE OF INFORMATION.—

(1) IN GENERAL.—Each contract under this Act shall provide—

(A) that a carrier offering a health benefits plan under this Act shall provide the Office with such information as the Office determines is necessary to carry out this subsection including the notification of costs under subsection (a)(2) and the target amount under subsection (b)(4)(B); and

(B) that the Office has the right to inspect and audit any books and records of the organization that pertain to the information regarding costs provided to the Office under such subsections.

(2) RESTRICTION ON USE OF INFORMATION.—Information disclosed or obtained pursuant to the provisions of this subsection may be used by officers, employees, and contractors of the Office only for the purposes of, and to the extent necessary in, carrying out this section.

SEC. 8. ENCOURAGING PARTICIPATION BY CARRIERS THROUGH REINSURANCE.

(a) ESTABLISHMENT.—The Office shall establish a reinsurance fund to provide payments to carriers that experience one or more catastrophic claims during a year for health benefits provided to individuals enrolled in a health benefits plan under this Act.

(b) ELIGIBILITY FOR PAYMENTS.—To be eligible for a payment from the reinsurance fund for a plan year, a carrier under this Act shall submit to the Office an application that contains—

(1) a certification by the carrier that the carrier paid for at least one episode of care during the year for covered health benefits for an individual in an amount that is in excess of $50,000; and

(2) such other information determined appropriate by the Office.

(c) PAYMENT.—

(1) IN GENERAL.—The amount of a payment from the reinsurance fund to a carrier under this section for a catastrophic episode of care shall be determined by the Office but shall not exceed an amount equal to 80 percent of the applicable catastrophic claim amount.

(2) APPLICABLE CATASTROPHIC CLAIM AMOUNT.—For purposes of paragraph (1), the applicable catastrophic episode of care amount shall be equal to the difference between—

(A) the amount of the catastrophic claim; and

(B) $50,000.

(3) LIMITATION.—In determining the amount of a payment under paragraph (1), if the amount of the catastrophic claim exceeds the amount that would be paid for the healthcare items or services involved under title XVIII of the Social Security Act (42

U.S.C. 1395 et seq.), the Office shall use the amount that would be paid under such title XVIII for purposes of paragraph (2)(A).

(d) DEFINITION.—In this section, the term ''catastrophic claim'' means a claim submitted to a carrier, by or on behalf of an enrollee in a health benefits plan under this Act, that is in excess of $50,000.

(e) TERMINATION OF FUND.—The reinsurance fund established under subsection (a) shall terminate on the date that is 2 years after the date on which the first contract period becomes effective under this Act.

SEC. 9. CONTINGENCY RESERVE FUND.

Beginning on October 1, 2010, the Office may use amounts appropriated under section 14(a) that remain unobligated to establish a contingency reserve fund to provide assistance to carriers offering health benefits plans under this Act that experience unanticipated financial hardships (as determined by the Office).

SEC. 10. EMPLOYER PARTICIPATION.

(a) REGULATIONS.—The Office shall prescribe regulations providing for employer participation under this Act, including the offering of health benefits plans under this Act to employees.

(b) ENROLLMENT AND OFFERING OF OTHER COVERAGE.—

(1) ENROLLMENT.—A participating employer shall ensure that each eligible employee has an opportunity to enroll in a plan under this Act.

(2) PROHIBITION ON OFFERING OTHER COMPREHENSIVE HEALTH BENEFIT COVERAGE.—A participating employer may not offer a health insurance plan providing comprehensive health benefit coverage to employees other than a health benefits plan that—

(A) meets the requirements described in section 4(a); and

(B) is offered only through the enrollment process established by the Office under section 3.

(3) OFFER OF SUPPLEMENTAL COVERAGE OPTIONS.—

(A) IN GENERAL.—A participating employer may offer supplementary coverage options to employees.

(B) DEFINITION.—In subparagraph (A), the term ''supplementary coverage'' means benefits described as ''excepted benefits'' under section 2791(c) of the Public Health Service Act (42 U.S.C. 300gg–91(c)).

(c) RULE OF CONSTRUCTION.—Except as provided in section 15, nothing in this Act shall be construed to require that an employer make premium contributions on behalf of employees.

SEC. 11. ADMINISTRATION THROUGH REGIONAL ADMINISTRATIVE ENTITIES.

(a) IN GENERAL.—In order to provide for the administration of the benefits under this Act with maximum efficiency and convenience for participating employers and health care providers and other individuals and entities providing services to such employers, the Office is authorized to enter into contracts with eligible entities to perform, on a regional basis, one or more of the following:

(1) Collect and maintain all information relating to individuals, families, and employers participating in the program under this Act in the region served.

(2) Receive, disburse, and account for payments of premiums to participating employers by individuals in the region served, and for payments by participating employers to carriers.

(3) Serve as a channel of communication between carriers, participating employers, and individuals relating to the administration of this Act.

(4) Otherwise carry out such activities for the administration of this Act, in such manner, as may be provided for in the contract entered into under this section.

(5) The processing of grievances and appeals.

(b) APPLICATION.—To be eligible to receive a contract under subsection (a), an entity shall prepare and submit to the Office an application at such time, in such manner, and containing such information as the Office may require.

(c) PROCESS.—

(1) COMPETITIVE BIDDING.—All contracts under this section shall be awarded through a competitive bidding process on a bi-annual basis.

(2) REQUIREMENT.—No contract shall be entered into with any entity under this section unless the Office finds that such entity will perform its obligations under the contract efficiently and effectively and will meet such requirements as to financial responsibility, legal authority, and other matters as the Office finds pertinent.

(3) PUBLICATION OF STANDARDS AND CRITERIA.—The Office shall publish in the Federal Register standards and criteria for the efficient and effective performance of contract obligations under this section, and opportunity shall be provided for public comment prior to implementation. In establishing such standards and criteria, the Office shall provide for a system to measure an entity's performance of responsibilities.

(4) TERM.—Each contract under this section shall be for a term of at least 1 year, and may be made automatically renewable from term to term in the absence of notice by either party of intention to terminate at the end of the current term, except that the Office may terminate any such contract at any time (after such reasonable notice and opportunity for hearing to the entity involved as the Office may provide in regulations) if the Office finds that the entity has failed substantially to carry out the contract or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the program established by this Act.

(d) TERMS OF CONTRACT.—A contract entered into under this section shall include—

(1) a description of the duties of the contracting entity;

(2) an assurance that the entity will furnish to the Office such timely information and reports as the Office determines appropriate;

(3) an assurance that the entity will maintain such records and afford such access thereto as the Office finds necessary to assure the correctness and verification of the information and reports under paragraph (2) and otherwise to carry out the purposes of this Act;

(4) an assurance that the entity shall comply with such confidentiality and privacy protection guidelines and procedures as the Office may require; and

(5) such other terms and conditions not inconsistent with this section as the Office may find necessary or appropriate.

SEC. 12. COORDINATION WITH SOCIAL SECURITY BENEFITS.

Benefits under this Act shall, with respect to an individual who is entitled to benefits under part A of title XVIII of the Social Security Act, be offered (for use in coordination with those medicare benefits) to the same extent and in the same manner as if coverage were under chapter 89 of title 5, United States Code.

SEC. 13. PUBLIC EDUCATION CAMPAIGN.

(a) IN GENERAL.—In carrying out this Act, the Office shall develop and implement an educational campaign to provide information to employers and the general public concerning the health insurance program developed under this Act.

(b) ANNUAL PROGRESS REPORTS.—Not later than 1 year and 2 years after the implementation of the campaign under subsection (a), the Office shall submit to the appropriate committees of Congress a report that describes the activities of the Office under subsection (a), including a determination by the office of the percentage of employers with knowledge of the health benefits programs provided for under this Act.

(c) PUBLIC EDUCATION CAMPAIGN.—There is authorized to be appropriated to carry out this section, such sums as may be necessary for each of fiscal years 2007 and 2008.

SEC. 14. APPROPRIATIONS.

There are authorized to be appropriated to the Office, such sums as may be necessary in each fiscal year for the development and administration of the program under this Act.

SEC. 15. REFUNDABLE CREDIT FOR SMALL BUSINESS EMPLOYEE HEALTH INSURANCE EXPENSES.

(a) IN GENERAL.—Subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to refundable credits) is amended by redesignating section 36 as section 37 and inserting after section 35 the following new section:

"SEC. 36. SMALL BUSINESS EMPLOYEE HEALTH INSURANCE EXPENSES.

''(a) DETERMINATION OF AMOUNT.—In the case of a qualified small employer, there shall be allowed as a credit against the tax imposed by this subtitle for the taxable year an amount equal to the sum of—

''(1) the expense amount described in subsection (b), and

''(2) the expense amount described in subsection (c), paid by the taxpayer during the taxable year.

''(b) SUBSECTION (b) EXPENSE AMOUNT.—For purposes of this section—

''(1) IN GENERAL.—The expense amount described in this subsection is the applicable percentage of the amount of qualified employee health insurance expenses of each qualified employee.

''(2) APPLICABLE PERCENTAGE.—For purposes of paragraph (1)—

''(A) IN GENERAL.—The applicable percentage is equal to—

''(i) 25 percent in the case of self-only coverage,

''(ii) 35 percent in the case of family coverage (as defined in section 220(c)(5)), and

''(iii) 30 percent in the case of coverage for two adults or one adult and one or more children.

''(B) BONUS FOR PAYMENT OF GREATER PERCENTAGE OF PREMIUMS.—The applicable percentage otherwise specified in subparagraph (A) shall be increased by 5 percentage points for each additional 10 percent of the qualified employee health insurance expenses of each qualified employee exceeding 60 percent which are paid by the qualified small employer.

''(c) SUBSECTION (c) EXPENSE AMOUNT.—For purposes of this section—

''(1) IN GENERAL.—The expense amount described in this subsection is, with respect to the first credit year of a qualified small employer which is an eligible employer, 10 percent of the qualified employee health insurance expenses of each qualified employee.

''(2) FIRST CREDIT YEAR.—For purposes of paragraph (1), the term 'first credit year' means the taxable year which includes the date that the health insurance coverage to which the qualified employee health insurance expenses relate becomes effective.

''(d) LIMITATION BASED ON WAGES.— With respect to a qualified employee whose wages at an annual rate during the taxable year exceed $25,000, the percentage which would (but for this section) be taken into account as the percentage for purposes of subsection (b)(2) or (c)(1) for the taxable year shall be reduced by an amount equal to the product of such

percentage and the percentage that such qualified employee's wages in excess of $25,000 bears to $5,000.

''(e) DEFINITIONS.—For purposes of this section—

''(1) QUALIFIED SMALL EMPLOYER.—The term 'qualified small employer' means any employer (as defined in section 2(b)(2) of the Small Employers Health Benefits Program Act of 2006) which—

''(A) is a participating employer (as defined in section 2(b)(5) of such Act),

''(B) pays or incurs at least 60 percent of the qualified employee health insurance expenses of each qualified employee for self-only coverage, and

''(C) pays or incurs at least 50 percent of the qualified employee health insurance expenses of each qualified employee for all other categories of coverage.

''(2) QUALIFIED EMPLOYEE HEALTH INSURANCE EXPENSES.—

''(A) IN GENERAL.—The term 'qualified employee health insurance expenses' means any amount paid by an employer for health insurance coverage under such Act to the extent such amount is attributable to coverage provided to any employee while such employee is a qualified employee.

''(B) EXCEPTION FOR AMOUNTS PAID UNDER SALARY REDUCTION ARRANGEMENTS.—No amount paid or incurred for health insurance coverage pursuant to a salary reduction arrangement shall be taken into account under subparagraph (A).

''(3) QUALIFIED EMPLOYEE.—

''(A) DEFINITION.—

''(i) IN GENERAL.—The term 'qualified employee' means, with respect to any period, an employee (as defined in section 2(b)(1) of such Act) of an employer if the total amount of wages paid or incurred by such employer to such employee at an annual rate during the taxable year exceeds $5,000 but does not exceed $30,000.

''(ii) ANNUAL ADJUSTMENT.—For each taxable year after 2007, the dollar amounts specified for the preceding taxable year (after the application of this subparagraph) shall be increased by the same percentage as the average percentage increase in premiums under the Federal Employees Health Benefits Program under chapter 89 of title 5, United States Code for the calendar year in which such taxable year begins over the preceding calendar year.

''(B) WAGES.—The term 'wages' has the meaning given such term by section 3121(a) (determined without regard to any dollar limitation contained in such section).

''(f) CERTAIN RULES MADE APPLICABLE.—For purposes of this section, rules similar to the rules of section 52 shall apply.

''(g) CREDITS FOR NONPROFIT ORGANIZATIONS.—Any credit which would be allowable under subsection (a) with respect to a qualified small business if such qualified small business were not exempt from tax under this chapter shall be treated as a credit allowable under this subpart to such qualified small business.''.

(b) CONFORMING AMENDMENTS.—

(1) Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting before the period '', or from section 36 of such Code''.

(2) The table of sections for subpart C of part IV of subchapter A of chapter 1 of the Internal Revenue Code of 1986 is amended by striking the last item and inserting the following new items:

''Sec. 36. Small business employee health insurance expenses

''Sec. 37. Overpayments of tax''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to amounts paid or incurred in taxable years beginning after December 31, 2006.

SEC. 16. EFFECTIVE DATE.

Except as provided in section 10(e), this Act shall take effect on the date of enactment of this Act and shall apply to contracts that take effect with respect to calendar year 2007 and each calendar year thereafter.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2910. Mr. FRIST submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table.

SA 2911. Mr. FRIST submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2912. Mr. FRIST submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2913. Ms. SNOWE (for herself and Mr. SMITH) submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, supra.

SA 2914. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2915. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2916. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2917. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2918. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2906 submitted by Ms. SNOWE and intended to be proposed to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2919. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2905 submitted by Ms. SNOWE and intended to be proposed to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2920. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2905 submitted by Ms. SNOWE and intended to be proposed to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2921. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2906 submitted by Ms. SNOWE and intended to be proposed to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2922. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2905 submitted by Ms. SNOWE and intended to be proposed to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2923. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2924. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table.

SA 2925. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2926. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2927. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2928. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2929. Mr. OBAMA (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2930. Mr. OBAMA (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2931. Mr. OBAMA (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2932. Mr. REID proposed an amendment to the bill S. 2349, supra.

TEXT OF AMENDMENTS

SA 2910. Mr. FRIST submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006'';

SA 2911. Mr. FRIST submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006'';

SA 2912. Mr. FRIST submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, to make available funds included in the Deficit Reduction Act of

2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006'';

SA 2913. Ms. SNOWE (for herself and Mr. SMITH) submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006'';

SA 2914. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006'';

SA 2915. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006'';

SA 2916. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$400,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$600,000,000 for fiscal year 2006'';

SA 2917. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$450,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$550,000,000 for fiscal year 2006'';

SA 2918. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2906 submitted by Ms. SNOWE and intended to be proposed to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 17, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$500,000,000 for fiscal year 2006''; and

(2) in subsection (b), by striking ''September 30, 2007'' and inserting ''September 30, 2006''.

SA 2919. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2905 submitted by Ms. SNOWE and intended to be proposed to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 8 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$400,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$600,000,000 for fiscal year 2006'';

SA 2920. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2905 submitted by Ms. SNOWE and intended to be proposed to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 17, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$450,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$550,000,000 for fiscal year 2006''; and

(2) in subsection (b), by striking ''September 30, 2007'' and inserting ''September 30, 2006''.

SA 2921. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2906 submitted by Ms. SNOWE and intended to be proposed to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 17, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$400,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$600,000,000 for fiscal year 2006''; and

(2) in subsection (b), by striking ''September 30, 2007'' and inserting ''September 30, 2006''.

SA 2922. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2905 submitted by Ms. SNOWE and intended to be proposed to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 1, strike line 8 and all that follows through page 2, line 5, and insert the following:

(A) by striking ''for a 1-time only obligation and expenditure'';

(B) in paragraph (1), by striking ''$250,000,000 for fiscal year 2007'' and inserting ''$450,000,000 for fiscal year 2006''; and

(C) in paragraph (2), by striking ''$750,000,000 for fiscal year 2007'' and inserting ''$550,000,000 for fiscal year 2006'';

SA 2923. Mrs. HUTCHISON submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the

bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 2, strike lines 5 through 17, and insert the following:

(C) by striking paragraph (2); and

(2) in subsection (b), by striking ''September 30, 2007'' and inserting ''September 30, 2006''.

SA 2924. Mr. LEAHY submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. HONEST SERVICES ACT OF 2006.

(a) SHORT TITLE.—This section may be cited as the ''Honest Services Act of 2006 ''.

(b) HONEST SERVICES FRAUD INVOLVING MEMBERS OF CONGRESS.—

(1) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by adding at the end the following:

''§ 1351. Honest services fraud involving members of Congress

''(a) IN GENERAL.—Whoever knowingly and willfully executes, or attempts to execute, a scheme or artifice to defraud and deprive the United States, the Congress, or the constituents of a Member of Congress, of the right to the honest services of a Member of Congress by—

''(1) offering and providing to a Member of Congress, or an employee of a Member of Congress, anything of value, with the intent to influence the performance an official act; or

''(2) being a Member of Congress, or an employee of a Member of Congress, accepting anything of value or holding an undisclosed financial interest, with the intent to be influenced in performing an official act;

shall be fined under this title or imprisoned not more than 20 years, or both.

''(b) DEFINITIONS.—In this section:

''(1) HONEST SERVICES.—The term 'honest services' includes the right to conscientious, loyal, faithful, disinterested, and unbiased service, to be performed free of deceit, undue influence, conflict of interest, self-enrichment, self-dealing, concealment, bribery, fraud, and corruption.

''(2) OFFICIAL ACT.—The term 'official act'—

''(A) has the meaning given that term in section 201(a)(3) of this title; and

''(B) includes supporting and passing legislation, placing a statement in the Congressional Record, participating in a meeting, conducting hearings, or advancing or advocating for an application to obtain a contract with the United States Government.

''(3) UNDISCLOSED FINANCIAL INTEREST.—The term 'undisclosed financial interest' includes any financial interest not disclosed as required by statute or by the Standing Rules of the Senate.

''(c) NO INFERENCE AND SCOPE.—Nothing in this section shall be construed to—

''(1) create any inference with respect to whether the conduct described in section 1351 of this title was already a criminal or civil offense prior to the enactment of this section; or

''(2) limit the scope of any existing criminal or civil offense.''.

(2) CHAPTER ANALYSIS.—The chapter analysis for chapter 63 of title 18, United States Code is amended by adding at the end, the following:

''1351. Honest services fraud involving Members of Congress.''.

(c) AUTHORIZATION FOR ADDITIONAL PERSONNEL TO INVESTIGATE AND PROSECUTE HONEST SERVICES FRAUD, BRIBERY, GRAFT, AND CONFLICTS OF INTEREST OFFENSES.—There are authorized to be appropriated to the Department of Justice, including the Public Integrity Section of the Criminal Division, and the Federal Bureau of Investigations, $25,000,000 for each of the fiscal years 2007, 2008, 2009, and 2010, to increase the number of personnel to investigate and prosecute violations of section 1351 and sections 201, 203 through 209, 1001, 1341, 1343, and 1346 of title 18, United States Code, as amended by this section.

SA 2925. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. SPOUSE LOBBYING MEMBERS.

(a) IN GENERAL.—Section 207(e) of title 18, United States Code, is amended by adding at the end the following:

''(5) SPOUSES.—Any person who is the spouse of a Member of Congress and who was not serving as a registered lobbyist at least 1 year prior to the election of that Member of Congress to Federal office or at least 1 year prior to his or her marriage to that Member of Congress and who, after the election of such Member, knowingly lobbies on behalf of a client for compensation any Member of Congress or is associated with any such lobbying activity by an employer of that spouse shall be punished as provided in section 216 of this title.''.

(b) GRANDFATHER PROVISION.—The amendment made by subsection (a) shall not apply to any spouse of a Member of Congress serving as a registered lobbyist on the date of enactment of this Act.

SA 2926. Mr. CRAIG submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ___. RESTORATION TO JUDICIARY OF POWER TO DECIDE TRADEMARK AND TRADE NAME CASES.

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

(1) Section 1 of Article III of the Constitution of the United States of America vests ''judicial Power'' exclusively in the courts. Section 2 of Article III states that this ''judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties...''. In interpreting Article III of the Constitution, the Supreme Court in Muskrat v. United States defined the term ''judicial power'' to mean ''the right to determine actual controversies arising between adverse litigants, duly instituted in courts of proper jurisdiction''.

(2) In 1996, a holder of a trademark registration issued by the Patent and Trademark Office asserted trademark infringement and other claims in a United States district court against an alleged infringer. The plaintiff's claims for relief were based upon laws and treaties of the United States, including the Trademark Act of 1946 (15 U.S.C. 1051 et seq.) and the Inter-American Convention for Trademark and Commercial Protection.

(3) In October 1998, just prior to commencement of the trial, the alleged infringer procured an amendment to the Department of Commerce and Related Agencies Appropriations Act, 1999 (as contained in section 101(b) of division A of Public Law 105–277; 112 Stat. 2681–88). That amendment is commonly referred to as ''section 211'' and has been of singular benefit to that defendant in the courts.

(4) Subsections (a)(2) and (b) of section 211 provide that ''No United States court shall recognize, enforce, or otherwise validate any assertion of rights'' of certain trademarks or commercial names of the type at issue in the litigation referred to in paragraph (2). Subsection (a)(1) of section 211 also rescinds the general authority permitting payment of the fees necessary for registration and renewal of such trademarks with the United States Patent and Trademark Office.

(5) The intended and actual effect of section 211 is to strip United States courts of the authority to decide the ownership and enforceability of such trademarks and trade names, including those at issue in the litigation described in paragraph (2). As a result of section 211, the plaintiff in the litigation was prevented from asserting the plaintiff's infringement claim. By preventing the payment of fees for trademark registration and renewal in the Patent and Trademark Office, section 211 also denies parties the ability to preserve claims of ownership in such trademarks pending judicial determination of enforcement rights.

(6) Section 211 is not needed for the courts to reach equitable results with respect to the United States trademark and trade name rights of foreign nationals who have suffered from confiscation of their businesses at home. It has been the longstanding practice of the Federal courts to do equity in adjudicating disputes involving such rights.

(7) Repeal of section 211 is necessary and desirable to restore to the courts the power to determine the ownership and enforceability of all trademarks and trade names and to preserve trademark registrations pending such determinations.

(b) PURPOSE.—The purpose of this section is to restore to the judiciary the power to decide all trademark and trade name cases arising under the laws and treaties of the United States, and for other purposes.

(c) RESTORATION OF JUDICIAL POWERS.—

(1) IN GENERAL.—Section 211 of the Department of Commerce and Related Agencies Appropriations Act, 1999 (as contained in section 101(b) of division A of Public Law 105–277; 112 Stat. 2681–88) is repealed.

(2) REGULATIONS.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Treasury shall issue such regulations as are necessary to carry out the repeal made by paragraph (1), including removing any prohibition on transactions or payments to which subsection (a)(1) of section 211 of the Department of Commerce and Related Agencies Appropriations Act, 1999 applied.

(3) AUTHORITY OF COURTS.—United States courts shall have the authority to recognize, enforce, or otherwise validate any assertion of rights in any mark or trade name based on common law rights or registration or under subsection (b) or (e) of section 44 of the Trademark Act of 1946 (15 U.S. C. 1126 (b) or (e)) or based on any treaty to which the United States is a party.

SA 2927. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

At the end of the bill, add the following:

TITLE III—CONGRESSIONAL ETHICS OFFICE

SEC. 301. ESTABLISHMENT OF CONGRESSIONAL ETHICS OFFICE.

(a) ESTABLISHMENT.—There is established in the legislative branch an independent authority to be known as the Congressional Ethics Office, and to be headed by a Congressional Ethics Officer.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Congressional Ethics Officer shall be appointed in accordance with paragraph (2).

(2) APPOINTMENT.—The majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, the minority leader of the House of Representatives, the chairman and ranking member of the Committee on Standards of Official Conduct of the House of Representatives, and the chairman and the ranking member of the Select Committee on Ethics of the Senate shall nominate the Congressional Ethics Officer at the beginning of a Congress. The Congressional Ethics Officer shall be confirmed by both the Senate and the House of Representatives.

(c) TERMS.—

(1) IN GENERAL.—The Congressional Ethics Officer shall serve a term of 2 years and may be reappointed for 2 additional terms.

(2) DEATH OR RESIGNATION.—In the case of the death or resignation of the Congressional Ethics Officer a successor shall be appointed in the same manner to serve the remaining term of that Congressional Ethics Officer.

(d) REMOVAL.—The Congressional Ethics Officer may be removed only by resolution of the Senate or the House of Representatives.

(e) DUTIES.—It shall be the duty of the Congressional Ethics Officer to—

(1) receive requests for review of an allegation described in section 302(b);

(2) make such informal preliminary inquiries in response to such a request as the Congressional Ethics Officer deems to be appropriate;

(3) if, as a result of those inquiries, the Congressional Ethics Officer determines that a full investigation is not warranted, submit a report pursuant to section 302(f); and

(4) if, as a result of those inquiries, the Congressional Ethics Officer determines that there is probable cause, the Congressional Ethics Officer—

(A) may determine a full investigation is warranted and conduct such investigation; and

(B) shall provide a full report of the investigation which shall be available for public inspection to either the Select Committee on Ethics of the Senate or the Committee on Standards of Official Conduct of the House of Representatives.

(f) COMPENSATION OF CONGRESSIONAL ETHICS OFFICER.—

(1) IN GENERAL.—The Congressional Ethics Officer shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which he or she is engaged in the performance of the duties of the Congressional Ethics Officer.

(2) TRAVEL EXPENSES.—The Congressional Ethics Officer and members of the Congressional Ethics Officer staff shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter I of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Congressional Ethics Officer.

(g) STAFF.—

(1) IN GENERAL.—The Congressional Ethics Officer may, without regard to the civil service laws and regulations, appoint, and terminate an executive director and such other additional personnel as are necessary to enable the Congressional Ethics Officer to perform his or her duties. The staff of the Congressional Ethics Office shall be nonpartisan.

(2) STAFF COMPENSATION.—The Congressional Ethics Officer may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director and other personnel may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(3) DETAILEES.—Any Federal Government employee may be detailed to the Congressional Ethics Officer without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) TEMPORARY SERVICES.—The Congressional Ethics Officer may procure temporary and intermittent services under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(5) STAFFING.—Except at a time when additional personnel are needed to assist the Congressional Ethics Officer in his or her review of a particular request for review under section 302, the total number of staff personnel employed by or detailed to the Congressional Ethics Officer under this subsection shall not exceed 50.

(h) INAPPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

SEC. 302. REVIEW OF ALLEGATIONS OF MISCONDUCT AND VIOLATIONS OF ETHICS LAWS.

(a) DEFINITIONS.—As used in this section, the term ''officer or employee of Congress'' means—

(1) an elected officer of the Senate or the House of Representatives who is not a member of the Senate or the House of Representatives;

(2) an employee of the Senate or the House of Representatives, any committee or subcommittee of the Senate or the House of Representatives, or any member of the Senate or the House of Representatives;

(3) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate; and

(4) an employee of a joint committee of Congress.

(b) REQUEST FOR REVIEW.—Any person, including a person who is not an officer or employee of Congress, may present to the Congressional Ethics Officer a request to review and investigate an allegation of—

(1) improper conduct that may reflect upon the Senate or the House of Representatives;

(2) a significant violation of law;

(3) a violation of the Senate Code of Official Conduct (rules XXXIV, XXXV, XXXVII, XXXVIII, XXXIX, XL, XLI, and XLII of the Standing Rules of the Senate) or the ethics rules of the House of Representatives; or

(4) a significant violation of a rule or regulation of the Senate or the House of Representatives, relating to the conduct of a person in the performance of his or her duties as a member, officer, or employee of the Senate or the House of Representatives.

(c) SWORN STATEMENT.—

(1) IN GENERAL.—A request for review under subsection (b) shall be accompanied by a sworn statement, made under penalty of perjury under the laws of the United States, of facts within the personal knowledge of the person making the statement alleging improper conduct or a violation described in subsection (b).

(2) FALSE STATEMENT.—If the Congressional Ethics Officer determines that any part of a sworn statement presented under paragraph (1) may have been a false statement made knowingly and willfully, the Congressional Ethics Officer may refer the matter to the Attorney General for prosecution.

(d) PROTECTION FROM FRIVOLOUS CHARGES.—

(1) IN GENERAL.—Any person who—

(A) knowingly files with the Congressional Ethics Office a false complaint of misconduct on the part of any legislator or any other person shall be subject to a $10,000 fine or the cost of the preliminary review, whichever is greater, and up to 1 year in prison; or

(B) encourages another person to file a false complaint of misconduct on the part of any legislator or other person shall be subject to a $10,000 fine or the cost of the preliminary review, whichever is greater, and up to 1 year in prison.

(2) SUBSEQUENT COMPLAINTS.—Any person subject to either of the penalties in paragraph (1) may not file a complaint with the Congressional Ethics Office again.

(3) BAN ON FILINGS PRIOR TO ELECTION.—The Congressional Ethics Office may not accept charges filed in the—

(A) 30 days prior to a primary election for which the Member in question is a candidate; and

(B) 60 days prior to a general election for which the Member in question is a candidate.

(e) SUBPOENA.—The Congressional Ethics officer may bring a civil action to enforce a subpoena only when directed to do so by the adoption of a resolution by the Senate or the House of Representatives, as appropriate.

(f) REFERRAL OF REPORTS TO THE SELECT COMMITTEE ON ETHICS OF THE SENATE, THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT OF THE HOUSE OF REPRESENTATIVES OR THE DEPARTMENT OF JUSTICE.—

(1) IN GENERAL.—If, after making preliminary inquiries, the Congressional Ethics Officer finds probable cause that a violation of the ethics rules has occurred, the Congressional Ethics Officer shall submit to the members of the Senate, members of the House of Representatives, and the Department of Justice a report that—

(A) states findings of fact made as a result of the inquiries;

(B) states any conclusions that may be drawn with respect to whether there is substantial credible evidence that improper conduct or a violation of law may have occurred; and

(C) states its reasons for concluding that further investigation is not warranted.

(2) NO ACTION.—After submission of a report under paragraph (1), no action may be taken in the Senate or the House of Representatives to impose a sanction on a person who was the subject of the Congressional Ethics Officer's inquiries on the basis of any conduct that was alleged in the request for review and sworn statement.

SEC. 303. ADDITIONAL RESPONSIBILITIES.

The Congressional Ethics Officer shall—

(1) periodically report to Congress any changes to the ethics law and regulations governing Congress that the Congressional Ethics Officer determines would improve the investigation and enforcement of such laws and regulations; and

(2) provide an annual report to Congress on the number of ethics complaints and a description of the ethics investigations undertaken during the prior year.

SA 2928. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

At the end, add the following:

TITLE III—CONGRESSIONAL PENSION ACCOUNTABILITY

SEC. 301. SHORT TITLE.

This title may be cited as the ''Congressional Pension Accountability Act''.

SEC. 302. DENIAL OF RETIREMENT BENEFITS.

(a) IN GENERAL.—Section 8312(a) of title 5, United States Code, is amended—

(1) by striking ''or'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting ''; or'', and by inserting after paragraph (2) the following:

''(3) was convicted of an offense described in subsection (d), to the extent provided by that subsection.''; and

(2) by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting ''; and'', and by inserting after subparagraph (B) the following:

''(C) with respect to the offenses described in subsection (d), to the period after the date of conviction.''.

(b) OFFENSES DESCRIBED.—Section 8312 of such title 5 is amended by redesignating subsection (d) as subsection (e), and by inserting after subsection (c) the following:

''(d) The offenses to which subsection (a)(3) applies are the following:

''(1) An offense within the purview of—

''(A) section 201 of title 18 (bribery of public officials and witnesses); or

''(B) section 371 of title 18 (conspiracy to commit offense or to defraud United States), to the extent of any conspiracy to commit an act which constitutes an offense within the purview of such section 201.

''(2) Perjury committed under the statutes of the United States or the District of Columbia in falsely denying the commission of any act which constitutes an offense within the purview of a statute named by paragraph (1), but only in the case of the statute named by subparagraph (B) of paragraph (1).

''(3) Subornation of perjury committed in connection with the false denial or false testimony of another individual as specified by paragraph (2).

An offense shall not be considered to be an offense described in this subsection except if or to the extent that it is committed by a Member of Congress (as defined by section 2106, including a Delegate to Congress).''.

(c) ABSENCE FROM UNITED STATES TO AVOID PROSECUTION.—Section 8313(a)(1) of such title 5 is amended by striking ''or'' at the end of subparagraph (A), by striking ''and'' at the end of subparagraph (B) and inserting ''or'', and by adding at the end the following:

''(C) for an offense described under subsection (d) of section 8312; and''.

(d) NONACCRUAL OF INTEREST ON REFUNDS.—Section 8316(b) of such title 5 is amended by striking ''or'' at the end of paragraph (1), by striking the period at the end of paragraph (2) and inserting ''; or'', and by adding at the end the following:

''(3) if the individual was convicted of an offense described in section 8312(d), for the period after the conviction.''.

SEC. 303. CONSTITUTIONAL AUTHORITY.

The Constitutional authority for this title is the power of Congress to make all laws which shall be necessary and proper as enumerated in Article I, Section 8 of the United States Constitution, and the power to ascertain compensation for Congressional service under Article I, Section 6 of the United States Constitution.

SA 2929. Mr. OBAMA (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

At the end of title I, add the following:

SEC. 114. PROHIBITING ADVOCATING FOR EARMARK IN WHICH THERE EXISTS A FINANCIAL INTEREST.

Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

''13. No Member of the Senate may advocate to include an earmark in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint statement of managers thereto) if the Member has a financial interest in such earmark.''.

SA 2930. Mr. OBAMA (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

On page 5, line 21, after ''hours'' insert ''or 1 business day, whichever is longer,''.

On page 6, line 7, after ''hours'' insert ''or 1 business day, whichever is longer,''.

SA 2931. Mr. OBAMA (for himself and Mr. COBURN) submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table, as follows:

At the end of title I, add the following:

SEC. 114. BUYING VOTES.

Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

''13. No Member of the Senate shall condition the inclusion of language to provide funding for an earmark in any bill or joint resolution (or an accompanying report thereof) or in any conference report on a bill or joint resolution (including an accompanying joint statement of managers thereto) on any vote cast by the Member of the Senate in whose State the project will be carried out.''.

SA 2932. Mr. REID proposed an amendment to the bill S. 2349, to provide greater transparency in the legislative process; as follows:

Add at the end of the bill add the following:

TITLE III—ADDITIONAL TRANSPARENCY AND ENFORCEMENT

SEC. 301. DISCLOSURE BY MEMBERS OF CONGRESS AND SENIOR CONGRESSIONAL STAFF OF EMPLOYMENT NEGOTIATIONS.

(a) SENATE.—Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

''13. (a) A Member of the Senate shall not negotiate or have any arrangement concerning prospective private employment if a conflict of interest or the appearance of a conflict of interest exists.

''(b)(1) An employee of the Senate earning in excess of 75 percent of the salary paid to a Senator shall notify the Committee on Ethics that he or she is negotiating or has any arrangement concerning prospective private employment if a conflict of interest or the appearance of a conflict of interest may exist.

''(2) The disclosure and notification under this subparagraph shall be made within 3 business days after the commencement of such negotiation or arrangement.

''(3) An employee to whom this subparagraph applies shall recuse himself or herself from any matter in which there is a conflict of interest for that Member or employee under this rule and notify the Select Committee on Ethics of such recusal.

''(c)(1) The Select Committee on Ethics shall develop guidelines concerning conduct which is covered by this paragraph.

''(2) The Select Committee on Ethics shall maintain a current public record of all notifications received under subparagraph (a) and of all recusals under subparagraph (c).''.

(b) APPLICATION.—This section shall apply in lieu of section 109 of this Act.

SEC. 302. ETHICS REVIEW OF EMPLOYMENT NEGOTIATIONS BY EXECUTIVE BRANCH OFFICIALS.

Section 208 of title 18, United States Code, is amended—

(1) in subsection (b)(1)—

(A) by inserting after ''the Government official responsible for appointment to his or her position'' the following: ''and the Office of Government Ethics''; and

(B) by striking ''a written determination made by such official'' and inserting ''a written determination made by the Office of Government Ethics, after consultation with such official,''; and

(2) in subsection (b)(3), by striking ''the official responsible for the employee's appointment, after review of'' and inserting ''the Office of Government Ethics, after consultation with the official responsible for the employee's appointment and after review of''; and

(3) in subsection (d)(1)—

(A) by striking ''Upon request'' and all that follows through ''Ethics in Government Act of 1978.'' and inserting ''In each case in which the Office of Government Ethics makes a determination granting an exemption under subsection (b)(1) or (b)(3) to a person, the Office shall, not later than 3 business days after making such determination, make available to the public pursuant to the procedures set forth in section 105 of the Ethics in Government Act of 1978, and publish in the Federal Register, such determination and the materials submitted by such person in requesting such exemption.''; and

(B) by striking ''the agency may withhold'' and inserting ''the Office of Government Ethics may withhold''.

SEC. 303. WRONGFULLY INFLUENCING A PRIVATE ENTITY'S EMPLOYMENT DECISIONS OR PRACTICES.

(a) IN GENERAL.—Chapter 11 of title 18, United States Code, is amended by adding at the end the following:

''§ 226. Wrongfully influencing a private entity's employment decisions by a Member of Congress

''Whoever, being a Senator or Representative in, or a Delegate or Resident Commissioner to, the Congress or an employee of either House of Congress, with the intent to influence on the basis of partisan political affiliation an employment decision or employment practice of any private entity—

''(1) takes or withholds, or offers or threatens to take or withhold, an official act; or

''(2) influences, or offers or threatens to influence, the official act of another;

shall be fined under this title or imprisoned for not more than 15 years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.''.

(b) NO INFERENCE.—Nothing in section 226 of title 18, United States Code, as added by

this section, shall be construed to create any inference with respect to whether the activity described in section 226 of title 18, United States Code, was already a criminal or civil offense prior to the enactment of this Act, including sections 201(b), 201(c), and 216 of title 18, United States Code.

(c) CHAPTER ANALYSIS.—The chapter analysis for chapter 11 of title 18, United States Code, is amended by adding at the end the following:

''226. Wrongfully influencing a private entity's employment decisions by a Member of Congress.''.

SEC. 304. BAN ON GIFTS FROM LOBBYISTS.

(a) IN GENERAL.—Paragraph 1(a)(2) of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following: ''This clause shall not apply to a gift from a lobbyist.''.

(b) RULES COMMITTEE REVIEW.—The Committee on Rules and Administration shall review the present exceptions to the Senate gift rule and make recommendations to the Senate not later than 3 months after the date of enactment of this Act on eliminating all but those which are absolutely necessary to effectuate the purpose of the rule.

(c) APPLICATION.—This section shall apply in lieu of section 106 of this Act.

SEC. 305. PROHIBITION ON PRIVATELY FUNDED TRAVEL.

Paragraph 2(a)(1) of rule XXXV of the Standing Rules of the Senate is amended by striking ''an individual'' and inserting ''an organization recognized under section 501(c)(3) of the Internal Revenue Code of 1986 that is not affiliated with any group that lobbies before Congress''.

SEC. 306. PROHIBITING LOBBYIST ORGANIZATION AND PARTICIPATION IN CONGRESSIONAL TRAVEL.

(a) IN GENERAL.—Paragraph 2 of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

''(g) A Member, officer, or employee may not accept transportation or lodging on any trip sponsored by an organization recognized under section 501(c)(3) of the Internal Revenue Code of 1986 covered by this paragraph that is planned, organized, requested, arranged, or financed in whole, or in part by a lobbyist or foreign agent, or in which a lobbyist participates.

''(h) Before a Member, officer, or employee may accept transportation or lodging otherwise permissible under this paragraph from any person, such Member, officer, or employee shall obtain a written certification from such person (and provide a copy of such certification to the Select Committee on Ethics) that—

''(1) the trip was not planned, organized, requested, arranged, or financed in whole, or in part by a registered lobbyist or foreign agent and was not organized at the request of a registered lobbyist or foreign agent;

''(2) registered lobbyists will not participate in or attend the trip; and

''(3) the person did not accept, from any source, funds specifically earmarked for the purpose of financing the travel expenses.

The Select Committee on Ethics shall make public information received under this subparagraph as soon as possible after it is received.''.

(b) CONFORMING AMENDMENTS.—Paragraph 2(c) of rule XXXV of the Standing Rules of the Senate is amended—

(1) by striking ''of expenses reimbursed or to be reimbursed'';

(2) in clause (5), by striking ''and'' after the semicolon;

(3) in clause (6), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(7) a description of meetings and events attended during such travel, except when disclosure of such information is deemed by the Member or supervisor under whose direct supervision the employee works to jeopardize the safety of an individual or otherwise interfere with the official duties of the Member, officer, or employee.''.

(c) PUBLIC AVAILABILITY.—Paragraph 2(e) of rule XXXV is amended to read as follows:

''(e) The Secretary of the Senate shall make available to the public all advance authorizations, certifications, and disclosures filed pursuant to subparagraphs (a) and (h) as soon as possible after they are received.''.

(d) APPLICATION.—The provisions of this section shall apply in addition to the requirements of section 107(a).

SEC. 307. ADDITIONAL LOBBYING DISCLOSURE REQUIREMENTS.

(a) IN GENERAL.—Section 5(b) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b)) is amended by adding at the end the following:

''(8) a certification that the lobbying firm or registrant has not provided, requested, or directed a gift, including travel, to a Member or employee of Congress in violation of rule XXXV of the Standing Rules of the Senate.''.

(b) CONFORMING AMENDMENT.—The requirements of this Act shall not apply to the activities of any political committee described in section 301(4) of the Federal Election Campaign Act of 1971.

SEC. 308. PENALTY FOR FALSE CERTIFICATION IN CONNECTION WITH CONGRESSIONAL TRAVEL.

(a) CIVIL FINE.—

(1) IN GENERAL.—Whoever makes a false certification in connection with the travel of a Member, officer, or employee of either House of Congress (within the meaning given those terms in section 207 of title 18, United States Code), under paragraph 2(h) of rule XXXV of the Standing Rules of the Senate, shall, upon proof of such offense by a preponderance of the evidence, be subject to a civil fine depending on the extent and gravity of the violation.

(2) MAXIMUM FINE.—The maximum fine per offense under this section depends on the number of separate trips in connection with which the person committed an offense under this subsection, as follows:

(A) FIRST TRIP.—For each offense committed in connection with the first such trip, the amount of the fine shall be not more than $100,000 per offense.

(B) SECOND TRIP.—For each offense committed in connection with the second such trip, the amount of the fine shall be not more than $300,000 per offense.

(C) ANY OTHER TRIPS.—For each offense committed in connection with any such trip after the second, the amount of the fine shall be not more than $500,000 per offense.

(3) ENFORCEMENT.—The Attorney General may bring an action in United States district court to enforce this subsection.

(b) CRIMINAL PENALTY.—

(1) IN GENERAL.—Whoever knowingly and wilfully fails to comply with any provision of this section shall be imprisoned for not more than 5 years, or fined under title 18, United States Code, or both.

(2) CORRUPTLY.—Whoever knowingly, wilfully, and corruptly fails to comply with any provision of this section shall be imprisoned for not more than 10 years, or fined under title 18, United States Code, or both.

SEC. 309. INCREASED CRIMINAL PENALTIES FOR FAILURE TO COMPLY WITH LOBBYING DISCLOSURE REQUIREMENTS.

Section 7 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1606) is amended—

(1) by inserting ''(a) CIVIL PENALTY.—'' before ''Whoever''; and

(2) by adding at the end the following:

''(b) CRIMINAL PENALTY.—

''(1) IN GENERAL.—Whoever knowingly and willfully fails to comply with any provision of this section shall be imprisoned for not more than 5 years, or fined under title 18, United States Code, or both.

''(2) CORRUPTLY.—Whoever knowingly, willfully, and corruptly fails to comply with any provision of this section shall be imprisoned for not more than 10 years, or fined under title 18, United States Code, or both.''.

SEC. 310. SENSE OF THE SENATE ON CONFERENCE COMMITTEE PROTOCOLS.

It is the sense of Senate that—

(1) conference committees should hold regular, formal meetings of all conferees that are open to the public;

(2) all conferees should be given adequate notice of the time and place of all such meetings;

(3) all conferees should be afforded an opportunity to participate in full and complete debates of the matters that such conference committees may recommend to their respective Houses;

(4) all matters before a conference committee should be resolved in conference by votes on the public record; and

(5) existing rules should be enforced and new rules adopted in the Senate to shine the light on special interest legislation that is enacted in the dead of night.

SEC. 311. ACTUAL VOTING REQUIRED IN CONFERENCE COMMITTEE MEETINGS.

Rule XXVIII of the Standing Rules of the Senate is amended by adding at the end the following:

''8. Each Senate member of a conference committee shall be afforded an opportunity at an open meeting of the conference to vote on the full text of the proposed report of the conference.''.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Ms. SNOWE. Mr. President, I wish to inform Members that the Committee on Small Business & Entrepreneurship will hold a public hearing to consider, ''The President's fiscal year 2007 Budget Request and Legislative Proposals for the SBA'' on Thursday, March 9, 2006 at 10 a.m., in room 428A Russell Senate Office Building. The Honorable Hector Barreto, SBA Administrator, will testify.

The Chair urges every member to attend.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks.

The hearing will be held on Tuesday, March 14th, at 2:30 p.m. in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to review the President's proposed budget for the National Park Service fiscal year 2007.

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 Tom Lillie, David Szymanski, or Sara Zecher.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. COLEMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing on March 14, 2006, entitled ''GSA Contractors Who Cheat on Their Taxes and What Should Be Done About It.'' The March 14 hearing will be the third hearing on Federal contractors with unpaid tax debt. In February 2004, the subcommittee held a hearing entitled ''DOD Contractors Who Cheat on Their Taxes, which examined the IRS' failure to collect $3 billion in unpaid taxes owed by contractors doing business with the Department of Defense, DOD, and getting paid with taxpayer dollars. In June 2005, the Subcommittee held a hearing entitled ''Civilian Contractors Who Cheat on Their Taxes'', which identified an additional $3.3 billion in unpaid taxes and demonstrated that the problem of tax delinquent Federal contractors is not confined to DOD. Because of the potential revenue that could be collected by the Federal Payment Levy Program from non-DOD contractors, the subcommittee expanded the coverage of the investigation to include contractors at other Federal agencies who receive Federal contract payments and are delinquent in paying their taxes. In the continuing investigation of Federal contractors who do not pay their taxes, the subcommittee plans to hold a hearing on March 14 on the General Service Administration's contractors who are tax delinquent. Federal contractors who owe taxes are still allowed to do business with the Federal Government. The hearing will explore the extent to which these contractors are tax delinquent and what can be done about it.

The subcommittee hearing is scheduled for Tuesday, March 14, 2006, at 9:30 a.m. in room 342 of the Dirksen Senate Office Building. For further information, please contact Raymond V. Shepherd, III, Staff Director and Chief Counsel to the Permanent Subcommittee on Investigations.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ARMED SERVICES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 7, 2006, at 9:30 a.m., to receive testimony from combatant commanders on their military strategy and operational requirements, in review of the defense authorization request for fiscal year 2007 and the Future Years Defense Program.

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

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. FRIST. 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 March 7, 2006, at 10 a.m., to conduct a hearing on ''Assessing the Current Oversight and Operation of Credit Rating Agencies.''

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, March 7, 2006, at 10 a.m. on Rural Telecom.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate and on Tuesday, March 7 at 9:30 a.m. The purpose of this oversight hearing is to discuss the goal of energy independence.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 7, 2006, at 9:30 a.m. to hold a hearing on nominations.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on Tuesday, March 7, 2006, at 10 a.m. in SD–430.

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

COMMITTEE ON VETERANS' AFFAIRS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on Tuesday, March 7, 2006, to hear the legislative presentation of the Veterans of Foreign Wars. The hearing will take place in room 216 of the Hart Senate Office Building at 10 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. FRIST. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, March 7, 2006, at 2:30 p.m. to hold a closed business meeting.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces be authorized to meet during the session of the Senate on March 7, 2006, at 2:45 p.m., in open session to receive testimony on 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.

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

ORDERS FOR WEDNESDAY, MARCH 8, 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 Wednesday, March 8. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then proceed to a period of morning business for up to 30 minutes, with the first 15 minutes under the control of the majority leader or his designee and the final 15 minutes under the control of the Democratic leader or his designee; further, that the Senate then resume consideration of S. 2349, the lobbying reform bill.

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

PROGRAM

Mr. FRIST. Mr. President, the Senate will resume consideration of the lobbying reform bill tomorrow. Senators who have amendments to this bill should be working with bill managers, as they are trying to expedite the amendment process. Senators should expect full days this week as we work toward passage of this bill.

ORDER FOR ADJOURNMENT

Mr. FRIST. If there is no further business to come before the Senate, I ask that it be in order for the Democratic leader to offer an amendment to the lobbying reform bill, and following his statement, the Senate stand in adjournment under the previous order.

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

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006—Continued

The PRESIDING OFFICER. The clerk will report the pending business.

The assistant legislative clerk read as follows:

A bill (S. 2349) to provide greater transparency in the legislative process.

The PRESIDING OFFICER. The Democratic leader.

AMENDMENT NO. 2932 TO AMENDMENT NO. 2349

(Purpose: To provide additional transparency in the legislative process)

Mr. REID. I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. REID] proposes an amendment numbered 2932.

Mr. REID. I ask unanimous consent the reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under ''Text of Amendments.'')

Mr. REID. Mr. President, when we returned from the winter recess, this Democratic minority acted decisively by introducing S. 2180, which we call the Honest Leadership Act. We put reform to paper and established the baseline for the Senate by getting caucuswide support for what we believe is a very tough and comprehensive reform piece of legislation.

Much of what we worked for as a caucus has now gained bipartisan support. I appreciate the work done by Senators LOTT and DODD. I appreciate the work done by Senators LIEBERMAN and COLLINS. I especially appreciate the work of the committee members, both Democrats and Republicans.

What we have now is a molding of both the bill that came out of the Committee on Homeland Security and Governmental Affairs and the Rules Committee. That bill included a significant portion of the bill we introduced. I compliment and applaud the two committees for getting us to the point where we are.

There are aspects of the reported bills that need to be strengthened. As far as these measures now before the Senate, we want them to be consistent with legislation we introduced earlier this year. The amendment I have offered does that.

The amendment would make a number of changes to the pending bill. It would prohibit sitting Members of the Senate and senior legislative and executive branch employees from negotiating for private sector employment where a conflict or appearance of a conflict exists.

This amendment would impose criminal penalties in order to put a stop to the system of what many believe is a system of corruption that developed under the so-called K Street project. The K Street project was a form of institutionalized corruption in which Members of Congress limited access to government offices and influence over policy matters, or threatened to do so, as a means of forcing corporations, trade associations, and lobbying firms to hire Republicans and to tilt their political contributions to Republicans. It is a pay-to-play scheme as blatant and arrogant as anyone has seen in Congress.

This amendment increases civil and criminal penalties under the Lobbying Disclosure Act for individuals who knowingly and willingly file false information.

This amendment puts an end to the dead-of-night legislating and the practice of shutting Members and the public out of conference committee proceedings.

One of our real complaints since we have become a minority is the majority does not even go through the sham of holding a conference. They just march over in someone's office and say: This is what the bill is going to be.

That is not the way things previously were done. We had public meetings where there were debates and votes in public. That is what we want to be the future of this Senate. This amendment requires the conference committees hold regular formal open meetings and that each member of the conference be afforded an opportunity to vote on the full text of the bill in open session.

This amendment prohibits all gifts from lobbyists, including meals. This amendment goes beyond simple disclosure and prohibits outside interests who advocate before the Congress from paying for travel for Members and staff, and bans most privately funded travel by companies, groups, business associations, and other special interests that lobby Congress. There would be a limited exemption for travel sponsored by 501(c)(3) tax-exempt charities and educational groups that would be required to certify that lobbyists did not finance, organize, or participate in the travel.

We worked hard to get this bill to the Senate. I hope this amendment will give us the bipartisan support we need to strengthen this legislation now before the Senate.

I am disappointed we have heard today that the House Republican leaders have stated that they prefer a partisan approach, something different than we have had in the Senate to this point. The House Republican leaders have said they intend to tack regulation of 527 groups onto their yet-to-be-seen lobbying reform bill. They also want to pair regulation of 527 groups with measures to weaken McCain-Feingold laws in a way that would principally benefit the majority.

In fact, these are the only clear priorities House Republican leaders appear to have for their bill. That is where the House Republicans' narrow interest lies. Theirs is a partisan goal of changing the rules of our campaign finance system to hedge against the possibility of Republican election losses this fall. They think if you cannot win under the rules, then change them. That is what the House Republican leaders plan.

What we have in the Senate, to this point, has been bipartisan, Democrats and Republicans. What has been talked about in the House today is anti-reform legislation. Our Senate leaders—and I am directing my attention principally to the two committees—have rejected this effort and, again, I congratulate them for that.

As Senator DODD so aptly put it yesterday, campaign finance reform is much larger than the narrow question of 527 groups. The House Republican leaders want to shut those down because of the perception that these groups benefit Democrats. But what about trade associations which engage in the same types of activities? What about these foundations that we have heard so much about lately that pay relatives and friends and campaign workers? We know these trade associations engage in activities because we have seen their handiwork in advertisements, political advertisements for Republican candidates up this cycle. They were also active in 2004.

Yet the trade associations engaging in these activities are even less regulated than 527 groups. They are not required, as 527s are, to disclose their expenditures and their donors. They operate in the shadows. These groups principally benefit Republicans.

We also need to crack down on abuses of foundations, as I mentioned, and charities which are used by Members for personal gain or for campaign purposes. Curiously, we do not hear Republican calls to regulate any of these activities.

So what Senator DODD and I say is, if we are going to have a debate on foundations, trade associations, and 527s, let's have a debate on that and not try to bury what we have on the floor, an Honest Leadership and Open Government Act. I understand it is a way that the House thinks it will take this bill down. But as Senator DODD said, if this comes back from a conference and this is the issue, there will not be lobbying reform. That would be very unfair, wrong for this institution.

As important as these campaign finance issues are, they are on the periphery, really, of the big issue; that is, how do we pay for campaigns? Is public financing—which some Senators believe is the right way to go—where we need to go? That is why a debate should be on campaign finance reform and not trying to muddle up and confuse the Senate on the issue now before us.

Lobbying reform, of all things, should not be twisted into a vehicle exploited by one party to gain electoral advantage. If that is a path which is chosen, it will be a poison pill. The legislation will come down. I hope this does not happen. We have worked with Republicans so far to make sure this issue does not get entangled with campaign finance reform, such as the public funding of campaigns or the regulation of these 527 groups. I hope we can continue to do that.

This amendment is, in effect, an effort to plug the holes that were not placed in this legislation by the Rules Committee and the Homeland Security Committee. I hope we have a good debate on this issue. This is not something that should take a long time. I have told the distinguished majority leader this is no attempt to stall this legislation. I have told the majority leader that unless there are issues outside of what the two committees did that are within their jurisdiction, we

have no intention of offering a myriad of issues we have Members clamoring to offer—issues on the port security deal, minimum wage, all kinds of things dealing with health care. There is a long list of issues we want to bring up as soon as possible, but we are not going to do it on this legislation. We believe this should be for lobbying reform. So I think it needs the good faith of both parties to see if we can move down that road.

I have asked my caucus, if they want to speak on this issue, to do it as soon as they can, hopefully in the morning when we come in. It would be good if we could have a vote before we go to our respective lunches. The majority has a Steering Committee meeting every Wednesday. We have a special caucus tomorrow. It would be good if we could wrap up the vote before then.

Mr. President, I wish everyone a good evening. Good night.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:13 p.m., adjourned until Wednesday, March 8, 2006, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 7, 2006:

DEPARTMENT OF STATE

MICHAEL E. RANNEBERGER, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KENYA.

ROBERT F. GODEC, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TUNISIA.

FEDERAL ENERGY REGULATORY COMMISSION

PHILIP D. MOELLER, OF WASHINGTON, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2010, VICE PATRICK HENRY WOOD III, RESIGNED.

JON WELLINGHOFF, OF NEVADA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2008, VICE WILLIAM LLOYD MASSEY, TERM EXPIRED.

DEPARTMENT OF TRANSPORTATION

RICHARD CAPKA, OF PENNSYLVANIA, TO BE ADMINISTRATOR OF THE FEDERAL HIGHWAY ADMINISTRATION, VICE MARY E. PETERS, RESIGNED.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

JERRY GAYLE BRIDGES, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER, CORPORATION FOR NATIONAL AND COMMUNITY SERVICE, VICE MICHELLE GUILLERMIN, RESIGNED.

IN THE ARMY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. TIMOTHY J. WRIGHT, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

WILLIAM M. ROGERS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

KEVIN D. BROOKS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

THOMAS L. REMPFER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

STEPHEN R. GERINGER, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JAMES D. BONE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CLINTON E. ABELL, 0000
ANTHONY L. ALEXANDER, 0000
TROY F. ALLEY, 0000
JEFFREY J. AUTREY, 0000
PHILIP G. BASCOM, 0000
ROBERT A. BELDE, 0000
THOMAS R. BERANEK, 0000
SHELIA D. BEVILLE, 0000
ADITYA A. BHAGWAT, 0000
SALLYANNE BINANTI, 0000
CHRISTOPHER R. BISHOP, 0000
KEITH W. BLOUNT, 0000
JENNIFER J. BODART, 0000
MAUREEN A. BOUSQUET, 0000
AMY R. CARPENTER, 0000
JOHN D. CATOE, 0000
CARL E. CHAMPION, JR., 0000
WAYNE L. CHAPPELLE, 0000
GABRIELLE D. CHILDS, 0000
GREGORY S. CHURCHILL, 0000
BEVERLY J. COKER, 0000
ANGELA J. P. COOEY, 0000
DAVID D. CORDRY, 0000
KEVIN R. COSTELLO, 0000
DARRICK D. CUNNINGHAM, 0000
JOSHUA W. DEVINE, 0000
DONALD O. DIEMER, 0000
TAM T. DINH, 0000
JOEL R. DIXON, 0000
MELANIE L. DRESSLER, 0000
DAVID E. EATON, 0000
JAMES D. EBERT, 0000
GARTH A. ELLIOTT, 0000
BARBARA T. EMBRY, 0000
TIM W. FILZEN, 0000
HOLLY D. FITZPATRICK, 0000
SEAN K. FITZPATRICK, 0000
MARCIO J. FLETES, 0000
RACHEL E. FOSTER, 0000
JOHN S. FRAZEY, 0000
VIVIANLE B. FREEMAN, 0000
KATHY L. FULLERTON, 0000
MARCEL P. GARR, 0000
DANIEL L. GLAZIER, 0000
JOSE J. GOMEZ, 0000
JEFFREY L. GOODIE, 0000
MARK R. GRUBER, 0000
JENNIFER L. GRUENWALD, 0000
EDWIN GUZMAN, 0000
MICHAEL G. HAINES, 0000
VANESSA L. HALE, 0000
RANDI L. HAMM, 0000
JAMES F. HANSON, 0000
JOEL R. HILL, 0000
MICHAEL S. HOLMES, 0000
SHERRY L. KAUFFMAN, 0000
CANDICE A. LAGASSE, 0000
HALLIE D. LANDRETH, 0000
ROBERTA A. LENSKI, 0000
JUAN C. LEON, 0000
STEPHEN G. LONG, 0000
TIMOTHY A. LOOMIS, 0000
VICKI A. LUMLEY, 0000
CHRISTIAN L. LYONS, 0000
RYAN W. MARESH, 0000
NICHOLAS R. MARSHALL, 0000
THEODORE P. MASINO II, 0000
SCOTT R. MATTES, 0000
TEG W. MCBRIDE, 0000
JOHN C. MCGEE, 0000
MISTIE S. MCPADALIN, 0000
RANDALL D. MCVAY, 0000
NICHOLAS A. MILAZZO, 0000
PAUL J. MILAZZO, 0000
PHILIP E. MILLER, 0000
CYNTHIA L. MITCHELL, 0000
SPRING M. MYERS, 0000
JOLENE R. NORRIS, 0000
ALAN D. OGLE, 0000
SUZANA OH, 0000
MATTHEW W. OSTLER, 0000
VANHSENG PHANTHAVONG, 0000
TIMOTHY O. RENTZ, 0000
RISA C. RIEPMA, 0000
JONATHAN S. SAMS, 0000
SHERRY J. SEAGRAM, 0000
DEBORAH K. SIRRATT, 0000
SOO A. SOHN, 0000
TINA L. SOOTS, 0000
LAURENCE W. STUDER, 0000
TODD A. TICE, 0000
SAMANTHA TIMM, 0000
TRENA D. TOCHTROP, 0000
DIANE M. TODD, 0000
MICHAEL VALERIO, 0000
KELLY J. VANDENBOS, 0000
JENNIFER T. VECCHIONE, 0000
DARNELL E. WALKER, 0000
KENDRA J. WARNER, 0000
RICHARD A. WEBER, 0000
MARC D. WEISHAAR, 0000
ANNE K. WHITIS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ROSALIND L. ABDULKHALIK, 0000
JESSE ACEVEDO, 0000
RANDALL E. ACKERMAN, 0000
GILBERT A. ACOSTA, 0000
MARC M. ADAIR, 0000
CHARLES D. ADAMS, 0000
DANIEL C. ADCOCK, 0000
MILTON JOHN ADDISON, 0000
RYAN J. AERNI, 0000
JEREMY S. AGTE, 0000
JASON T. AGUILERA, 0000
PETER A. AGUIRRE, JR., 0000
KRISTOPHER H. O. AHLERS, 0000
REBECCA L. AINSLIE, 0000
JAMES D. AKERS, 0000
LAURIE ANN ALBARINO, 0000
SONNYER ALBERDESTONCASTRO, 0000
TODD J. ALDRICH, 0000
JOSEPH R. ALKIRE II, 0000
ANDREW L. ALLEN, 0000
RUSSELL B. ALLEN, 0000
ROBERT S. ALLMART, 0000
AARON D. ALMENDINGER, 0000
ANTONIO ALVARADO, 0000
GRACIE C. ALVAREZ, 0000
AIMEE C. ALVSTAD, 0000
JOSEPH P. AMATO, 0000
BENJAMIN D. AMBERS, 0000
KAYLEEN M. AMERSON, 0000
ERIC K. AMISSAH, 0000
KELLY K. AMMON, 0000
CAROLYN F. AMMONS, 0000
JOHN M. AMODEO, 0000
CHERI M. ANDERSEN, 0000
BRIAN P. ANDERSON, 0000
CHRISTEN V. ANDERSON, 0000
GRETCHEN E. ANDERSON, 0000
JOE W. ANDERSON, 0000
KYLE G. ANDERSON, 0000
MATTHEW P. ANDERSON, 0000
ROBERT S. ANDERSON, 0000
SCOTT E. ANDERSON, 0000
TOBIN G. ANDERSON, 0000
TORA B. ANDERSON, 0000
CHAD W. ANNUNZIATA, 0000
NOEMI ANTEDOMENICO, 0000
VERONICA V. ANTEOLA, 0000
ANTHONY F. ANTOLINE, 0000
ERIK J. ANTON, 0000
WILLIAM E. ANTONIUS, 0000
JON G. APPELT, 0000
NATHANIEL ARDS, JR., 0000
JEREMY R. ARMAGOST, 0000
CARL R. ARMOUR, 0000
ROBERT ARMOUR, JR., 0000
JASON P. ARNOLD, 0000
MICHAEL D. ARNOLD, JR., 0000
ORBELIN ARREOLA, 0000
DAVID A. ARRIOLA, 0000
WILLIAM H. ASHFORD, 0000
DAVID M. ASHLEY, 0000
NAOMI M. ASHWORTH, 0000
LAMONT ATKINS, 0000
DAVID A. ATKINSON, 0000
MATTHEW C. ATKINSON, 0000
CHRISTOPHER J. AUGERI, 0000
ROBERT K. AULT, 0000
ATHANASIA G. AUSTIN, 0000
PETER G. AXTELL, 0000
CURTIS P. AYERS IV, 0000
CHRISTOPHER E. BACKUS, 0000
BRYAN J. BAILEY, 0000
KATHERINE M. BAILEY, 0000
MICHAEL C. BAILEY, 0000
RANDY S. BAILEY, 0000
MATTHEW B. BAKER, 0000
JEFFERY A. BALDWIN, 0000
PAUL D. BALDWIN, 0000
JEFFREY B. BANKS, 0000
KATHARINE G. BARBER, 0000
SEAN K. BARDEN, 0000
TERRY R. BARENBERG, 0000
ERNEST J. BARINGER IV, 0000
DANIEL P. BARKER, 0000
MARGARET A. BARKER, 0000
AARON R. BARNES, 0000
MATTHEW THOMAS BARNES, 0000
WILEY L. BARNES, 0000
ROBERT B. BARNETT, 0000
CATHERINE V. BARRINGTON, 0000
JOSEPH A. BARRY, 0000
JUSTIN P. BARRY, 0000
BRIAN C. BARTELS, 0000
JOHN V. BARTOLI, 0000
JASON E. BARTOLOMEI, 0000
DERRICK Q. BARTON, 0000
CHRISTIAN L. BASBALLE, 0000

ALEXANDER D. BASCO, 0000
MELVIN E. BASKERVILLE, JR., 0000
MATTHEW L. BAUGH, 0000
ALAN F. BAUM, 0000
MELEAH L. BAUMAN, 0000
JOHN A. BAYCURA, 0000
BRIAN O. BEALES, 0000
TODD W. BEARD, 0000
ROBERT C. BEARDEN, 0000
WILLIAM W. BEATTY, 0000
JAMES D. BEATY, 0000
JONATHON N. BEAVERS, 0000
JASON L. BECK, 0000
JAMES A. BECKER, 0000
CHRISTOPHER T. BECKMAN, 0000
JASEN J. BECKMAN, 0000
KRISTI L. BECKMAN, 0000
GREGG C. BEEBER, 0000
SCOTT J. BELANGER, 0000
LORI R. BELL, 0000
AFIA I. BELLABELLA, 0000
CARY M. BELMEAR, 0000
JOHN F. BELO, 0000
BRIAN L. BELSON, 0000
MARSAILLUS BELTON, 0000
MARTIN BENAVIDEZ, 0000
FRANCIS M. BENEDICT, 0000
ANNETTE I. BENNETT, 0000
DAVID J. BENNETT, 0000
JUDSON L. BENNETT III, 0000
KYLE A. BENWITZ, 0000
JONATHAN T. BERARDINELLI, 0000
BERNARD L. BERCK, JR., 0000
JENNIFER A. BERENGER, 0000
MATTHEW R. BERG, 0000
KEVIN S. BERGAN, 0000
MATTHEW M. BERGGREN, 0000
SCOTT E. BERGREN, 0000
JOE A. BERNARDI, 0000
GARY E. BERNBECK, 0000
CHAD R. W. BIEHL, 0000
CHANDLER L. BIGELOW, 0000
GEOFFREY O. BILLINGSLEY, 0000
JASON A. BINKS, 0000
JAMES T. BINNS, 0000
JULIE I. BIRT, 0000
BENJAMIN W. BISHOP, 0000
DANIEL P. BISHOP, 0000
JAMES R. BISHOP, 0000
BENJAMIN J. BJERK, 0000
CHRISTOPHER J. BLACK, 0000
KENNETH L. BLACK, 0000
JAMES A. BLACKMAN, 0000
SHANE M. BLACKMER, 0000
HEATHER W. BLACKWELL, 0000
WILLIAM T. BLADEN, 0000
AARON M. BLAIR, 0000
ANGIE I. BLAIR, 0000
JOSEPH T. BLAIR, 0000
DICK J. BLAKEMORE, 0000
ALAN E. BLANCHARD, 0000
MONICA M. BLAND, 0000
EDWIN A. BLEVINS, 0000
RONALD K. BLOME, 0000
TARA J. BLOSE, 0000
DARRIN T. BLUME, 0000
BRYAN L. BOBECK, 0000
KEVIN M. BOBLET, 0000
TIMOTHY J. BODE, 0000
JAMES G. BODINE, 0000
CHRISTOPHER P. BODLEY, 0000
RANDALL D. BOERSMA, 0000
JEFFREY W. BOGAR, 0000
STEVEN E. BOGUE, 0000
JOSHUA E. BOHNART, 0000
MICHAEL B. BOND, 0000
DENISE M. BONDS, 0000
JAMES D. BONE, 0000
CORINNE M. BONNER, 0000
ERNEST L. BONNER, 0000
ROBERT J. BONNER, 0000
DANIEL R. BOORTZ, 0000
WILLIAM P. BOOTH, 0000
JASON R. BORCHERS, 0000
PHILLIP G. BORN, 0000
TIMOTHY J. BOS, 0000
BRAD M. BOUDREAUX, 0000
JONATHAN P. BOULET, 0000
MICHAEL A. BOWLBY, 0000
BENJAMIN L. BOYD, 0000
DAVID J. BOYD, 0000
MICHAEL J. BOYER, 0000
JEFFREY D. BRACH, 0000
KEVIN BRACKIN, 0000
MATTHEW J. BRADLEY, 0000
CHRISTOPHER P. BRADY, 0000
AMANDA D. BRANDT, 0000
MATTHEW L. BRANDT, 0000
RICHARD W. BRANSON, 0000
JEANNE M. BRASSEUR, 0000
MARK F. BRAUN, 0000
MARCUS D. BRAZELL, 0000
JONATHON H. BREINGAN, 0000
MAXIMILIAN K. BREMER, 0000
MATTHEW C. BRENNER, 0000
JAMES E. BRICKNER, 0000
TY C. BRIDGE, 0000
SCOTT D. BRODEUR, 0000
DANIEL N. BROOKER, 0000
JERRY M. BROOKS, JR., 0000
ANTHONY T. BROWN, 0000
BRYAN D. BROWN, 0000
DARIN T. BROWN, 0000
JIMMY K. BROWN, 0000
MARK BROWN, 0000
MATTHEW T. BROWN, 0000
MICHAEL L. BROWN, 0000
RICHARD KEVIN BROWN, JR., 0000
THOMAS W. BROWN, 0000
SEONG M. BROWNELL, 0000
DAVID F. BRUNK, 0000
MICHELLE R. BRUNSWICK, 0000
SCOTT A. BRYANT, 0000
GEORGE M. BUCH, JR., 0000
BARTON K. BUCHANAN, 0000
WILLIAM A. BUCKINGHAM, 0000
MATTHEW D. BUEHLER, 0000
WADE A. BUHLER, 0000
THOMAS R. BULTHAUS, 0000
JASON B. BURCH, 0000
TRACY K. BURGE, 0000
JAMES E. BURGESS, 0000
KIRSTEN G. BURGESS, 0000
DANIEL C. BURTZ, 0000
BENJAMIN C. BUSCH, 0000
BRETT A. BUSH, 0000
RICHARD E. BUSH, 0000
CHRISTOPHER M. BUSQUE, 0000
JAY E. BUTTERFIELD, 0000
ALICIA M. BUTTON, 0000
KENNETH B. BUTTREY, 0000
BRENT S. BYWATER, 0000
ROLAND I. CADIZ, 0000
ANDREW C. CAGGIANO, 0000
JEFFREY B. CAIN, 0000
MONIFA C. CAINES, 0000
ANTHONY M. CALABRESE, 0000
VERONICA J. CALLIGAN, 0000
CASEY A. CALLISTER, 0000
JEFFREY A. CALVERT, 0000
ANDREW J. CAMPBELL, 0000
CHRISTINA M. CAMPBELL, 0000
HARRIET L. CAMPBELL, 0000
JASON S. CAMPBELL, 0000
KIM N. CAMPBELL, 0000
MICHAEL J. CAMPBELL, 0000
ROBERT H. CAMPBELL, 0000
RYAN A. CAMPBELL, 0000
JOSEPH L. CAMPO, 0000
JEAN L. CAMPS, 0000
MICHAEL T. CANCELLARE, 0000
RODOLFO G. CANCINO, JR., 0000
STEVEN ANDREW CANN, 0000
APRIL J. CANTWELL, 0000
JOHN K. CAPLINGER, 0000
ANTHONY R. CARAGAN, 0000
ERNESTO J. CARCAMO, 0000
RYAN K. CARIGNAN, 0000
BRYAN C. CARLSON, 0000
DAVID W. CARLSON, 0000
MICHELLE C. CARNS, 0000
BETH ANN CARPENTER, 0000
MARK D. CARPENTER, 0000
ANTHONY B. CARR, 0000
JAMES R. CARROLL, 0000
JASON O. CARROLL, 0000
JOHN M. CARROS, 0000
DESMOND R. CARTER, 0000
JEFFREY F. CARTER, 0000
REBECCAH L. CARTER, 0000
RICHARD D. CARTER, JR., 0000
ARTHUR D. CARTWRIGHT, 0000
BRUCE A. CARVER, 0000
RICHARD P. CARVER, 0000
ALANA R. CASANOVA, 0000
FRANCISCO CASANOVA, 0000
SCOTT D. CASE, 0000
BRANDON A. CASEY, 0000
MICHAEL J. CASEY, 0000
DAHNYELL M. CASLOW, 0000
JASKA T. CASON, 0000
RACHEL CASTELLON, 0000
TAMMIE I. CATAZARO, 0000
CHRISTINE A. CATRIB, 0000
SEAN ANDRE L. CELI, 0000
JASON R. CEMINSKY, 0000
MARSHALL F. CHALVERUS, 0000
MARK E. CHAMBERLIN, 0000
JAMES I. CHAMBERS, 0000
ROBERT V. CHAMBERS, 0000
SIU FAI JOHN CHAN, 0000
JEAN PAUL CHAUSSE, 0000
CHRISTOPHER R. CHERRY, 0000
CHRISTOPHER E. CHILDRESS, 0000
JASON A. CHURCH, 0000
MATTHEW E. CLAPP, 0000
CHAD G. CLARK, 0000
JASON T. CLARK, 0000
JOSHUA D. CLARK, 0000
MICHAEL A. CLARK, 0000
RAFAEL C. CLARK, 0000
SCOTT H. CLARK, 0000
EDWARD G. CLARKE IV, 0000
JENNIFER A. CLAVENNA, 0000
WALTER CLAY, 0000
DANIEL C. CLAYTON, 0000
CHAD W. CLEMENTZ, 0000
BRIAN M. CLIFFORD, 0000
MARK B. CLIFFORD, 0000
DORIS M. CLUFF, 0000
ERIN C. CLUFF, 0000
JESSICA L. CLUNE, 0000
RICHARD R. COALSON, JR., 0000
WILLIAM E. COBB, 0000
BRADLEY L. COCHRAN, 0000
STEVEN M. COCHRAN, 0000
CHRISTOPHER D. CODDINGTON, 0000
CHRISTOPHER S. CODY, 0000
DANIEL J. COE, 0000
MICHAEL A. COE, 0000
RICHARD A. COE, 0000
JEFFREY S. COHEN, 0000
JOHNSTON A. COIL, 0000
JAMIE C. COKER, 0000
SEVERINE R. COLBORG, 0000
CLAYTON J. COLE, 0000
MATTHEW J. COLEMAN, 0000
DENVER J. COLLINS, 0000
JUSTIN K. COLLINS, 0000
MICHAEL W. COLLINS, 0000
ROBERTO R. COLON, 0000
BENJAMIN D. CONDE, 0000
AARON C. CONDEL, 0000
SCOTT T. CONDIT, 0000
RAY D. CONLEY, 0000
RYAN T. CONSIE, 0000
CHRISTOPHER M. CONSUEGRA, 0000
ANNEMARIE CONTRERAS, 0000
MATHEW A. CONTRERAS, 0000
MICHAEL J. CONWAY, 0000
BENJAMIN M. COOK, 0000
THOMAS A. COOK, 0000
MARCUS L. COOLEY, 0000
DAMON G. COON, 0000
CHRISTOPHER M. COOPER, 0000
JEFFREY B. COOPER, 0000
JOHN D. COOPER, 0000
OMAR F. CORAL, 0000
CHRISTIAN P. CORNETTE, 0000
PAUL S. CORNWELL, 0000
MARK H. CORRAO, 0000
EDITH I. CORREAPEREZ, 0000
ALEX CORTES, 0000
SEAN J. COSDEN, 0000
LAZARO M. COSTA, JR., 0000
DAVID R. COTE, 0000
KEVIN COUSIN, 0000
AMY M. COX, 0000
JOSEPH L. COX, 0000
CYNTHIA C. COY, 0000
DAVID P. COYLE, 0000
BRIAN J. COYNE, 0000
JEFFREY C. CRAIG, JR., 0000
GREGORY F. CRAVEN, 0000
ADRIANNA CREECH, 0000
CHARLES T. CREECH, 0000
JONATHAN M. CREER, 0000
BRIAN E. CREIGHTON, 0000
DOUGLAS O. CREVISTON, 0000
JERRY L. CRIGGER, JR., 0000
MATTHEW T. CRILL, 0000
BRIAN G. CRUZ, 0000
MIGUEL A. CRUZ, 0000
FELIX J. CRUZMONTANEZ, 0000
PATRICIA A. CSANK, 0000
JEFFREY B. CUCUEL, 0000
MAURICE G. CULLEN, 0000
LOUIS S. CUMMING, 0000
CHRISTOPHER M. CUNNIFF, 0000
MATTHEW T. CUNNINGHAM, 0000
THORSTEN H. CURCIO, 0000
SCOVILL W. CURRIN, 0000
CAMERON M. CURRY, 0000
ALEXANDER D. CURTIS, 0000
ANN M. CURTIS, 0000
BRIAN R. CUSSON, 0000
GREGORY K. CYRUS, 0000
JONATHAN M. DAGLEY, 0000
LISA K. DAHL, 0000
RYAN R. DAHL, 0000
MICHAEL D. DAILEY, 0000
CHADD M. DALBEC, 0000
MARK A. DALY, 0000
IZA Q. DAM, 0000
MARK K. DANGER, 0000
THOMAS D. DANIEL, 0000
CHRISTOPHER C. DANIELS, 0000
BART W. DARNELL, 0000
KEVIN L. DAUGHERTY, 0000
MICHAEL L. DAVIDE, 0000
CHRISTOPHER J. DAVIS, 0000
GREGORY A. DAVIS, 0000
JONATHAN G. DAVIS, 0000
MATTHEW L. DAVIS, 0000
MICHAEL N. DAVIS, 0000
MICHAEL P. DAVIS, 0000
EDWARD W. DAWKINS, 0000
RICHARD O. DAY, 0000
FREDERICK T. DEAKINS, 0000
DARTAGNAN R. DEANDA, 0000
JOEL R. DEBOER, 0000
JAMES R. DEDOMINICI, 0000
BRIAN A. DEGENNARO, 0000
KIRK A. DEITRICH, 0000
RAMON CARLOS P. DEJESUS, 0000
JOHN D. DELBARRIO, 0000
ANTONIO C. DELELLO, 0000
KORI M. DELWICHE, 0000
DAVID W. DENGLER, 0000
GAVIN W. DEPEW, 0000
ANGELA C. DEREIX, 0000
JOHN C. L. DEREIX, 0000
ANDREW E. DEROSA, 0000
MICHAEL L. DEROSA, 0000
JAMES M. DETWEILER, 0000
SCOTT A. DEVENISH, 0000
WENDY A. DEVENISH, 0000
JOHN W. DEVINCENZO, 0000
ALEXANDER F. DEVOE, 0000
LEE S. DEWALD, JR., 0000
BRIAN M. DEWITT, 0000
KENNETH D. DEWLEN, 0000
NICHOLL R. DIAL, 0000
ANTHONY DIAZ, 0000
CHAD DIAZ, 0000
JOEY L. DIBLE, 0000
RICHARD R. DICKENS, 0000
ROY A. DIETZMAN, 0000
JASON T. DIGIACOMO, 0000
JOHN M. DILLARD, 0000
JOSEPH T. DILLIS, 0000

DAVID M. DINES, 0000
JOHN D. DISEBASTIAN, 0000
JOHN C. DOBBIN, 0000
TRAVIS G. DOKE, 0000
BERRETT J. DOMAN, 0000
MATTHEW R. DOMSALLA, 0000
JACK DONAHUE, JR., 0000
WILLIAM R. DONALDSON, 0000
COLIN P. DONNELLY, 0000
JEFFREY W. DONNITHORNE, 0000
JOEL A. DOPP, 0000
PHILIP C. DORSCH, 0000
EURETHA T. DOTSON, 0000
JASON D. DOTTER, 0000
CHRISTOPHER S. DOTUR, 0000
BALLARD SHERRYANN DOUGLAS, 0000
TYRONE D. DOUGLAS, 0000
DANIEL D. DOYLE, 0000
JAMES S. DOYLE, 0000
MICHAEL J. DROST, 0000
SCOTT B. DUBSKY, 0000
BRIAN T. DUFFY, 0000
SCOTT A. DUHAIME, 0000
JOHN E. DUKES, JR., 0000
CHARLES E. DUNAWAY, 0000
JOHN C. DUNCAN, 0000
JUSTIN H. DUNCAN, 0000
MAURICE L. DUNN, 0000
MICHAEL W. DUNN, 0000
MATTHEW F. DURKIN, 0000
BRADLEY S. DYER, 0000
JOHN M. DYER, 0000
JEROLD S. DYKE, 0000
MARNITA THOMPSON EADDIE, 0000
LEONARDUS S. EASON, 0000
MICHAEL T. EBNER, 0000
OCTAVIO F. ECHEVARRIA, 0000
JASON A. ECKBERG, 0000
BOND R. EDDY, 0000
CHARLES E. EDDY, 0000
CLARENCE L. EDER, 0000
ANITA M. EDMONDS, 0000
WILLIAM W. EDMUNDS III, 0000
GORDON T. EDWARDS III, 0000
MICHAEL A. EDWARDS, 0000
ROGER EFRAIMSEN, 0000
MITZI L. EGGER, 0000
ERIC E. EIBE, 0000
JASON D. EICHHORST, 0000
JASON C. EISENREICH, 0000
CHRISTIAN G. ELENBAUM, 0000
JULIE ELIZABETH ELENBAUM, 0000
SEAN R. ELLARS, 0000
DAVID M. ELLIOTT, 0000
JEFFREY R. ELLIOTT, 0000
DAVID S. ELLIS, 0000
EDWARD J. ELLIS, 0000
HANS K. ELLISON, 0000
DARREN L. ELLISOR, 0000
BROCK B. EMBRY, 0000
DENISE R. EMERY, 0000
JOHN W. ENGLERT, 0000
JASON R. ENGLUND, 0000
ERIC W. ENSLEY, 0000
KEITH R. ENSOR, 0000
DAVID C. EPPERSON, 0000
LISA L. A. EPPERSON, 0000
KRISTOPHER J. EPPS, 0000
BRIAN F. ERB, 0000
RAYMOND R. ESCORPIZO, 0000
JOHN F. ESHMAN, JR., 0000
MICHELLE C. ESTES, 0000
GIOVANNI J. ESTRADA, 0000
MICKEY R. EVANS, 0000
WILLIAM M. EVANS, JR., 0000
WILLIAM W. EVANS, JR., 0000
REESE D. EVERS, 0000
MICHAEL J. EVON, 0000
TODD R. EWY, 0000
BRAD D. EYCHNER, 0000
ERIC B. FAGERLAND, 0000
IAN M. FAIRCHILD, 0000
BRIAN J. FAIRWEATHER, 0000
NOLAN T. FAJOTA, 0000
JAWAD FAROOQ, 0000
TIMOTHY A. FARR, 0000
MARK T. FARRISH, 0000
JAMES M. FAUSEY, 0000
MATTHEW S. FEHRMAN, 0000
PETER P. FENG, 0000
KEVIN W. FENNO, 0000
IAIN D. M. FERGUSON, 0000
SONYA D. FERREIRA, 0000
MARK A. FERRERO, 0000
MILA L. FESLER, 0000
MATTHEW U. FETZER, 0000
JASON R. FICK, 0000
JEREMY A. FIELDS, 0000
ANTHONY S. FIGIERA, 0000
PAUL G. FILCEK, 0000
JAMES A. FINLAYSON, 0000
DANIEL M. FISCHER, 0000
QUINN R. FISCHER, 0000
KEITH K. FISHER, 0000
KENNETH A. FISHER, 0000
SCOTT V. FITZNER, 0000
RICHARD F. FLAMAND II, 0000
JONATHON F. FLANDERS, 0000
JASON C. FLEMING, 0000
RANDY R. FLORES, 0000
JAY T. FLOTTMANN, 0000
THOMAS A. FLOWERS, 0000
DERRICK J. FLOYD, 0000
JOSEPH A. FLYNN, 0000
DANIELLE D. FOLSOM, 0000
NATHAN G. FORBES, 0000
BRYAN P. FORD, 0000
BENJAMIN D. FOREST, 0000
CHRISTOPHER D. FORMAN, 0000
BYRON P. FORMWALT, 0000
BRET L. FORNELIUS, 0000
MATTHEW G. FORSYTH, 0000
ROBERT J. FOSTER, 0000
TIMOTHY W. FOX, 0000
DERON L. FRAILIE, 0000
JAMES D. FRALEY, 0000
JONATHAN J. FRAMPTON, 0000
STEPHEN R. FRANCE, 0000
ROBERT B. FRANCIS, 0000
JOANN K. FRANK, 0000
JOSEPH A. FRANKINO, 0000
GEORGE FRANKLIN, JR., 0000
JASON M. FRAZEE, 0000
GLEN A. FRAZIER, 0000
JERRY L. FRAZIER, 0000
KARL D. FREDERICK, 0000
TIMOTHY A. FREDERICK, JR., 0000
JULIE A. FREEDMAN, 0000
BRIAN K. FREEMAN, 0000
ERIC FREEMAN, 0000
PETER T. FREEMAN, 0000
ROBERT M. FREES, 0000
RAMONA D. FREIMUTH, 0000
JOEL P. FREYENHAGEN, 0000
LUCAS A. FRICKE, 0000
ERIC W. FRITH, 0000
HEATH W. FRYE, 0000
JEFF E. FUGATE, JR., 0000
JAMES G. FULKS, JR., 0000
CHRISTOPHER K. FULLER, 0000
JIMMY D. FULLER, 0000
ALISTAIR D. FUNGE, 0000
MICHAEL S. FURNESS, 0000
KEVIN D. GAEU, 0000
KRISTIN L. GALLOWAY, 0000
DOUGLAS S. GARAVANTA, 0000
GLENN D. GARAY, 0000
MARC J. GARCEAU, 0000
MARCOS GARCIA, JR., 0000
TIMOTHY L. GARMOE, 0000
ROGER J. GARNES, JR., 0000
CRAIG A. GARRETT, 0000
MICHAEL S. GARRETT, 0000
ROBERT E. GARRISON, 0000
CHARLES E. GATES, JR., 0000
JOSEPH M. GATES, 0000
ANGEL M. GAUD, 0000
CHRISTOPHER A. GAY, 0000
F. SELWYN GAY III, 0000
SARAH J. GEIGER, 0000
CLAIR M. GEISHAUSER, 0000
KEITH S. GEMPLER, 0000
MATTHEW T. GENELIN, 0000
LEE G. GENTILE, JR., 0000
STEVEN T. GEOHAGAN, 0000
JEFFREY T. GERAGHTY, 0000
CHANCE W. GERAY, 0000
STEPHEN A. GERKEN, 0000
MICHAEL S. GERNEY, 0000
BORIS M. GERSHMAN, 0000
WALTER D. GIBBINS, 0000
DANE P. GIBSON, 0000
ERIES L. GIBSON, 0000
TODD C. GIGGY, 0000
COLLIN S. GILBERT, 0000
CRAIG M. GILES, 0000
MICHELE A. GILL, 0000
GREGORY W. GILLELAND, 0000
RODNEY A. GILLEN, 0000
BRADLEY C. GILLEY, 0000
KOUJI P. GILLIS, 0000
DAVID W. GILMORE, 0000
BRIAN D. GILPATRICK, 0000
JASON R. GINN, 0000
MATTHEW J. GINNATY, 0000
CHERYL E. GITTENS, 0000
JON E. GIULIETTI, 0000
FRANK J. GLAVIC, 0000
MATTHEW G. GLEN, 0000
JENNIFER S. GOLDTHWAITE, 0000
JOSEPH R. GOLEMBIEWSKI, 0000
KEVEN J. GOLLA, 0000
CESAR GONZALEZ, 0000
ERIC H. GONZALEZ, 0000
FRANCISCO R. GONZALEZ, JR., 0000
KIMBERLY A. GONZALEZ, 0000
REYNALDO GONZALEZ, JR., 0000
BRETT J. GOODEN, 0000
LAURA G. GOODMAN, 0000
MATTHEW G. GOODMAN, 0000
MICHAEL C. GOODMAN, 0000
RICHARD A. GOODMAN, 0000
SCOTT A. GOODMAN, 0000
STEVEN T. GRACE, 0000
BRYAN L. GRADDY, 0000
ALLEN GRADNIGO, JR., 0000
LYMAN D. GRAHAM III, 0000
JOHN M. GRAVER, 0000
KEVIN C. GREEN, JR., 0000
MARSHALL W. GREEN, 0000
MELVIN D. GREEN III, 0000
PATRICK W. GREENLEAF, 0000
RICHARD I. GREENMAN, 0000
CHADWICK D. GREER, 0000
AIMEE N. GREGG, 0000
NICHOLAS H. GREGOR, 0000
KAREN J. GREGORY, 0000
LESTER M. GREGORY, 0000
CHAD G. GREINER, 0000
JOHN C. GREVEN, 0000
BRYAN T. GRIFFITH, 0000
ANDREW C. GRIGGS, 0000
BRENT W. GRIME, 0000
MATTHEW M. GROLEAU, 0000
DANIEL L. GROSS, 0000
MATTHEW J. GROSSEN, 0000
TERRY L. GROSSOEHMIG, 0000
ROBERT E. GROVER, 0000
PETER J. GRYZEN, 0000
MARK D. GUILLORY, 0000
JAMES R. GUMP, 0000
CYNTHIA L. GUNDERSON, 0000
SEAN K. GUSTAFSON, 0000
LEE C. GUTHRIE, 0000
BRIAN L. GYOVAI, 0000
RYAN E. HADEN, 0000
MARK R. HADLEY, 0000
SHAWN D. HAGAN, 0000
SAUL D. HAGE, 0000
JAMES A. HAGEMAN, 0000
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GUY R. HAGEN, 0000
PAUL HAJDU, 0000
TIMOTHY D. HALE, 0000
NOELLE D. HALL, 0000
SHANE N. HALL, 0000
BRENDAN L. HALLORAN, 0000
NICHOLAS A. HALUPKA, 0000
TODD M. HALVERSON, 0000
BRIDGET V. HAMACHER, 0000
SHANE J. HAMACHER, 0000
JEFFREY A. HAMBLIN, 0000
WILLIAM R. HAMILL, 0000
JOHN W. HAMILTON, 0000
PAUL T. HAMILTON, 0000
WILLIAM H. HAMILTON III, 0000
JAMES M. HAMMA, 0000
DAVID K. HAMMER, 0000
DAVID A. HAMMERSCHMIDT, 0000
RAY C. HAMMOND, JR., 0000
PATRICIA L. HAMRICK, 0000
THOMAS W. HANCOCK, 0000
MATTHEW C. HANDLEY, 0000
RAYMOND F. HANDRICH, 0000
GAGE E. HANDY, 0000
TIMOTHY P. HANEY, 0000
CHARLES D. HANKS, 0000
CORY M. HANNA, 0000
ROBERT L. HANOVICH, JR., 0000
CHRISTOPHER F. HANSEN, 0000
TRACY R. HARDISON, 0000
BRYCE R. HARDY, 0000
JACK F. HARMAN, 0000
LEWIS B. HARPER, JR., 0000
CHAD MARTIN HARRIS, 0000
DANIEL A. HARRIS, 0000
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NICHOLE M. HARRIS, 0000
TAMMIE L. HARRIS, 0000
DARYL D. HART, 0000
ERIC C. HARTEN, 0000
JOHN P. HARTIGAN III, 0000
JAMES HARTMETZ, 0000
STEPHEN M. HARVEY, 0000
WILLIAM P. HARVEY, 0000
ERIC S. HASSINGER, 0000
TRAVIS J. HAWKER, 0000
CHRISTOPHER S. HAWKINS, 0000
JOHN W. HAWKINS, JR., 0000
BRIAN C. HAYNES, 0000
KYLE B. HEAD, 0000
NATHAN J. HEALY, 0000
JEREMIAH S. HEATHMAN, 0000
MARK D. HEDDEN, 0000
ERIC J. HEDENBERG, 0000
RICHELLE M. HEFLIN, 0000
DEREK B. HEIFNER, 0000
DAVID O. HEIST, 0000
FRANK HELLSTERN, JR., 0000
JEFFREY M. HEMMES, 0000
KEITH T. HENDERLONG, 0000
BRYAN S. HENDERSON, 0000
RONALD E. HENDERSON, 0000
MATTHEW S. HENRY, 0000
TRAVIS W. HERBELIN, 0000
KRISTIN KOBARG HERDER, 0000
MATTHEW L. HERDER, 0000
JOSEPH E. HERNANDEZ, 0000
RENE D. HERNANDEZ, 0000
TIMOTHY A. HERRITAGE, 0000
WENDELL S. HERTZELLE, 0000
IVAN M. HERWICK, 0000
MICHAEL S. HESSE, 0000
IAN R. HESTER, 0000
JERRY R. HICKEY, 0000
CLIFTON L. HICKS, 0000
JAMES T. HICKS, 0000
JOHN G. HIGBY, 0000
MATTHEW K. HIGGINS, 0000
PATRICK N. HILGENDORF, 0000
DANIEL R. HILL, 0000
ERIN R. HILLABRAND, 0000
KRISS K. HINDERS, 0000
MATTHEW B. HINKLE, 0000
CRAIG W. HINKLEY, 0000
BENJAMIN D. HINTON, 0000
MISTY A. HITCHCOCK, 0000
RYAN D. HOBERT, 0000
CRAIG A. HODGES, 0000
FREDERICK R. HOESCHLER, 0000
PAIGE D. HOFFART, 0000
KATHERINE F. HOFFMEYER, 0000
MICHAEL R. HOGSED, 0000
JASON T. HOKAJ, 0000
JESSICA D. HOLLINGER, 0000
FRED M. HOLLINGSWORTH, 0000
SLOAN L. HOLLIS, 0000
BENJAMIN A. HOLLO, 0000
MARK A. HOLMES, 0000
JOHN E. HOLOVICH, SR., 0000
DAWN M. HOLRATH, 0000

JOHN C. HOLT, 0000
AUSTIN LINNELL HOLTHAUS, 0000
WILLIAM D. HOLYFIELD, 0000
JAMES D. HOOD, 0000
DAVID B. HOOTEN, 0000
AARON M. HOPPER, 0000
SCOTT M. HOPPER, 0000
MATTHEW E. HORIN, 0000
BETH K. HORINE, 0000
MICHAEL G. HORLBECK, 0000
FRANCISCO M. HORNSBY, 0000
MICHAEL A. HOROWITZ, 0000
MARK A. HORTON, 0000
ERIC W. HOSAFROS, 0000
BRANDT L. HOUSE, 0000
ROBERT C. HOUSTON, 0000
CHRISTOPHER M. HOWARD, 0000
NATHAN R. HOWARD, 0000
DENNIS H. HOWELL, 0000
GASPAR B. HOWELL, 0000
HELEN J. HOWELL, 0000
WILLIAM J. HOWERY, 0000
CHARLES A. HUBER, 0000
KATHLEEN S. HUBSCHER, 0000
RYAN J. HUCKABAY, 0000
COLIN R. HUCKINS, 0000
MARK L. HUDNALL, 0000
BRIAN M. HUETHER, 0000
FRANCIS RICHARD HUGHES, 0000
KIRK HUGHES, 0000
MICHAEL E. HUGHES, 0000
ERIC M. HUISKENS, 0000
SARA M. HUISS, 0000
CAELI A. HULL, 0000
JASON I. HUMBLE, 0000
HEATHER M. HUNN, 0000
JESSE W. HUNT, 0000
WILLIAM H. HUNTER, 0000
ANDREW B. HUNTOON, 0000
KYLE R. HURWITZ, 0000
STEPHEN H. HUTCHINSON, 0000
PAUL A. HUTCHISON, 0000
WAYNE R. HUTCHISON, 0000
COURTNEY C. HUTT, 0000
JAY E. HUTZELL, 0000
ROSS G. IACOMINI, 0000
PAUL R. IHRIG, 0000
JASON A. ILG, 0000
DAMON A. INGRAM, 0000
DREW M. IRMISCHER, 0000
BURNETT K. ISENBERG II, 0000
TODD A. IVENER, 0000
MICHELLE L. IVERY, 0000
ANDREAS H. IX, 0000
SWAMINATHAN B. IYER, 0000
DENNIS E. JACK, 0000
THEOPHILUS D. JACKMAN, 0000
CLAYTON F. JACKSON, 0000
DOUGLAS D. JACKSON, 0000
HANK D. JACKSON, 0000
PATRICK A. JACKSON, 0000
ROBERT J. JACKSON, 0000
SARAH E. JACKSON, 0000
JIMMY T. JACOBSON, 0000
JOHN M. JACOBUS, 0000
PIOTR R. JAHOLKOWSKI, 0000
MICHAEL L. JAMES, 0000
MICHAEL B. JAMOOM, 0000
STEPHANIE A. JARDINE, 0000
KEITH A. JASMIN, 0000
BERT B. JEAN, 0000
COTINA R. JENKINS, 0000
CHAD W. JENNINGS, 0000
JAMES A. JERNIGAN, 0000
DERYK W. JETER, 0000
JAMES W. JETER III, 0000
ANDREW M. JETT, 0000
DAVID B. JOERRES, 0000
FELIX S. JOHNFINN, 0000
ANDRE T. JOHNSON, 0000
ANGELA L. JOHNSON, 0000
BRADLEY L. JOHNSON, 0000
CARL D. JOHNSON, 0000
DAVID A. JOHNSON, 0000
ERIC A. JOHNSON, 0000
GREGG S. JOHNSON, 0000
JARED M. JOHNSON, 0000
JASON D. JOHNSON, 0000
KEITH C. JOHNSON, 0000
LEIGH G. JOHNSON, 0000
MAX E. JOHNSON, 0000
MITCHELL R. JOHNSON, 0000
OLIVER R. JOHNSON, JR., 0000
SCOTT E. JOHNSON, 0000
THOMAS E. JOHNSON, JR., 0000
CHARLES E. JONES, 0000
HUNTER KENT JONES, 0000
JASON L. JONES, 0000
JEREMY L. JONES, 0000
KEVIN T. JONES, 0000
MICHAEL J. JONES, 0000
TIMOTHY L. JONES, 0000
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GARDNER J. JOYNER, 0000
LORENA M. JUAREZ, 0000
LAMONT A. JUBECK, 0000
JENNIFER S. JUDD, 0000
MICHAEL P. JULATON, 0000
ANDREW L. JULSON, 0000
NED JUNE, 0000
BRIAN W. KABAT, 0000
CHRISTOPHER J. KADALA, 0000
THOMAS D. KANAK III, 0000
STEVEN M. KATSARIS, 0000
RICHARD A. KATTAU, 0000
SONYA K. KAUFFMAN, 0000
KENNETH R. KAUPP, 0000
CHRISTOPHER S. KAY, 0000
DAVID MICHAEL KAZISKA, 0000
SEAN R. KEAVENEY, 0000
DUSTIN D. KECK, 0000
LOREN D. KEENAN, 0000
JASON E. KEENEY, 0000
RYAN P. KEENEY, 0000
KEVIN D. KEICHER, 0000
GEORGE R. KEITH, 0000
STEPHANIE R. KELLEY, 0000
IAN W. KEMP, 0000
ALBERT A. KENNEDY, 0000
DONALD R. KENNEDY, 0000
KELLIE LYNN KENT, 0000
GRAHAM G. KEPFER, 0000
SEAN M. KERRIGAN, 0000
DIMITRI KESI, 0000
JANETTE D. KETCHUM, 0000
STEVEN A. KETCHUM, 0000
SHARIFUL M. KHAN, 0000
KORY E. KHOURY, 0000
ADAM J. KIEDA, 0000
PATRICK D. KIELB, 0000
TREVOR M. KILDARE, 0000
KEVIN S. KIM, 0000
TREVOR G. KIMBAL, 0000
ROBIN D. KIMBROUGH, 0000
MICHAEL D. KING, 0000
RONALD J. KING, 0000
MIA P. KINSEY, 0000
JESSE A. KIRSTEIN, 0000
SEAN H. KISSINGER, 0000
CHARLES KISTLER, 0000
BRYAN M. KITCHIN, 0000
MICHAEL E. KLAPMEYER, 0000
DAIN O. KLEIV, 0000
JEFFERY W. KLEMSTINE, 0000
RICHARD E. KLETSCHKA, 0000
KYLE W. KLOECKNER, 0000
ERIK J. KNAUFF, 0000
BRIAN M. KNIGHT, 0000
TODD T. KNIGHT, 0000
CANYON D. KNOP, 0000
ROBERT G. KNOWLTON, 0000
CHADD R. KOBIELUSH, 0000
JAMES A. KODAT, 0000
ANDREW J. KOEGL, 0000
KEVIN M. KOENIG, 0000
JAY K. KOETITZ, 0000
DAVID A. KOEWLER, 0000
DONNA LYNN KOHOUT, 0000
STEVEN O. KOHUT, 0000
DALE A. KOLOMAZNIK, 0000
THOMAS A. KOORY, 0000
BRAD J. KORNREICH, 0000
JOHN R. KORSEDAL IV, 0000
KYLE R. KORVER, 0000
JOHN M. KOS, 0000
KEVIN R. KOTULA, 0000
JEFFREY J. KOTZ, 0000
MICHAEL KOWAL, 0000
GREG W. KOZBINSKI, 0000
TAYLOR E. KRENKEL, 0000
CHRISTOPHER D. KRETSINGER, 0000
STACY A. KREUZIGER, 0000
DENNIS J. KRILL, JR., 0000
GREGORY J. KRINO, 0000
SEAN A. KROLIKOWSKI, 0000
JACOB E. KROPOG, 0000
KEVIN W. KRSUL, 0000
JOHN S. KRUCZYNSKI, 0000
CHERISH L. KRUTIL, 0000
CHRISTOPHER J. KUDLACZ, 0000
TIMOTHY P. KUEHNE, 0000
CHRISTOPHER M. KUESTER, 0000
JEFFREY D. KUHN, 0000
COLBY J. KUHNS, 0000
JAE H. KWAK, 0000
SAMUEL KWAN, 0000
MELISSA M. LACEY, 0000
HEATHER A. LADD, 0000
TODD J. LAFORTUNE, 0000
BRIAN S. LAIDLAW, 0000
DAVID J. LAIRD, 0000
TOM C. LAITINEN, 0000
JEFF A. LANCOUR, 0000
JAMES B. LANDERS, 0000
PERRY D. LANDRUM, 0000
FRANK P. LANDRY III, 0000
KALLIROI LAGONIK LANDRY, 0000
NEWSTELL LANEY, JR., 0000
MARC A. LANGOHR, 0000
SCOTT E. LANIS, 0000
THOMAS S. LANKFORD, 0000
JOHN B. LANTZ, 0000
BRIAN P. LANZIERI, 0000
CHRISTOPHER LAPIETRA, 0000
CHRISTOPHER J. LARDNER, 0000
CHRISTOPHER LARKIN, 0000
SCOTT G. LAROCHE, 0000
AARON J. LAROSE, 0000
PETER L. LARSEN, 0000
PETER S. LASCH, 0000
WILLIAM S. LATIMER, 0000
OLIN O. LAU, 0000
ANDREW S. LAUER, 0000
RICHARD F. LAUER, 0000
JASON E. LAUTERBACH, 0000
JUSTIN W. LAVADOUR, 0000
BARRY J. LAWLOR, 0000
ANDREW G. LAWRENCE, 0000
MICHAEL P. LAWRENCE, 0000
PAUL R. LAWRENZ, 0000
BRIAN W. LEBECK, 0000
ANGELA C. LECHOWICK, 0000
BRYAN K. LEE, 0000
CHRISTY N. LEE, 0000
JAMES LEE, 0000
ROBERT A. LEE, 0000
THOMAS LEE, 0000
THOMAS S. LEE, 0000
JONATHAN W. LEFFLER, 0000
CHRISTOPHER J. LEONARD, 0000
NICHOLAS J. LEONELLI, 0000
KELLY K. LEUNING, 0000
WARDELL G. LEVY, 0000
MATTHEW E. LEWIN, 0000
DANIELLE M. LEWIS, 0000
GREGORY R. LEWIS, 0000
MARK C. LEWIS, 0000
MICHAEL M. LEWIS, 0000
TRAVIS W. LEWIS, 0000
CHRISTOPHER A. LI, 0000
CHRISTIAN F. LICHTER, 0000
KATHERINE A. E. LILLY, 0000
C. EVERETT LILYA, 0000
MICHAEL E. LIM, 0000
ANDREW W. LIND, 0000
AARON T. LINDERMAN, 0000
STEVEN A. LINDQUIST, 0000
STEPHEN B. LINDSEY, 0000
CHRISTIAN J. LINGENFELDER, 0000
SCOTT E. LINTNER, 0000
ANDREW J. LIPINA, 0000
ERIC R. LIPP, 0000
JOHN E. LITECKY, 0000
SAMUEL A. LITTLE, 0000
BRADLEY M. LITTLETON, 0000
JEREMY E. LLOYD, 0000
ANDRE M. LOBO, 0000
JOHN C. LOFTON III, 0000
LUKE S. LOKOWICH, 0000
HOWARD S. LOLLER, 0000
FRANCES K. LOMINACK, 0000
JASON T. LONG, 0000
JESSE R. LONG, 0000
MARK L. LONG, 0000
MATTHEW J. LONG, 0000
ROBERT A. LONG, 0000
ROBERT F. LONG, 0000
VALARIE A. LONG, 0000
DAVE A. LOPEZ, 0000
GABRIEL N. LOPEZ, 0000
HECTOR G. LOPEZ, 0000
JASON B. LOTT, 0000
CHARLES T. LOVE, JR., 0000
JAMES R. LOVEWELL, 0000
TAMMY K. C. LOW, 0000
DONALD C. LOWE, 0000
GREGORY B. LOWE, 0000
KATE W. LOWE, 0000
SEAN E. LOWE, 0000
WILLIAM E. LOWERY, 0000
JAMES C. LOZIER, 0000
TIMOTHY M. LUCAS, 0000
AARON P. LUMPKIN, 0000
MICHAEL J. LUTERZO, 0000
ALEJANDRO LUYANDO III, 0000
JESSICA M. LUYANDO, 0000
ROB S. LUZADER, 0000
BONAR A. LUZEY, 0000
ROBERT E. LYMAN, 0000
PHILIP W. LYNCH, 0000
SCOTT D. LYNCH, 0000
SHARON I. LYNN, 0000
DAVID C. LYONS, 0000
HEATHER A. LYONS, 0000
RICHARD R. I. MACALINO, 0000
JAMES C. MACH, JR., 0000
JANIS L. MACK, 0000
RICHARD R. MADER, 0000
SHAD E. MAGANN, 0000
LISA J. MAHON, 0000
KENNETH P. MAIN, 0000
MICHAEL S. MAKSIMOWICZ, 0000
CALEB ANDREW MALCOLM, 0000
ROGELIO MALDONADO, JR., 0000
JAMES L. MALEC, JR., 0000
MARSHALL G. MALHIOT, 0000
LEO P. MANAHL, 0000
DANIEL J. MANGAN, 0000
RUSTIN K. MANGUM, 0000
IAN R. MANIRE, 0000
JAMES R. MANSARD, 0000
PATRICK J. MANTEUFEL, 0000
GEDEON H. MARIAM, 0000
JASON E. MARINO, 0000
ERIN M. MARKWITH, 0000
LOUIS J. MARNELL III, 0000
NICHOLAS J. MAROTTA, 0000
EDWARD F. MARQUEZ, JR., 0000
ROBERT L. MARSH, 0000
JOHN J. MARSHALL, 0000
RALPH D. MARSHALL II, 0000
WILLIAM L. MARSHALL, 0000
ANDREW L. MARTIN, 0000
ANDREW P. MARTIN, 0000
DOMINICK J. MARTIN, 0000
JASON S. MARTIN, 0000
JIM E. MARTIN, 0000
KEVIN C. MARTIN, 0000
KYLE R. MARTIN, 0000
WILLIAM R. MARTIN II, 0000
ALFRED R. MARTINEZ, 0000
MELCHIZEDEK T. MARTINEZ, 0000
RAUL MARTINEZ, 0000
RENE A. MARTINEZ, 0000
RUBEN MARTINEZ, 0000
DEREK P. MARVEL, 0000
JASON L. MASCIULLI, 0000
ROBERT L. MASON, JR., 0000
CONNIE M. MASSEY, 0000
BRADFORD J. MATE, 0000
STEVEN S. MATHIS, 0000

THOMAS S. MATHIS, 0000
PEDRO ENRIQUE MATOS, 0000
CHARLES P. MATTINGLY, 0000
JASON M. MATYAS, 0000
CHRISTINE MAU, 0000
JAMES E. MAUNZ, 0000
MELVIN E. MAXWELL, JR., 0000
CHRISTOPHER M. MAY, 0000
DAVID J. MAY, 0000
DAVID W. MAY, 0000
MARLYS M. MAY, 0000
MICHAEL S. MAY, 0000
PAUL J. MAYKISH, 0000
MIKE MCALEENAN, 0000
MATTHEW W. MCANDREW, 0000
ROBERT K. MCCABE, 0000
WILLIAM E. MCCALLISTER, 0000
ROBERT F. MCCALLUM, 0000
RICKEY G. MCCANN, JR., 0000
KEVIN P. MCCARTHY, 0000
RONALD D. MCCARTY, 0000
DAVID M. MCCOY, 0000
GARRETT E. MCCOY, 0000
MICHAEL T. MCCOY, 0000
SCOTT A. MCCOY, 0000
NEIL P. MCCRACKEN, 0000
PAUL G. MCCROSKEY II, 0000
RICHARD A. MCCURDY, 0000
JASON D. MCCURRY, 0000
DOUGLAS B. MCDANIEL, 0000
ERIN S. MCDONALD, 0000
JAYSON M. MCDONALD, 0000
CHARLES A. MCELVAINE, 0000
VIVIAN R. K. MCFEETERS, 0000
SHAWN P. MCGHEE, 0000
RICHARD E. MCGLAMORY, 0000
JAMES S. MCGREW, 0000
SCOTT E. MCINTOSH, 0000
MICHAEL J. MCKEE, 0000
DANIEL J. MCKELLER, 0000
THOMAS P. MCKINNIS, 0000
DANIEL J. MCLAGAN, 0000
MARJORIE K. W. MCLAGAN, 0000
WILBURN B. MCLAMB, 0000
SUZANNE G. MCLAUGHLIN, 0000
RICHARD F. MCMULLEN, 0000
SCOTT A. MEAKIN, 0000
JEFFREY S. MEANS, 0000
GARY W. MEARS, 0000
JOSEPH J. MEAUX III, 0000
JASON R. MEDINA, 0000
ERIN P. MEINDERS, 0000
ROBERT J. MEISTER, 0000
ESPIRITO D. MELLER, 0000
APRIL D. MENCH, 0000
RICHARD MICHAEL MENCH, JR., 0000
EDWARD V. MENDONES, 0000
CHRISTOPHER MERCENDETTI, 0000
DONALD E. MERCER, 0000
GLEN A. MERCIER, 0000
LARRY D. MERCIER, JR., 0000
ROGER R. MESSER, 0000
WILLIAM M. B. METZ, 0000
HEATHER K. MEYER, 0000
JOSEPH R. MEYER, 0000
TRINIDAD K. MEZA, 0000
ALARIC T. MICHAELIS, 0000
MATTHEW E. MIDDLETON, 0000
THAD R. MIDDLETON, 0000
MICHAEL V. MILEY, 0000
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KYLE A. MINARIK, 0000
SCOTT C. MINAS, 0000
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DWIGHT D. MINNICK, 0000
KEVIN V. MINOR, 0000
ANTHONY L. MIRANDA, 0000
HEATHER L. MITCHELL, 0000
MORGAN W. MITCHELL, 0000
MIRCEA A. MITRAN, 0000
CRAIG D. MOE, 0000
SHANE M. MOLOSKY, 0000
SEAN R. MONTEIRO, 0000
JEFF RYAN MONTGOMERY, 0000
MELISSA MOONBROWN, 0000
JASON R. MOONEY, 0000
APRIL A. MOORE, 0000
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EUGENE A. MOORE III, 0000
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SANDRA R. MORROW, 0000
MICHAEL D. MOWRY, 0000
LEON H. MUELLER, JR., 0000
RICHARD D. MUERLE, 0000
GERALD C. MULHOLLEN, JR., 0000
JUSTIN A. MULKEY, 0000
GREGORY M. MULLER, 0000
DERCK J. MULLIN, 0000
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ANTONIO MUNOZ, JR., 0000
MONTE T. MUNOZ, 0000
DANIEL J. MUNTER, 0000
DIZZY B. MURPHY, 0000
ERIC M. MURPHY, 0000
TAMARA C. MURPHY, 0000
JESSE L. MURRAY, 0000
SCOTT M. MURRAY, 0000
YIRA Y. MUSE, 0000
DARRELL A. MYERS, 0000
DERON R. MYERS, 0000
CHRISTOPHER M. NAGY, 0000
ANTHONY M. NANCE, 0000
JOSH D. NASSEF, 0000
TODD A. NATHANIEL, 0000
KEVIN R. NATIONS, 0000
GUY A. NAVARRO, JR., 0000
RANDY S. NAYLOR, 0000
JULIO A. NEGRON, 0000
BRYAN PAUL NELSON, 0000
JEFFREY W. NELSON, 0000
KEITH L. NELSON, 0000
MICHAEL A. NELSON, JR., 0000
MICHAEL L. NELSON, 0000
TRAVIS C. NELSON, 0000
MARK C. NEMISH, 0000
VICTORIA L. NEMMERS, 0000
JOHN W. NEPTUNE, 0000
TODD J. NERLIN, 0000
DAVID A. NEWBERRY, 0000
STUART WESTON NEWBERRY, 0000
JOHN P. NEWBILL, 0000
CUONG T. NGUYEN, 0000
TINA H. NGUYEN, 0000
TUAN A. NGUYEN, 0000
MARCUS W. NICHOLS, 0000
THOMAS A. NIDAY, 0000
JASON R. NIELSEN, 0000
CRAIG M. NIEMAN, 0000
ALBERT NIEVES, 0000
ROSE M. NIKOVITS, 0000
GREGORY W. NITA, 0000
MICHAEL A. NOCHE, 0000
MICAH NODINE, 0000
MICHAEL S. NOLAN, 0000
JOEL C. NONNWEILER, 0000
AARON G. NORRIS, 0000
BRIAN P. NOWINSKI, 0000
LEO M. NOYES, 0000
JEREMY B. NYGREN, 0000
ROBERT K. OAKES III, 0000
ROY H. OBERHAUS, 0000
WILLIAM P. OBRIEN, 0000
BRIAN D. OCONNELL, 0000
ROBERT N. ODOM, 0000
HUGH M. ODONNELL, 0000
WILLIAM J. ODONNELL III, 0000
DEVIN O. ODOWD, 0000
FRANK C. OFEARNA, 0000
TIMOTHY R. OHARA, 0000
CHRISTOPHER M. OHLMEYER, 0000
MATTHEW S. OHORO, 0000
MICHELE J. OLSEN, 0000
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MATTHEW L. OLSON, 0000
ELIZABETH A. OMALLEY, 0000
SCOTT A. OMALLEY, 0000
BRIAN P. ONEILL, 0000
RICHARD M. OPERHALL, 0000
MATTHEW M. ORLOWSKY, 0000
PATRICK J. OROURKE, 0000
SCOTT A. ORR, 0000
DAVID L. ORSCHELL, 0000
JAY A. ORSON, 0000
STEVEN H. OSBORNE, 0000
ENRIQUE A. OTI, 0000
NATHANIEL B. OTT, 0000
NOAH M. OVIEDO, 0000
DAVID B. OWEN, 0000
JAMES P. OWEN, 0000
JOSHUA G. PADGETT, 0000
MILKO R. PADILLA, 0000
DAVID A. PAFFORD, 0000
THOMAS P. PAGANO, 0000
KIRK G. PALMBERG, 0000
TIMOTHY C. PALMER, 0000
DAMIAN D. PANAJIA, 0000
DAVID A. PAPINEAU, 0000
JASON C. PARAISO, 0000
ROBERT M. PARKER, 0000
TARA S. PARKER, 0000
MICHAEL B. PARKS, 0000
RUSSELL L. PARRAMORE, 0000
RAYMOND G. PARTLOW, 0000
YORK W. PASANEN, 0000
WILLIAM P. PASTEWAIT, 0000
ANDREW H. PATE, 0000
KAREN STEWART PATRICK, 0000
DAVID K. PATTERSON, 0000
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HERMAN M. PAYNE, 0000
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ELEANOR S. PEREDO, 0000
VICTOR M. PEREIRA, 0000
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STEPHEN H. PEUTE, 0000
DAVID A. PFAHLER, 0000
AUDREY G. PFINGSTON, 0000
STEVEN A. PHELPS, 0000
STEPHEN PHILLIPS, 0000
JOSHUA J. PICCIRILLO, 0000
DAMIEN F. PICKART, 0000
GREGORY B. PICKETTE, 0000
PATRICIA Y. PIE, 0000
JULIANNA W. PIEPKORN, 0000
ORRIN C. PIERCE, 0000
JOHN M. PILONG, 0000
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KIRSTIN L. PLAGGE, 0000
DAVID M. PLAVAN, 0000
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LYNN LOUISE PLUNKETT, 0000
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JOHN A. PORCHE, 0000
TIMOTHY W. PORTER, 0000
JEREMY P. POTVIN, 0000
GARRET L. POVAR, 0000
LEBERT T. POWELL, 0000
ORVAL A. POWELL, 0000
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SHELLY PRESCOD, 0000
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JOHN K. PRINGLE, 0000
DANIEL W. PRITT, 0000
JOHN L. PROIETTI, 0000
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MELISSA D. PRUCE, 0000
ANDRE R. PRUDE, 0000
ROBERT A. PRUSSAK, 0000
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MICHELLE L. PRYOR, 0000
SCOTT GRAYSON PUTNAM, 0000
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STEVEN L. QUICK, 0000
ERIK N. QUIGLEY, 0000
CARLOS A. QUINONES, 0000
MICHAEL J. RADERMACHER, 0000
DANIEL C. RADICK, 0000
JASON J. RAFFERTY, 0000
MICHAEL J. RAFFERTY II, 0000
BRETT J. RAFTERY, 0000
JEREMY A. RALEY, 0000
ALEXANDER P. RALSTON, 0000
MICHAEL K. RAMBO, 0000
ABEL RAMOS, 0000
CHRISTOPHER R. RANDALL, 0000
MARQUS D. RANDALL, 0000
ROBERT W. RANDALL, 0000
ERIK J. RANKE, 0000
JAMES R. RAPALLO, JR., 0000
MICHAEL C. RASBACH, 0000
DAVID A. RATCLIFFE, 0000
DAVID E. RAYMAN, 0000
TRISHA B. RAYNOHA, 0000
BRADLEY D. READNOUR, 0000
DANIEL J. REBECKY, 0000
AMANDA E. REDASH, 0000
BRYAN K. REDASH, 0000
CARRIE E. REDD, 0000
PETER S. REDDAN, 0000
EDWARD J. REDER, 0000
BRIAN L. REECE, 0000
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JERRY P. REEDY, 0000
KURT N. REGLING, 0000
CHRIS E. REICHARDT, 0000
ROBERT B. REID, 0000
PATRICK G. REIMER, 0000
ROBERT D. REIMER, 0000
JOEL A. REINER, 0000
CARRIE A. REINHARDT, 0000
DOUGLAS C. REISING, 0000
JASON M. REPAK, 0000
JASON SANCHEZ RESLEY, 0000
FRANK N. REYES, 0000
GERARDO REYES, 0000
RAMSAMOOJ J. REYES, 0000
DAVID C. J. RHOADES, 0000
KEVIN R. RHODES, 0000
PATRICIA L. RHODES, 0000
STEPHEN E. RHODES, 0000
GILBERT A. RIBONI, 0000
CHRISTOPHER M. RICE, 0000
ROBERT M. RICH, 0000
MICHAEL F. RICHARDS II, 0000
MARK D. RICHEY, 0000
MICHAEL D. RICHMOND, 0000
MARK J. RICHTER, 0000

JEROD G. RICK, 0000
LESLIE P. RICK, 0000
DAVID A. RICKARDS, 0000
KEVIN S. RICKMAN, 0000
JUSTIN A. RIDDLE, 0000
MICHAEL A. RIDER, JR., 0000
SCOTT W. RIDER, 0000
CHRISTOPHER S. RIGGEN, 0000
BRIAN L. RIGGS, 0000
JONATHAN D. RITSCHEL, 0000
TAMIKO L. RITSCHEL, 0000
KEVIN A. RIVERO, 0000
WILLIAM E. ROACH, 0000
ROBERT R. ROBB, 0000
JEFFERY L. ROBERTS, 0000
JOHN C. ROBERTS, 0000
CLAYTON E. ROBINSON, 0000
DAVID H. ROBINSON, 0000
FORD M. ROBINSON, 0000
JOHN D. ROCHE, 0000
ERIC J. ROCKHOLD, 0000
ROY V. ROCKWELL, 0000
JAIME A. RODRIGUEZ, 0000
JUNE F. RODRIGUEZ, 0000
JEANNIE A. ROELLICH, 0000
CHAD A. ROGERS, 0000
THOMAS C. ROGERS, 0000
WILLIAM S. ROGERS, 0000
DANIEL S. ROHLINGER, 0000
JONATHAN M. ROMAINE, 0000
GEOFFREY J. ROMANOWICZ, 0000
RICHARD J. ROMANSKI, 0000
JOSEPH C. ROMEO, 0000
DANIEL T. RONNEBERG, 0000
ETIENNE G. ROSAMONT, 0000
PEDRO L. ROSARIO, 0000
DAVID M. ROSS, 0000
DINAH L. ROSS, 0000
JAMES F. ROSS, JR., 0000
JOSEPH J. ROTH, 0000
FRANCOIS H. ROY II, 0000
JONATHAN S. ROYER, 0000
DANIEL J. RUBERA, 0000
JOSEPH D. RUCKER, 0000
WALTER D. RUDD, 0000
JASON M. RUESCHHOFF, 0000
JASON M. RULO, 0000
ABIGAIL L. RUSCETTA, 0000
ANDREW W. RUSH, 0000
CAMERON H. RUSS, 0000
DOUGLAS S. RUSSELL, 0000
ROBERT V. RUSSELL, 0000
RUSSELL J. RUTAN, 0000
CHAD E. C. RYTHER, 0000
DENNIS M. SABATINO, 0000
JOSEF E. SABLATURA, 0000
JEFFREY A. SALEM, 0000
KELLY M. SAMS, 0000
PETER A. L. SANDNESS, 0000
MARK A. SANDOR, 0000
JOSEPH D. SANDUK, 0000
RAMIRO C. SANTOYO III, 0000
DANIEL M. SAUCER, 0000
MARCUS P. SAULEY, 0000
LYNN E. SAVAGE, 0000
MICHAEL A. SAVILLE, 0000
GORDON D. SAWSER, 0000
MICHAEL M. SAX, 0000
ERIC D. SCHARNOWSKI, 0000
JOHN J. SCHAUERS IV, 0000
JAIMESON D. SCHEBEL, 0000
TRAVIS J. SCHEEL, 0000
STEPHEN L. SCHEIN, 0000
NICOLAS J. SCHINDELER, 0000
CHRISTOPHER G. SCHLAK, 0000
JAMES C. SCHMEHL, 0000
SHANNON L. SCHNEIDER, 0000
MATTHEW A. SCHNOOR, 0000
DONALD E. SCHOFIELD II, 0000
RICHARD G. SCHOGGINS, 0000
PETER W. SCHOLL, 0000
HENRY C. SCHOTT, JR., 0000
MARK A. SCHULMAN, 0000
MAUREEN A. SCHUMANN, 0000
LAWRENCE J. SCHUTZ, 0000
NATHAN C. SCOPAC, 0000
CHRISTOPHER M. SCOTT, 0000
DAVID A. SCOTT, 0000
JOHN DANIEL SCOTT II, 0000
JUSTIN T. SCOTT, 0000
YEHODI SCOTT, 0000
JOSEPH R. SCROGGINS, 0000
BARRY R. SECREST, 0000
GEORGE A. SEFZIK, 0000
TIMOTHY F. SEHNEM, 0000
DAVID C. SEITZ, 0000
DAVID L. SEITZ, 0000
JASON T. SELF, 0000
PETER A. SELKEY, JR., 0000
JAMES D. SELLNOW, 0000
CHRISTIAN A. SENN, 0000
CHRISTOPHER SENSENEY, 0000
SHAWN A. SERFASS, 0000
MARIO A. SERNA, 0000
JASON R. SETTLE, 0000
JOHN M. SEVIER, 0000
CHRISTOPHER A. SEYMORE, 0000
DEVIN L. SHANKS, 0000
JOHN G. SHAPLEIGH, 0000
GRANT BROOKE SHARPE, 0000
JOSEPH L. SHEFFIELD, 0000
JEROMIE K. SHELDON, 0000
MICHAEL S. SHELDON, 0000
SAMANTHA L. SHELTON, 0000
VINCE P. SHELTON, 0000
FRED S. SHEPHERD, 0000
MICHAEL R. SHEPHERD, 0000
CHRISTOPHER J. SHIELDS, 0000
EILEEN M. SHIELDS, 0000
MARK A. SHOEMAKER, 0000
ERIC M. SHONTZ, 0000
DAVID R. SHORT, 0000
MELINDA A. SHORTEN, 0000
JON L. SHUMATE, 0000
JOSEPH P. SIBERSKI, 0000
TRACEY E. SILFIES, 0000
JAMEY P. SILLENCE, 0000
CHAD A. SILVA, 0000
MATTHEW M. SIMMONS, 0000
TIMOTHY J. SIMMONS, 0000
CHRISTIAN G. SIMMS, 0000
STEVEN A. SIMONE, 0000
EDWARD H. SIMPSON, 0000
RYAN K. SIMPSON, 0000
SANJIT SINGH, 0000
JAMY L. SIRMANS, 0000
KENNETH SHELBERT SITLER, 0000
KEVIN L. SITLER, 0000
TRAVIS D. SJOSTEDT, 0000
KELLY A. SKALKO, 0000
JAMES D. SKELTON, 0000
WILLIAM W. SKINNER III, 0000
ERIC W. SKIPPER, 0000
PAUL M. SKIPWORTH, 0000
DAVID M. SLAYDON, 0000
MARK ROBERT SLOAN, 0000
DAVID W. SMALL, 0000
PIERRE R. SMIT, 0000
ALBERT E. SMITH, 0000
ANDREW M. SMITH, 0000
ANTHONY L. SMITH, 0000
BENJAMIN T. SMITH, 0000
BLAKE JASON SMITH, 0000
DANIEL W. SMITH III, 0000
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EVAN V. SMITH, 0000
JAMES E. SMITH, 0000
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MATTHEW H. SMITH, 0000
SUSANA S. SMITH, 0000
TONIA L. SMITH, 0000
VERONICA E. SMITH, 0000
STEPHEN P. SNELSON, 0000
BRIAN L. SNYDER, 0000
PATRICK S. SNYDER, 0000
DARREN D. SOKOL, 0000
JONATHAN M. SONGER, 0000
YVONNE S. SOROKIN, 0000
NOELLE M. SOSA, 0000
WILLIAM G. SOSNOWSKI, 0000
PETER S. SOTO, 0000
CHRISTOPHER J. SOUTHARD, 0000
JOCELYN L. SOUTHERLAND, 0000
ROBERT L. SOUTHERLAND, 0000
ANDREW A. SOUZA, 0000
MICHAEL A. SOVITSKY, 0000
JEFFREY R. SPARROW, 0000
CHAD A. SPELLMAN, 0000
JAMES H. SPENCER, 0000
ANDRE R. SPICER, 0000
MITCHELL R. SPILLERS, JR., 0000
EDWARD T. SPINELLI, 0000
ERIC J. SPRINGER, 0000
DANIEL C. STPIERRE, 0000
JAMES W. STAHL, 0000
KIMBERLEE R. STAMETS, 0000
DERRICK D. STAMOS, 0000
SCOTT M. STANFORD, 0000
MICHAEL D. STAPLETON, 0000
DONALD L. STARLING, 0000
WILLIAM R. STAUS, 0000
DERICK N. STEED, 0000
ANDREW J. STEFFEN, 0000
CHAD A. STEFFEY, 0000
RICHARD E. STEGGERDA, 0000
OWEN D. STEPHENS, 0000
THOMAS E. STEPHENSON, 0000
SEAN E. STEVENS, 0000
JAN L. STILWELL, 0000
CLINTON W. STINSON, 0000
BRYAN A. STONE, 0000
JUDSON E. STONE, 0000
BARRY A. STOUT, 0000
WILLIAM M. STOVER, 0000
DAWN M. STRAIGHT, 0000
STEVEN A. STRAIN, 0000
JOHN C. STRATTON, 0000
MATTHEW B. STRATTON, 0000
MICHAEL C. STRATTON, 0000
THOMAS A. STRATTON, 0000
KELLY L. STRONG, 0000
ERIC M. STRUMPF, 0000
WAYNETTA GENTRY STUART, 0000
CHEN Y. SU, 0000
PATRICK C. SUERMANN, 0000
JOHN D. SULLIVAN, 0000
KRISTOPHER M. SULLIVAN, 0000
SCOTT T. SULLIVAN, 0000
SEAN S. SULLIVAN, 0000
JOSE E. SUMANGIL, 0000
SEAN P. SUTHERLAND, 0000
KEVIN K. SUTTERFIELD, 0000
GARY A. SWAIN, 0000
JAMES E. SWANNER, 0000
TIMOTHY W. SWANSON, 0000
RYAN S. SWEENEY, 0000
MARTIN D. SWEET, 0000
BRETT T. SWIGERT, 0000
STEPHEN C. SZTAN, 0000
JAMAL J. TABEB, 0000
ALEX D. TACEY, 0000
MATTHEW C. TACKETT, 0000
STEVEN WAYNE TAIT, 0000
KIRSTIE I. TALBOT, 0000
STANLEY J. TALLMAN, 0000
JEFFREY M. TANG, 0000
MICHAEL A. TARABORELLI, JR., 0000
ELI C. TATE, 0000
IAN S. TATE, 0000
ROY R. TATE, JR., 0000
MICHAEL B. TATUM, 0000
ANDREW J. TAYLOR, 0000
CHRISTOPHER A. TAYLOR, 0000
JASON T. TAYLOR, 0000
LAURA E. TAYLOR, 0000
STEPHEN T. TAYLOR, 0000
TERENCE G. TAYLOR, 0000
TIMOTHY J. TAYLOR, 0000
CRAIG L. TAYMAN, 0000
KEVIN B. TEMPLIN, 0000
PETER G. TERREBONNE, JR., 0000
VINCENT M. TERRELL, 0000
KATRINA A. TERRY, 0000
LUIS R. THEN, 0000
BRYAN W. THOMAS, 0000
CRAIG E. THOMAS, 0000
DILTRICE M. THOMAS, 0000
JAMES G. THOMAS II, 0000
JEREMY B. THOMAS, 0000
MICHAEL A. THOMAS, 0000
BRADLEY H. THOMPSON, 0000
BRIAN A. THOMPSON, 0000
CHRISTOPHER L. THOMPSON, 0000
LANE D. THOMPSON, 0000
MARK J. THOMPSON, 0000
SHAWN O. THOMPSON, 0000
MARY L. THOMSON, 0000
GREGORY D. THORNTON, 0000
RODNEY M. THURMAN, 0000
CASEY J. TIDGEWELL, 0000
JASON J. TIEGEN, 0000
MARICO L. TIPPETT, 0000
SARAH K. TOBIN, 0000
MICHAEL C. TODD, 0000
MATTHEW D. TONDINI, 0000
RONALD A. TORNESE, 0000
ROBERT R. TORRES, 0000
JERRY TOWNSEND II, 0000
JAMES M. TRACHIER, 0000
JOHN D. TRAN, 0000
DOUGLAS P. TRASK, 0000
JOHN H. TRAXLER, 0000
BRIAN R. TREDWAY, 0000
JOEL E. TREJO, 0000
TRENT W. TRIPPLE, 0000
TRAVIS W. TROTTER, 0000
CHRISTOPHER D. TROYER, 0000
JASON R. TRUDEL, 0000
CONSTANTINE TSOUKATOS, 0000
AARON A. TUCKER, 0000
JAMES P. TUITE, 0000
ROBERT S. TURNER, 0000
SUSUMU UCHIYAMA, 0000
KENNETH D. UNDERWOOD, 0000
DAVID N. UNRUH, 0000
MANUEL J. URIBE, 0000
DENNIS W. UYECHI, 0000
TARA R. VALENTINE, 0000
JERRY M. VAN DYKE, 0000
CHRISTOPHER S. VANCE, 0000
THOMAS B. VANCE, JR., 0000
JERRY J. VANDEWIELE, 0000
JEFFREY S. VANDUSEN, 0000
BARRY J. VANEK, 0000
SPENCER T. VANMETER, 0000
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DANIEL L. VANOSTRAND, 0000
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KOREY B. VAUGHN, 0000
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SAMMY DIAZ VEGA, 0000
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LORI A. VESSELS, 0000
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SHANE M. VETTER, 0000
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MIGUEL E. VILLARREAL, 0000
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GRANT T. VINEYARD, 0000
SHAD D. VINSON, 0000
JILEENE M. VIVIANS, 0000
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TED A. WAHOSKE, 0000
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ANTHONY L. WALKER, 0000
BRADLEY C. WALKER, 0000
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ERICK JOHN WALLMAN, 0000
LORRAINE M. WALOWSKY, 0000
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STACY E. WALSER, 0000
BRENDAN P. WALSH, 0000
MICHAEL O. WALTERS, 0000
BRANDE HELEN WALTON, 0000
BENJAMIN GRAY WARD, 0000
MARTHA J. WARD, 0000

PATRICK R. WARD, 0000
RANDY S. WARDAK, 0000
THERESA M. WARDAK, 0000
CATHERINE M. WARE, 0000
MICHAEL S. WARNER, 0000
RICHARD L. WARR, 0000
DANIEL E. WARRENSFORD, JR., 0000
MICHAEL WASHINGTON, 0000
MARK D. WASKOW, 0000
SCOTT G. WATERS, 0000
CHRISTOPHER B. WATSON, 0000
MICHAEL S. WATSON, 0000
JEFFERY A. WEAK, 0000
JAMES C. WEAVER, 0000
JONATHAN D. WEBB, 0000
SAMANTHA WEEKS, 0000
MARK S. WEINER, 0000
JOHN S. WEIR, 0000
RANDALL L. WEITZEL, 0000
JEFFREY H. WELBORN, 0000
CHRISTOPHER S. WELCH, 0000
JUSTIN B. WELLEN, 0000
LINWOOD E. WELLS, JR., 0000
KIMBERLY LEE WELTER, 0000
JAMES D. E. WENT, 0000
BRENT D. WENTHUR, 0000
WILLIAM W. WENZEL, 0000
RANDALL T. WETHINGTON, 0000
DERRICK J. WEYAND, 0000
GREG D. WHITAKER, 0000
DALE R. WHITE, 0000
GEORGEANN WHITE, 0000
JAMES D. WHITE, 0000
LYNELLE N. WHITE, 0000
RYAN W. WHITE, 0000
PAUL W. WHITFIELD, JR., 0000
JONATHAN C. WHITNEY, 0000
JUSTIN A. WHITSON, 0000
STACY S. WIDAUF, 0000
JASON T. WIEHRDT, 0000
DAVID A. WIELAND, 0000
COLIN C. WIEMER, 0000
MICHAEL A. WIGEN, 0000
JANINE O. J. WIGGINS, 0000
CHRISTOPHER M. WILCOX, 0000
BRIAN K. WILKERSON, 0000
BRADY J. WILKINS, 0000
GARY M. WILLIAMS, 0000
JASON M. WILLIAMS, 0000
JOHN D. WILLIAMS, 0000
MICHAEL D. WILLIAMS, 0000
NICHOLE L. WILLIAMS, 0000
SARAH C. WILLIAMS, 0000
SEAN A. WILLIAMS, 0000
TERRY WILLIAMSON, 0000
ALAN L. WILLINGHAM, 0000
DARREN M. WILLIS, 0000
JAMES G. WILSON, 0000
KEITH D. WILSON, 0000
RONALD E. WILSON, JR., 0000
SCOT C. WILSON, 0000
WAYNE W. F. WILSON, 0000
YVONNDE M. WILSON, 0000
AARON N. WILT, 0000
HEATH WIMBERLEY, 0000
JOSEPH H. WIMMER, 0000
ALEXANDRA E. WINKLER, 0000
JESSE V. WINTERS, 0000
BRIAN D. WITKOWSKY, 0000
JEFFREY S. WITT, 0000
THOMPSON C. WOFFORD III, 0000
BRIAN M. WOHLWINDER, 0000
JOHN A. WOJTOWICZ, 0000
KEITH M. WOLAK, 0000
MARK R. WOLFE, 0000
JOHN T. WOLINSKI, 0000
DANIEL R. WOODFORD, 0000
JOHN P. WOODRUFF, 0000
MARGARET E. WOOTEN, 0000
CHRISTOPHER WORDEN, 0000
CARRIE L. WORTH, 0000
PAUL S. WRIGHT, 0000
RASHEEM J. WRIGHT, 0000
MICHAEL C. WYATT, 0000
MATTHEW W. WYNN, 0000
BENJAMIN A. WYSACK, 0000
DONN C. YATES, 0000
JASON D. YEATTS, 0000
EDWARD YEE, 0000
GREGORY J. YOSCHAK, 0000
JEFFREY W. YOST, 0000
ANDREW S. YOUNG, 0000
GREGORY D. YOUNG, 0000
IAN A. YOUNG, 0000
ROBERT J. ZALIWSKI, 0000
MATTHEW J. ZAMISKA, 0000
MICHAEL J. ZEMAN, 0000
JOHN ZENZ, 0000
EBEN M. ZERBA, 0000
SHAIO H. ZERBA, 0000
ERIC G. ZOOK, 0000
MICHAEL J. ZUHLSDORF, 0000
JESSE B. ZYDALLIS, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be colonel

MAZEN ABBAS, 0000
PATRICIA L. OKEEFE, 0000

To be lieutenant colonel

THEODORE B. ASHFORD, 0000
GEORGE B. COX, 0000
BRENDA T. EDWARDS, 0000
ANTHONY D. GARCIA, 0000
JEAN D. HAYOT, 0000
THARRELL B. KAST, 0000
BENJAMIN S. LAMBERT, 0000
RANDIE L. ONEAL, 0000
GOEFFREY P. PHILLIPS, 0000
MARK A. SCHREIBER, 0000
MILTON L. SHIPMAN, 0000
ROBERT D. SPESSERT, 0000

To be major

SCOTT R. ALLEN, 0000
TIMOTHY P. AUVIL, 0000
ERIC C. BLOOM, 0000
BRYAN L. BURROWS, 0000
PATRICK R. CAMPBELL, 0000
BRIAN K. CONNER, 0000
PAUL M. DAVIS, 0000
JAMES DAVIS, 0000
SONNIE D. DEYAMPERT, 0000
ROBERT A. DIXON, 0000
SCOTT D. GRANT, 0000
JOHN R. GRIFFIN, 0000
ALVA E. HART, 0000
DAVID S. HYLTON, 0000
ROBERT P. ISABELLA, 0000
LYNDON C. JOHNSON, 0000
WILLIAM S. KELLEY, 0000
DONAVAN LOCKLEAR, 0000
ROBERT L. SCHILLER, 0000
JOHN M. THANE, 0000
LANCE C. VARNEY, 0000

THE FOLLOWING NAMED OFFICERS FOR REGULAR APPOINTMENT IN THE GRADES INDICATED IN THE UNITED STATES ARMY AS CHAPLAINS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be lieutenant colonel

LEE R. YOAKAM, 0000

To be major

TYSON J. WOOD, 0000

THE FOLLOWING NAMED OFFICER FOR REGULAR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES ARMY JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10, U.S.C., SECTIONS 531 AND 3064:

To be major

CHRISTOPHER D. CARRIER, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHRISTOPHER RAMSEY, 0000

WITHDRAWAL

Executive Message transmitted by the President to the Senate on March 7, 2006 withdrawing from further Senate consideration the following nomination:

James Hardy Payne, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, which was sent to the Senate on September 29, 2005.